
SENATE JOURNAL

**FIRST REGULAR SESSION
AND
FIRST EXTRAORDINARY SESSION
Thirty-sixth Legislature of Oklahoma**

1977



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of Oklahoma**

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FIRST REGULAR SESSION

Convened January 4, 1977

Adjourned June 8, 1977

FIRST EXTRAORDINARY SESSION

Convened June 13, 1977

Adjourned June 17, 1977

JOURNAL

of the

SENATE

**FIRST REGULAR SESSION
and
FIRST EXTRAORDINARY SESSION
OF THE
THIRTY-SIXTH LEGISLATURE
OF OKLAHOMA
1977**



**First Regular Session
Convened January 4, 1977
Adjourned June 8, 1977**

**First Extraordinary Session
Convened June 13, 1977
Adjourned June 17, 1977**

IN MEMORIAM



GRENNELL, E. BLAKE
10-30-1892 — 4-24-1977

District 16

20th and 21st Sessions
(1945 through 1948)

LOWRANCE, OSCAR K., Sr.
1-17-1883 — 4-7-1977

District 18

15th and 16th Sessions
(1935 through 1938)

RINEHART, JAMES A.
2-22-1901 — 5-5-1977

District 14

15th through 26th Sessions
(1935 through 1958)

SPECK, BURR
8-22-1886 — 9-19-1977

District 5

19th through 22nd Sessions
(1943 through 1950)

OFFICERS OF THE SENATE

1st Regular Session

36th Legislature

1977

GEORGE NIGH, Oklahoma City	President
GENE C. HOWARD, Tulsa	President Pro Tempore
JIM E. LANE, Idabel	Majority Floor Leader
JOHN D. LUTON, Muskogee	Assistant Majority Floor Leader
WAYNE M. HOLDEN, Duncan	Majority Whip
JOHN R. McCUNE, OKLAHOMA CITY	Minority Floor Leader
NORMAN A. LAMB, Enid	Assistant Minority Floor Leader
PHIL WATSON, Edmond	Minority Whip
LEE SLATER, Guthrie	Secretary
RUTH SMITH, Oklahoma City	Chief Clerk
LORRIE HENKE, Edmond	Journal Clerk
BOBBIE STEENBERGEN, El Reno	Calendar Clerk
BETTY DARR, Oklahoma City	Chief Engrossing and Enrolling Clerk
BOB CRAIG, Oklahoma City	Sergeant-at-Arms
FRANK TRUEL, Oklahoma City	Sergeant-at-Arms Emeritus

CALENDAR MONTHS

1st REGULAR SESSION

36th LEGISLATURE - 1977

Convened January 4, 1977—Adjourned June 8, 1977

(The 90 Legislative Days are shown in
boldface type)

JANUARY 1977						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

FEBRUARY 1977						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

MARCH 1977						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL 1977						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY 1977						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JUNE 1977						
S	M	T	W	T	F	S
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	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.)

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MEMBERSHIP OF SENATE

Terms expire 1978

Name	Address	County	Dis- trict	Poli- tics
Robert L. Wadley	Claremore	Delaware*, Mayes, Rogers	2	D
Joe Johnson**	Heavener	LeFlore, Muskogee*, Sequoyah*	4	D
Roy A. Boatner	Calera	Atoka, Bryan, Johnston, Latimer*, Marshall, Pittsburg*	6	D
Kenneth Butler	Okmulgee	Haskell*, McIntosh, Muskogee*, Okmulgee	8	D
John L. Dahl	Barnsdall	Garfield*, Logan*, Noble, Osage*, Pawnee*	10	D
John W. Young	Sapulpa	Creek, Lincoln*, Okfuskee*, Payne*	12	D
Ernest D. Martin	Ardmore	Carter, Jefferson*, Love, Murray*	14	D
Lee Cate	Norman	Cleveland*	16	D
Roy E. Grantham	Ponca City	Kay, Grant*	20	D
Gideon Tinsley	El Reno	Blaine*, Canadian*, Kingfisher	22	D
Wayne M. Holden	Duncan	Cotton, Grady*, Jefferson*, Stephens	24	D
Gilmer N. Capps	Snyder	Beckham, Comanche*, Ellis, Greer*, Harmon*, Kiowa, Roger Mills, Washita*	26	D
Al Terrill	Lawton	Comanche*	32	D
Bob R. Shatwell	Tulsa	Tulsa*, Osage*, Washington*	34	D
Gene C. Howard	Tulsa	Tulsa*	36	D
Frank Keating	Tulsa	Tulsa*	38	R
Phillip E. Lambert	Oklahoma City	Oklahoma*	40	D
James F. Howell	Midwest City	Oklahoma*	42	D
Marvin York	Oklahoma City	Oklahoma*	44	D
Mary Helm	Oklahoma City	Oklahoma*	46	R
E. Melvin Porter	Oklahoma City	Oklahoma*	48	D
Bill Dawson	Seminole	Lincoln*, Logan*, Pottawatomie*, Seminole	50	D
E. W. Keller	Oklahoma City	Oklahoma*	52	R
Bob Funston	Broken Arrow	Tulsa*, Wagoner*	54	D

*District contains part of county

** Elected August 24, 1976, to fill unexpired term.

MEMBERSHIP OF SENATE

Terms expire 1980

Name	Address	County	District	Politics
William M. Schuelein	Miami	Craig*, Delaware*, Ottawa	1	D
Herbert Rozell	Tahlequah	Adair, Cherokee, Muskogee*, Sequoyah*, Wagoner*	3	D
Jim E. Lane	Idabel	Choctaw, McCurtain, Pushmataha	5	D
Gene Stipe	McAlester	Haskell*, Latimer*, Pittsburg*	7	D
John D. Luton	Muskogee	Muskogee*	9	D
James W. McDaniel	Fitzhugh	Coal, Hughes, Murray*, Okfuskee*, Pontotoc	13	D
Charles W. Vann	Pauls Valley	Cleveland*, Garvin, Grady*, McClain	15	D
John L. Clifton	Shawnee	Cleveland*, Pottawatomie*	17	D
Norman A. Lamb	Enid	Garfield*, Grant*	19	R
Robert M. Murphy	Stillwater	Lincoln*, Payne*	21	D
Ray A. Giles	Pocasset	Caddo, Grady*	23	D
Herschall H. Crow, Jr.	Olustee	Greer*, Harmon*, Jackson, Tillman	25	D
Ed Berrong	Weatherford	Alfalfa*, Blaine*, Custer, Dewey, Major*, Washita*, Woods*	27	D
Jerry T. Pierce	Bartlesville	Craig*, Nowata, Washington*	29	R
Paul Taliaferro	Lawton	Comanche*	31	D
Rodger A. Randle	Tulsa	Osage*, Tulsa*	33	D
Warren E. Green	Tulsa	Tulsa*	35	R
Finis W. Smith	Tulsa	Pawnee*, Tulsa*	37	D
Stephen C. Wolfe	Tulsa	Tulsa*	39	R
Phil Watson	Edmond	Oklahoma*	41	R
Don Kilpatrick	Del City	Cleveland*, Oklahoma*	43	D
Jimmy Birdsong	Oklahoma City	Canadian*, Oklahoma*	45	D
John R. McCune	Oklahoma City	Canadian*, Logan*, Oklahoma*	47	R
Leon B. Field	Texhoma	Alfalfa*, Beaver, Cimarron, Harper, Major*, Texas, Woods*, Woodward	49	D

* District contains part of county

BILLS AND JOINT RESOLUTIONS

of the

1st Session of the 36th Legislature, 1977

Senate Bills Enacted into Law

1	39	79	97	115	157	194	240	301	355
4	42	81	98	116	158	199	243	309	357
6	48	82	99	117	159	200*	249	310	361
7	60	83	100	119	160	202	250	312	363
8	61	84	101	122	163	203	265	321	365
10	64	85	102	123	166	211	267	324	373
11	65	86+	103	124	175	213	272	327	374
15	67	87	104	125	179	214	273	332	375
16	70	89	105	126	180	218	275	335	376
23	73	90	106	135	184	220**	277	336	391
25	74	91	108	138	186	228	283	347	399
26	75	92	109	141	189	231	284	348	403
31	76	94	111	142	190	232	285	349	
34*	77	95	113	144	191	234	292	350	
36	78	96	114	155	192**	235	294	352	

* Became law over Governor's veto

** Became law without the Governor's signature

+ Line item veto

Total: 147

Senate Joint Resolutions Approved by Governor

6	19	28
7	23	30
9	25	33
11	27	

Total: 11

Senate Joint Resolutions Filed with Secretary of State

1	18	20
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Total: 3

Veto

SB 118	SB 150	SJR 29
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Total: 3

First Extraordinary Session - Senate Bills Enacted into Law

1	2	3	4	5
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Total: 5

House Bills Enacted into Law

1006	1100	1125	1139	1151	1164	1216**	1263	1311	1382
1009	1101	1126	1140	1152	1165	1218	1269	1314	1397
1015	1102	1127	1141	1154+	1166	1220	1270	1322	1398
1048	1103	1128	1142	1155	1167	1221	1271	1324	1401
1051	1104	1129	1143	1156	1168	1228	1276	1330	1403
1055	1105	1130	1144	1157	1184	1231	1278	1332	1410
1062	1110	1132	1145	1158	1186	1233	1281	1335	1413
1064	1118	1133	1146	1159	1194	1248	1283	1338	1416
1071	1120	1134	1147	1160	1195	1250	1287	1342	1436
1072	1121	1135	1148	1161	1198	1251	1293	1348	1439
1077	1122	1136	1149	1162	1205	1258**	1305	1357	1441
1088	1124	1137	1150	1163	1211	1262	1307	1368	

** Became law without the Governor's signature

+ Line item veto

Total: 119

House Joint Resolutions Approved by Governor

1003	1006	1013	1020	1023	1036	Total: 6
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House Joint Resolutions Filed with Secretary of State

1018	Total: 1
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House Bills Vetoed

1192	1430	Total: 2
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First Extraordinary Session - House Bills Enacted into Law

1001	1002	Total: 2
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House Joint Resolutions Enacted into Law

1002	Total: 1
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Senate Journal

First Session of the Thirty-sixth Legislature, 1977,

of the State of Oklahoma

First Legislative Day, Tuesday, January 4, 1977

Pursuant to Article 5, Section 26, of the Constitution of the State of Oklahoma, the Senate of the 1st Regular Session of the 36th Legislature assembled in its Chamber at 12:00 noon.

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

President Nigh advised the Senate of the resignation of Senator James E. Hamilton on July 1, 1976; and of the special election held to name his successor.

COMMUNICATIONS

The following communication from Senator James E. Hamilton was read:

June 16, 1976

The Honorable David L. Boren
Governor of Oklahoma
State Capitol
Oklahoma City, Oklahoma 73105

Dear Governor Boren:

Please consider this letter as official notification of my resignation from the Oklahoma State Senate, effective July 2, 1976. I would urge that you issue a proclamation for a Special Election to be held August 24, the date of the regular primary election this year.

This notice is delivered now so that the President Pro Tempore may appoint my

replacement on the Senate Investigating Committee, and in order for my constituents to have a sufficient time to consider the election of my successor.

I shall particularly miss the opportunity to continue to work toward some reasonable solution to curtail the spiralling and unwarranted utility costs that are being imposed on Oklahomans, and for further reforms to end the flagrant abuses of tax exempt trusts which deny schools, municipalities and counties vitally needed local tax revenue, while permitting special interest groups to unfairly compete with legitimate business enterprises.

Much as I want to continue these, and other battles, there would never be a convenient time to discontinue my service to the Senate.

My decision was made months ago, but I've made it known only now because I wanted to make what contributions I could in my last session.

The sole reason for my action is that I might have more time to devote to my two children. I've been away from them now for nine years. My son is entering high school, and he will be gone from home soon, without every having had a fulltime father around, if I stay in the Senate.

I trust that my friends and constituents will understand that it is almost impossible to contribute toward a genuine

family effort, or to maintain a professional occupation; and also meet the ever-increasing time requirements of legislative service.

The untimely death of my father precluded him from expressing his appreciation to the citizens of our district for the years he was privileged to serve; so this will serve as an expression of that appreciation from both of us, to all those who have helped us and believed in our service.

I am deeply indebted to my colleagues in the Senate for their friendship and consideration. I shall sorely miss the challenge, the competition of Senate debate and the opportunity of service to my fellow Oklahomans in the legislative halls.

Respectfully,

JAMES E. HAMILTON
State Senator — District 4

The following communication from the State Election Board was read:

December 20, 1976

To The President
Oklahoma State Senate
Thirty-sixth Legislature
State Capitol Building
Oklahoma City, Oklahoma

Dear Sir:

Upon the face of the returns of the Special Election held on the 24th day of August, 1976, as certified to this office by the County Election Boards of LeFlore and Sequoyah Counties for State Senate District No. 4, as verified by this Board, the following named appears to have been regularly elected to membership in the Senate of Oklahoma, and accordingly, Certificate of Election has been issued to him by this Board:

Joe Johnson, Democrat, Heavener
State Senate District No. 4

LEE SLATER, Secretary
State Election Board

President Nigh announced that the Oath of Office, as required by Section 2 of Article 15 of the Oklahoma Constitution, was administered to Senator Joe Johnson on August 27, 1976.

The roll of the holdover members of the Senate was called, which resulted as follows:

Present: Boatner, Butler, Capps, Cate, Dahl, Dawson, Funston, Grantham, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lambert, Martin, Porter, Shatwell, Terrill, Tinsley, Wadley, York and Young.—24.

President Nigh advised the Senate of the vacancy in office in Senate District 31 because of the death of Senator Jim Taliaferro and of the election of Senator Taliaferro's son, Paul, at the General Election on November 2; and further that the Governor appointed Senator Paul Taliaferro to fill the vacancy in Senate District 31 and ask that the Executive Appointment be read.

COMMUNICATION

The following communication from the Office of the Governor was read:

November 5, 1976

ORDER OF APPOINTMENT

TO: Secretary of State
Oklahoma State Capitol
Oklahoma City, Oklahoma

Dear Sir:

Please file for record the following executive order.

By virtue of the authority vested in me as Governor of the State of Oklahoma, I hereby appoint as State Senator District 31:

Paul Taliaferro
East of City
Lawton, Oklahoma

to the Oklahoma State Senate, to serve an unexpired 4 year term ending 11-16-76. Confirmation is not required.

Mr. Taliaferro will succeed Senator Jim Taliaferro.

/ s / DAVID L. BOREN
Governor

President Nigh announced that the Oath of Office, as required by Section 2 of

November 15, 1976

TO THE PRESIDENT
OKLAHOMA STATE SENATE
THIRTY-SIXTH LEGISLATURE
BUILDING

Sir:

Upon the face of the returns of the General Election, held November 2, 1976, as certified to this office by the several county election boards of the State of Oklahoma and as verified by the State Election Board, the following named appear to have been regularly elected to membership in the Senate of Oklahoma from the several Senatorial Districts, as indicated, and accordingly Certificates of Election have heretofore been issued to them by this Board, entitling each to participate in the preliminary organization of the Senate of the Thirty-sixth Legislature.

NAME	POL.	ADDRESS	DIST. NO.
William M. Schuelein	D	Miami	1
Herbert Rozell	D	Tahlequah	3
Jim E. Lane	D	Idabel	5
Gene Stipe	D	McAlester	7
John D. Luton	D	Muskogee	9
James W. McDaniel	D	Fitzhugh	13
Charles W. Vann	D	Pauls Valley	15
John L. Clifton	D	Shawnee	17
Norman A. Lamb	R	Enid	19

Article 15 of the Oklahoma Constitution, was administered to Senator Paul Taliaferro on November 5, 1976.

OATH OF OFFICE

President Nigh introduced Justice Ralph Simms who administered the Oath of Office, as required by Section 2 of Article 15 of the Oklahoma Constitution, to Senators Berrong, Luton, Smith and Stipe who were not present at the time the Oath of Office was administered to the newly-elected members of the Senate on November 17, 1976.

COMMUNICATION

The following communication from the State Election Board was read:

NAME	POL.	ADDRESS	DIST. NO
Robert M. Murphy	D	Stillwater	21
Ray Giles	D	Pocasset	23
Herschel H. Crow, Jr.	D	Altus	25
Ed Berrong	D	Weatherford	27
Jerry T. Pierce	R	Bartlesville	29
Paul Taliaferro	D	Lawton	31
Rodger A. Randle	D	Tulsa	33
Warren E. Green	R	Tulsa	35
Finis W. Smith	D	Tulsa	37
Stephen C. Wolfe	R	Tulsa	39
Phil Watson	R	Edmond	41
Don Kilpatrick	D	Del City	43
Jimmy Birdsong	D	Oklahoma City	45
John R. McCune	R	Oklahoma City	47
Leon Field	D	Texhoma	49

Respectfully submitted,

LEE SLATER, Secretary
State Election Board

The roll was called of new members of the Senate, which resulted as follows:

Present: Berrong, Birdsong, Clifton, Crow, Field, Giles, Green, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Rozell, Schuelein, Smith, Stipe, Taliaferro, Vann, Watson and Wolfe.—23.

Excused: Randle.—1.

The President ordered the roll called of the membership of the Senate for the First Regular Session of the 36th Legislature, which resulted as follows:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith,

Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Randle.—1.

President Nigh declared a quorum present.

The following prayer was offered by Reverend Wendell Estep, Council Road Baptist Church, Bethany.

Our Heavenly Father, we come before you today thanking You for Your past blessings and asking Your continued blessings on our state and her leaders. May our leaders be deserving of the trust placed in them by You and by their constituents.

Father, give these men the wisdom to know right and the courage to do right.

We pray in Jesus' name, Amen.

SENATE RULES

Senator Lambert asked unanimous consent, which was granted, that the Rules of the 35th Legislature be adopted as the temporary Rules for the 36th Legislature.

ELECTION OF SENATE OFFICERS

The Democratic Caucus held on September 16, 1976, pledged the election of certain Officers of the Senate for the 36th Legislature. Pursuant to that action, the Senate proceeded with those elections.

Senator Terrill moved that Senator Gene C. Howard be elected President Pro Tempore of the Senate for the 36th Legislature, which motion was seconded by Senator Grantham and adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Randle.—1.

Not Voting: Howard.—1.

Senator Wadley moved that the President appoint a committee to escort President Pro Tempore Howard to the President's desk. The motion was declared adopted and President Nigh appointed Senators Terrill, Field and Shatwell as such committee.

President Nigh, after offering his congratulations to President Pro Tempore Howard, handed the Gavel to the newly elected President Pro Tempore.

President Pro Tempore Howard addressed the Senate as follows:

Mr. President, brevity not being a characteristic associated with this Body, I will nevertheless try to be brief.

I can remember two years ago standing in this same position and I think the thing that impressed me most is the inadequacy to express my feelings. So, rather than try to do that which is impossible, to express how I feel inside, I would ask that it suffice to say "Thank You," — thank you for the high honor, the highest honor of my life, to reelect me to a position which I consider the greatest privilege to serve in in the State of Oklahoma.

Thank you for the help I have had during the past two years, your support, your understanding, your consideration, but most of all I want to thank each member of this Body for your friendship.

To say one's feelings about being a member of the Oklahoma Senate is just as impossible as expressing appreciation, so I will not try to express myself in that vein either, other than to say that the greatest pride I now have in life is this Body, in its members, and its accomplishments.

And in connection with that, I believe that we have a responsibility, a responsibility to those generations that follow us, to see that what has happened in our federal government does not also happen in our state government. To see that we do not release control from the people of this state of taking the direction of government in Oklahoma. We are at that crossroad today, just as the federal government stood there at the beginning of this century.

It is up to this Legislature to decide whether we will be a strong legislative Body and whether we will be one third of the equal branches of government, to decide whether we will be able to meet our

responsibilities to those future generations or whether we will fail as they have failed in Washington, D.C., because the only thing that stands between federal domination of state government is the Legislature, not only in Oklahoma but throughout our 50 states.

It is the Legislature that must regulate and maintain control of the budget. It is the legislative bodies that must supervise and exercise oversight over rules and regulations which are made by delegation of their authority. And it is the responsibility of us to see — no matter how much time it takes or what sacrifices are called for, that we do not allow, in the name of professionalism, in the name of convenience, in the name of expertise, a group of people tenured for life to dictate the course and the future of the government in the State of Oklahoma.

I think we have taken the first step to do this and it is my hope, it is my commitment to you and the people of this state, that we will do everything humanly possible to keep that resolve.

Again, I say "Thank You," and I hope and I will endeavor with everything within my being to live up to the high honor that you have bestowed upon me.

President Pro Tempore Howard presiding.

Senator Crow moved that Senator Jim E. Lane be elected Majority Floor Leader.

Senator Stipe moved that nominations for the office of Majority Floor Leader cease and Senator Lane be elected by acclamation, which motion was declared adopted.

Senator Murphy moved that Senator John D. Luton be elected Assistant Majority Floor Leader.

Senator Funston moved that nomina-

tions for the office of Assistant Majority Floor Leader cease and Senator Luton be elected by acclamation, which motion was declared adopted.

Senator Cate moved that Senator Wayne M. Holden be elected Majority Whip.

Senator Wadley moved that nominations for the office of Majority Whip cease and Senator Holden be elected by acclamation, which motion was declared adopted.

Senator Smith moved that Lee Slater be elected Secretary of the Senate.

Senator Funston moved that nominations cease and Lee Slater be elected Secretary of the Senate by acclamation, which motion was declared adopted.

Senator Stipe moved that Ruth Smith be elected Chief Clerk of the Senate.

Senator Murphy moved that nominations cease and Ruth Smith be elected Chief Clerk by acclamation, which motion was declared adopted.

Senator Birdsong moved that Lorrie Henke be elected Journal Clerk of the Senate.

Senator Watson moved that nominations cease and Lorrie Henke be elected Journal Clerk by acclamation, which motion was declared adopted.

Senator Field moved that Bob Craig be elected Chief Sergeant at Arms of the Senate.

Senator Cate moved that nominations cease and Bob Craig be elected Chief Sergeant at Arms by acclamation, which motion was declared adopted.

Senator Porter moved that a committee to arrange for the permanent seating of the members of the Senate be appointed, which motion was declared adopted.

President Pro Tempore Howard appointed the following members to serve as such committee: Senators Young, Capps and Porter.

COMMITTEE REPORT

Mr. President:

We, your Committee on Seating Arrangements for members of the Senate of the 1st Regular Session of the 36th Legislature, having considered the same, wish to report that the seating of the Senate will be proceeded with in accordance with SENATE RULE 6 and with the Minority Floor Leader to announce the seating of the Minority Party Senators.

Respectfully submitted,

John Young, Chairman

Senator Young moved the adoption of the above report, which motion was declared adopted.

In accordance with Rule 6, the Majority Party Members were seated.

President Pro Tempore Howard recognized Senator McCune for the purpose of announcing the Officers and seating of the Minority Party Members.

Senator McCune announced the following Minority Party Officers:

Minority Floor Leader, Senator John R. McCune

Assistant Minority Floor Leader, Senator Norman A. Lamb

Minority Whip, Senator Phil Watson

Minority Caucus Chairman, Senator Jerry T. Pierce

Minority Caucus Secretary, Senator Warren E. Green

In accordance with Rule 6, the Minority Party Members were seated.

The Committee on Seating Arrangements, having performed its assigned duty, was ordered discharged by President Pro Tempore Howard.

Senator Schuelein moved that committees of three be appointed to notify the Governor and the Honorable House that the Senate is organized and ready to transact business and to arrange for a Joint Session, which motion was declared adopted.

President Pro Tempore Howard appointed the following committees:

TO NOTIFY THE GOVERNOR: Senators Dawson, Dahl and Keller.

TO NOTIFY THE HOUSE: Senators Johnson, Boatner and Wolfe.

Senator Martin moved that a Committee on Rules be appointed, which motion was declared adopted.

President Pro Tempore Howard, as provided under Rule 8(a), appointed the following members of the Rules Committee: Senator Terrill, Chairman; Senator Lambert, Vice Chairman; and Senators Cate, Crow, Field, Grantham, Holden, Lane, Lutton, McCune, Murphy, Smith, Stipe and York.

Senator Tinsley moved that the foregoing named members of the Senate be elected as members of the Committee on Rules, as provided under Rule 8(a), which motion was declared adopted.

President Nigh presiding.

INTRODUCTIONS

Senator McDaniel introduced Orange M. Welborn, M.D., Ada, as the Doctor of the Day and Senator Tinsley introduced Mary

Gilmour, R.N., Kingfisher, as the Nurse of the Day.

President Pro Tempore Howard introduced former Senator Roy Boecher, Kingfisher.

Senator Cate introduced his wife, Sylvia; Senator Young introduced his wife, Claudine; Senator Holden introduced his wife, Marie; Senator Wadley introduced his wife, Diane; Senator Watson introduced his wife, Mary; Senator Smith introduced his wife, Doris; Senator Howell introduced his wife, Diane; Senator Clifton introduced his wife, Sandra; Senator Schuelein introduced his wife, Frances; Senator Helm introduced her father, Alvin Bryan; and Senator York introduced Mrs. Barbara Kilpatrick, wife of Senator Kilpatrick, to the members of the Senate.

Senator Smith introduced the president of the Oklahoma Osteopathic Association, Mr. Walter L. Wilson, D.O., Tulsa.

Senator Cate introduced former Chief Sergeant at Arms, Frank Truel, to the members of the Senate.

A committee from the Honorable House, consisting of Representatives Abbott, Hammons and Parris, was received, which advised that the House was organized and ready to meet with the Senate in Joint Session at 1:15 p.m.

Senator Dawson, on behalf of the committee appointed to notify the Governor that the Senate is organized and ready to transact any business that may come before it, reported the duty completed.

Senator Johnson, on behalf of the committee appointed to notify the Honorable House that the Senate is organized and ready to transact any business that may come before it and to arrange for a Joint Session with the Honorable House, reported the duty performed; and advised

that the hour of 1:15 p.m. had been agreed upon for the Joint Session.

President Nigh ordered the committees appointed to notify the Governor and to notify the Honorable House discharged.

Senator Lane announced that the hour of 1:15 p.m. had arrived, and that being the hour arranged for a Joint Session of the First Session of the 36th Legislature, Senator Lane moved that the Senate, preceded by its Officers, proceed to the Honorable House for the purpose of a Joint Session, which motion was declared adopted.

JOINT SESSION

The Senate and House of the First Session of the 36th Legislature, in Joint Session, were called to order by Lieutenant Governor George Nigh, President of the Senate.

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

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Randle.—1.

President Nigh declared a quorum of the Senate present.

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

Present: Abbott, Anderson, Arnold, Atkins, Barker, Baughman, Bengtson, Bennett, Bernard, Bradley, Bradshaw, Brunton, Caldwell, Camp, Campbell, Cleveland, Conaghan, Converse, Cotner, Cowan, Craig, Craighead, Crutcher, Cullison, Cummings, Cunningham, Davis (Don), Davis (Guy), Deatherage, Denman, Draper, Duckett, Duke, Dunn, Elder, Ervin, Fitzgibbon, Floyd, Ford, Frates, Fried, Glover, Hammons, Hardesty, Harper, Hastings, Henry, Holaday, Holden, Holt, Hood, Hooper, Hopkins, Johnson (A.V.), Johnson (Don), Johnston, Joiner, Kamas, Kane, Kardokus, Kennedy, Lancaster, Lawter, McCaleb, McIntyre, McKee, Manning, Matheson, Milacek, Miskelly, Monks, Monlux, Morgan, Murphy, Nance, Parris, Peterson, Poulos, Riggs, Roberts, Robinson, Rogers, Sanders, Smith, Sparkman, Stephenson, Steward, Swinton, Thompson (Don), Thompson (Mick), Townsend, Trent, Twidwell, Vaughn, Weichel, Whorton, Wickersham, Wilson, Winn, Wiseman, Mr. Speaker.—101.

Speaker Willis declared a quorum of the House present.

President Nigh declared quorums of the Senate and House present and the Joint Session properly organized.

The invocation was offered by Reverend Wendell Estep, Council Road Baptist Church, Bethany, Oklahoma.

Representative Townsend moved that the Joint Rules of the 35th Legislature be adopted as the Joint Rules of the 36th Legislature, which motion was declared adopted.

COMMUNICATIONS

The Honorable
William P. Willis
Speaker of the

House of Representatives
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Representative Willis:

I transmit to you herewith a sealed envelope containing the results of the General Election held November 2, 1976 from Lee Slater, Secretary of the State Election Board.

Sincerely yours,

Jerome W. Byrd
Secretary of State

November 24, 1976

The Honorable William P. Willis
Speaker of the House of Representatives
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Representative Willis:

I hereby certify that the attached compilation is a complete list of the names of all candidates voted for at the General Election held November 2, 1976, for the offices indicated, and that the figures set opposite the names represent the sum of the total vote cast for each, as certified to this office by the several county election boards of the State.

Respectfully submitted,

LEE SLATER, Secretary
State Election Board

The Speaker declared elected to the respective offices listed below the candidates whose names are shown in bold face type:

CORPORATION COMMISSIONER

Jan Eric Cartwright	D	Oklahoma City	524,996
Ron Shotts	R	Moore	501,842

NONPARTISAN JUDICIAL OFFICERS (Retention Ballot)

JUSTICES OF THE SUPREME COURT

		yes	no
OFFICE NO. 3			
William A. Berry	Oklahoma City	594,752	209,449
OFFICE NO. 4			
Pat Irwin	Leedey	561,644	212,426
OFFICE NO. 7			
Don Barnes	Okmulgee	562,607	207,608

JUDGE OF THE COURT OF CRIMINAL APPEALS

OFFICE NO. 2			
Tom Brett	Oklahoma City	577,328	210,577

JUDGE OF THE COURT OF APPEALS

DISTRICT NO. 5		
Dwain D. Box	Oklahoma City	Unopposed
DISTRICT NO. 6		
Richard E. Romang	Oklahoma City	Unopposed

UNITED STATES REPRESENTATIVE

DISTRICT NO. 1

James R. Jones	D	Tulsa	100,945
James M. Inhofe	R	Tulsa	84,374
W. D. Mackintosh	I	Tulsa	1,725

DISTRICT NO. 2

Theodore M. Ted Risenhoover	D	Tahlequah	102,402
Bud Stewart	R	Muskogee	87,341

DISTRICT NO. 3

Wes Watkins	D	Ada	151,271
Gerald Beasley, Jr.	R	Duncan	31,732
Jack C. Finley	I	Mead	1,562

DISTRICT NO. 4

Tom Steed	D	Shawnee	116,425
M. C. Stanley	R	Midwest City	34,170
Paul E. Trent	I	Altus	4,762

DISTRICT NO. 5

Tom Dunlap	D	Oklahoma City	74,752
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DISTRICT NO. 6

George Vaughn (D)

Craig
 * Mayes
 * Ottawa
 * Rogers

DISTRICT NO. 7

Joseph E. Fitzgibbon (D)

* Ottawa

DISTRICT NO. 8

Ray Wooldridge (D)

* Delaware
 * Mayes
 * Rogers
 Total

453
 3,259
627
 4,339

J. D. Whorton (R)

647
 6,496
726
 7,869

DISTRICT NO. 9

Bill J. Crutcher (D)

* Nowata
 * Rogers
 Total

434
8,744
 9,178

Ron Berry (R)

276
3,329
 3,605

DISTRICT NO. 10

A. C. Holden (D)

* Osage
 * Washington
 Total

184
5,811
 5,995

Jim Giles (R)

109
4,801
 4,910

DISTRICT NO. 11

Robert M. Kane (R)

* Nowata
 * Washington

DISTRICT NO. 12

Bill Lancaster (D)

* Muskogee
 * Wagoner
 Total

1,915
6,906
 8,821

C. Wayne Woodward (R)

506
2,972
 3,478

DISTRICT NO. 13

Jim L. Barker (D)

* Muskogee

DISTRICT NO. 14

John Monks (D)

* Muskogee

DISTRICT NO. 15

Charles R. Peterson (D)

* Haskell
 McIntosh
 * Muskogee
 * Pittsburg

DISTRICT NO. 16

J. B. Bennett (D)

* Okmulgee

DISTRICT NO. 17

E. A. Red Caldwell (D)

* Haskell
 Latimer
 * LeFlore
 * Pittsburg

DISTRICT NO. 18

William J. Ervin (D)

* Pittsburg

DISTRICT NO. 19

Hollis E. Roberts (D)

Choctaw
 * Pittsburg
 Pushmataha

DISTRICT NO. 33	Jack L. Hesser (D)	Joe R. Manning, Jr. (R)
*Payne	<u>4,631</u>	<u>8,317</u>
Total	4,631	8,317
DISTRICT NO. 34	Daniel D. Draper, Jr. (D)	
*Payne		
DISTRICT NO. 35	Don Johnson (D)	Wyndell Brogden (R)
*Creek	1,304	973
*Kay	287	165
*Noble	905	510
*Osage	1,529	545
Pawnee	<u>3,715</u>	<u>2,438</u>
Total	7,740	4,631
DISTRICT NO. 36	Billy F. Kennedy (D)	
*Kay		
*Osage		
DISTRICT NO. 37	Sharon J. Howard (D)	James Doepel Holt (R)
*Kay	<u>4,250</u>	<u>7,468</u>
Total	4,250	7,468
DISTRICT NO. 38	John Stauffacher (D)	Dorothy D. Conaghan (R)
*Grant	550	1,742
*Kay	<u>2,462</u>	<u>6,460</u>
Total	3,012	8,202
DISTRICT NO. 39		Robert Milacek (R)
Alfalfa		
*Blaine		
*Garfield		
*Grant		
*Major		
DISTRICT NO. 40	Tom Rogers (D)	
*Garfield		
DISTRICT NO. 41		Robert Earl Anderson (R)
*Garfield		
DISTRICT NO. 42	Tom R. Stephenson (D)	William J. Gooden (R)
*Blaine	1,561	1,306
*Caddo	2,095	833
*Canadian	124	77
*Kingfisher	<u>2,157</u>	<u>2,979</u>
Total	5,937	5,195
DISTRICT NO. 43	Mark Hammons (D)	
*Canadian		
DISTRICT NO. 44	Cleta Deatherage (D)	Mina Hibdon (R)
*Cleveland	<u>8,733</u>	<u>5,491</u>
Total	8,733	5,491
DISTRICT NO. 45	Glenn Eldon Foyd (D)	
*Cleveland		
DISTRICT NO. 46	Charles Elder (D)	
*Garvin		
*Grady		
*McClain		

DISTRICT NO. 47	Spencer T. Bernard (D)	
*Grady		
*McClain		
DISTRICT NO. 48	Don Duke (D)	
*Carter		
DISTRICT NO. 49	W. D. Bradley (D)	
*Carter		
Cotton		
Jefferson		
DISTRICT NO. 50	Robert Bob Wilson (D)	
*Stephens		
DISTRICT NO. 51	Vernon Dunn (D)	
*Carter		
*Garvin		
*Stephens		
DISTRICT NO. 52	Howard Paul Cotner (D)	
*Jackson		
*Kiowa		
DISTRICT NO. 53	Bob Harper (D)	
*Comanche		
*Harmon		
*Jackson		
*Kiowa		
Tillman		
DISTRICT NO. 54	Kenneth P. Craig (D)	Helen Cole (R)
*Cleveland	7,082	6,505
Total	7,082	6,505
DISTRICT NO. 55	Jerry Weichel (D)	
*Caddo		
*Kiowa		
Washita		
DISTRICT NO. 56	James M. Kardokus (D)	Tony Kuntz (R)
*Caddo	5,565	1,075
*Comanche	1,205	335
*Grady	1,270	480
Total	8,040	1,890
DISTRICT NO. 57	Wayne Winn (D)	Donna Reeves (R)
*Beckham	861	342
Custer	6,670	2,855
Total	7,531	3,197
DISTRICT NO. 58		Lewis Kamas (R)
*Major		
Woods		
*Woodward		
DISTRICT NO. 59	Mark Bradshaw (D)	Ronald L. Horton (R)
*Beaver	266	288
*Beckham	170	53
Dewey	1,721	1,059
Ellis	1,535	1,129
Harper	936	1,347
Roger Mills	1,583	602

* Woodward		
Total	<u>692</u> 6,903	<u>643</u> 5,121
DISTRICT NO. 60	Victor Wickersham (D)	
* Beckham		
* Greer		
* Harmon		
DISTRICT NO. 61	Marvin E. McKee (D)	Dale A. Lewis (R)
* Beaver	1,089	618
Cimarron	1,443	829
Texas	<u>3,573</u>	<u>2,825</u>
Total	6,105	4,272
DISTRICT NO. 62	Don Davis (D)	
* Comanche		
DISTRICT NO. 63	Marvin L. Baughman (D)	
* Comanche		
DISTRICT NO. 64	Roy B. Hooper, Jr. (D)	
* Comanche		
DISTRICT NO. 65	Jim R. Glover (D)	
* Comanche		
DISTRICT NO. 66	M. David Riggs (D)	
* Tulsa		
DISTRICT NO. 67		Joan King Hastings (R)
* Tulsa		
DISTRICT NO. 68	Robert E. Hopkins (D)	
* Tulsa		
DISTRICT NO. 69		William J. Wiseman, Jr. (R)
* Tulsa		
DISTRICT NO. 70		Paul D. Brunton (R)
* Tulsa		
DISTRICT NO. 71	Donald J. Dallmann (D)	Helen Arnold (R)
* Tulsa	<u>4,381</u>	<u>6,887</u>
Total	4,381	6,887
DISTRICT NO. 72	Mandell L. Matheson (D)	
* Tulsa		
DISTRICT NO. 73	Bernard J. McIntyre (D)	
* Tulsa		
DISTRICT NO. 74	Robert V. Cullison (D)	
* Tulsa		
DISTRICT NO. 75	Jim W. Hardesty (D)	
* Tulsa		
DISTRICT NO. 76	Earl David Burson (D)	Jerry L. Smith (R)
* Tulsa	3,286	9,515
Total	3,286	9,515
DISTRICT NO. 77	William F. Poulos (D)	K. C. Lochrie (R)
* Tulsa	<u>5,078</u>	<u>1,824</u>
Total	5,078	1,824

DISTRICT NO. 78	Charles Cleveland (D)	Bob Hickling (R)
*Tulsa	<u>7,248</u>	<u>3,329</u>
Total	7,248	3,329
DISTRICT NO. 79	Orvel F. Sawvel (D)	Ted M. Cowan (R)
*Tulsa	<u>3,488</u>	<u>7,303</u>
Total	3,488	7,303
DISTRICT NO. 80	Bill Hyden (D)	Charles R. Ford (R)
*Tulsa	<u>6,432</u>	<u>9,786</u>
*Wagoner	<u>224</u>	<u>118</u>
Total	6,656	9,884
DISTRICT NO. 81	Randle C. Shadid (D)	Neal A. McCaleb (R)
*Oklahoma	<u>4,440</u>	<u>7,682</u>
Total	4,440	7,682
DISTRICT NO. 82	Bob Rader (D)	T. W. Bill Holaday (R)
*Oklahoma	<u>5,778</u>	<u>7,570</u>
Total	5,778	7,570
DISTRICT NO. 83	Willard Tice (D)	Kent F. Frates (R)
*Oklahoma	<u>2,753</u>	<u>7,584</u>
Total	2,753	7,584
DISTRICT NO. 84	Judy Swinton (D)	Doug Ostrand (R)
*Oklahoma	<u>5,400</u>	<u>4,400</u>
Total	5,400	4,400
DISTRICT NO. 85	George Camp (R)	Porter Davis (I)
*Oklahoma	<u>5,020</u>	<u>2,867</u>
Total	5,020	2,867
DISTRICT NO. 86	David Craig Hood (D)	J. Gld Bryan (R)
*Oklahoma	<u>5,428</u>	<u>2,590</u>
Total	5,428	2,590
DISTRICT NO. 87	E. C. Sandy Saunders (D)	William C. Bowlby (R)
*Oklahoma	<u>6,028</u>	<u>2,655</u>
Total	6,028	2,655
DISTRICT NO. 88	Don Denman (D)	Thomas W. Walbert (R)
*Oklahoma	<u>2,665</u>	<u>1,515</u>
Total	2,665	1,515
DISTRICT NO. 89	L. H. Bengtson, Jr. (D)	Gregory E. Simmons (R)
*Oklahoma	<u>2,910</u>	<u>955</u>
Total	2,910	955
DISTRICT NO. 90	J. Mike Lawter (D)	Ron McWhirter (R)
*Oklahoma	<u>2,764</u>	<u>2,638</u>
Total	2,764	2,638
DISTRICT NO. 91	Kenneth R. Nance (D)	Don Demeter (R)
*Oklahoma	<u>4,348</u>	<u>3,627</u>
Total	4,348	3,627
DISTRICT NO. 92	Jim Fried (D)	
*Oklahoma		
DISTRICT NO. 93	Jerry Steward (D)	Warner M. Hornbeck (R)
*Oklahoma	<u>3,264</u>	<u>716</u>
Total	3,264	716

DISTRICT NO. 94	Fred D. Joiner (D)	
*Oklahoma		
DISTRICT NO. 95	David C. Craighead (D)	Jack W. Davis (R)
*Oklahoma	<u>5,797</u>	<u>2,558</u>
Total	5,797	2,558
DISTRICT NO. 96	John Miskelly (D)	Dorothy Williamson (R)
*Oklahoma	<u>5,171</u>	<u>3,479</u>
Total	5,171	3,479
DISTRICT NO. 97	Hannah D. Atkins (D)	
*Oklahoma		
DISTRICT NO. 98	Ross Duckett (D)	
*Canadian		
*Oklahoma		
DISTRICT NO. 99	A. Visanio Johnson (D)	
*Oklahoma		
DISTRICT NO. 100	Gary C. Rhodes (D)	Terry L. Campbell (R)
*Canadian	386	796
*Oklahoma	<u>4,038</u>	<u>5,546</u>
Total	4,424	6,342
DISTRICT NO. 101	Carl Twidwell (D)	
*Oklahoma		

*County divided into two or more districts.

STATE SENATE

DISTRICT NO. 1	William M. Scheulein (D)
*Craig	
*Delaware	
Ottawa	
DISTRICT NO. 3	Herbert Rozell (D)
Adair	
Cherokee	
*Muskogee	
*Sequoyah	
*Wagoner	
DISTRICT NO. 5	Jim E. Lane (D)
Choctaw	
McCurtain	
Pushmataha	
DISTRICT NO. 7	Gene Stipe (D)
*Haskell	
*Latimer	
*Pittsburg	
DISTRICT NO. 9	John D. Luton (D)
*Muskogee	
DISTRICT NO. 13	James W. McDaniel (D)
Coal	
Hughes	

* Murray
* Okfuskee
Pontotoc

DISTRICT NO. 15
* Cleveland
Garvin
* Grady
McClain .

Charles W. Vann (D)

DISTRICT NO. 17
* Cleveland
* Pottawatomie

John L. Clifton (D)

DISTRICT NO. 19
* Garfield
* Grant

Norman A. Lamb (R)

DISTRICT NO. 21
* Lincoln
* Payne

Robert M. Murphy (D)

DISTRICT NO. 23
Caddo
* Grady

Ray Giles (D)

DISTRICT NO. 25
* Greer
* Harmon
Jackson
Tillman

Herschel H. Crow, Jr. (D)

DISTRICT NO. 27
* Alfalfa
* Blaine
Custer
Dewey
* Major
* Washita
* Woods

Ed Berrong (D)

DISTRICT NO. 29
* Craig
Nowata
* Washington
Total

Jan Drelling (D)
1,804
1,929
4,876
8,809

Jerry T. Pierce (R)
1,481
2,196
13,639
17,316

DISTRICT NO. 31
* Comanche

Paul Tallafarro (D)

DISTRICT NO. 33
* Osage
* Tulsa

Rodger A. Randle (D)

DISTRICT NO. 35
* Tulsa
Total

Glen M. Smith, Jr. (D)
9,458
9,458

Warren E. Green (R)
11,892
11,892

DISTRICT NO. 37
* Pawnee
* Tulsa

Finis W. Smith (D)

DISTRICT NO. 39
* Tulsa

Stephen C. Wolfe (R)

DISTRICT NO. 41	Joe Homsey (D)	Phil Watson (R)
* Oklahoma	<u>10,119</u>	<u>10,956</u>
Total	10,119	10,956
DISTRICT NO. 43	Don Kilpatrick (D)	Mike Shaw (R)
* Cleveland	1,593	802
* Oklahoma	<u>9,102</u>	<u>2,382</u>
Total	10,695	3,184
DISTRICT NO. 45	Jimmy Birdsong (D)	
* Canadian		
* Oklahoma		
DISTRICT NO. 47	J. Don Harris (D)	John R. McCune (R)
* Canadian	237	662
* Logan	635	458
* Oklahoma	<u>10,249</u>	<u>13,291</u>
Total	11,121	14,411
DISTRICT NO. 49	Leon Field (D)	Stan Tyler (R)
* Alfalfa	352	299
Beaver	1,929	1,025
Cimarron	1,217	615
Harper	1,458	776
* Major	171	121
Texas	3,190	3,331
* Woods	1,180	742
Woodward	<u>3,147</u>	<u>3,046</u>
Total	12,644	9,955

* County divided into two or more districts.

Senator Lane moved that the President of the Senate and the Speaker of the House of Representatives appoint committees from the Senate and the House, respectively, as a Joint Committee to notify the Governor that the First Session of the 36th Legislature is now in Joint Session, ready to receive him, and hear his Message. The motion was declared adopted and the following were appointed as such committee:

FOR THE SENATE: Senators Howell, York, Shatwell, Capps and Lamb.

FOR THE HOUSE: Representatives Fitzgibbon, Johnson (Don), Wickersham, Bradley and Dunn.

Sergeant at Arms Bob Craig was recognized and announced the arrival of the Chief Executive, the Honorable David Boren, accompanied by the Joint Com-

mittee appointed to advise the Governor that the Joint Session was ready to receive him.

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

President Nigh presented Governor Boren to the Joint Session, where he read his prepared Message.

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

The Senate reassembled in its Chamber with Senator Luton presiding.

Senator Holden questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Butler moved that the Message of the Governor, delivered in Joint Session, be incorporated in the Senate Journal for this legislative day, which motion was declared adopted.

Governor Nigh
Senator Howard
Speaker Willis
Members of the 36th Legislature

I recall a story in which a very young man was pouring out his hopes and dreams to an old man who was at the end of his active life. The young man was telling of his dreams, his desire to live his life for others, to serve human kind, to be a builder of bridges for those who would come after him. As the old man listened, tears welled up in his deep-set eyes and began to stream down his wrinkled, leathery cheeks. At first, one might think that the tears were shed for the young man, for his impractical idealism and the disappointments that lie ahead. Then it became clear, the tears of the old man were shed for himself, for the ideals he had held, but compromised away, for the dreams that were all but forgotten.

The story to me symbolizes our times. We are the most powerful people in the world. We are the most secure. We are the wealthiest in material terms. Yet, we seem to have lost our way. Our sense of community seems to be disintegrating. Too often we hear about what is best for me as a farmer, a lawyer, a mechanic, or as a teacher. Or we demand to know what will help me as an engineer, a policeman, a fireman, or as a doctor. Somehow there must be more who will speak out and say, "What is best and fairest for all of us as Oklahomans, as Americans, as human beings?"

During this session, all of us here will be called upon to meet the needs of the people who have entrusted us with public office. Let us resolve now to respond to this

challenge — not as spokesmen for any one group, but as representatives of the public interest.

What then is required of us as public officials? Very simply, it is to be public servants, forgetting politics as usual. We owe it to ourselves and to the people we represent to ask ourselves a very personal question, "Why are we here?" What was it that led us to seek public office? Was it because politics was an intriguing game of claiming the credit while avoiding the blame or finding ways of getting even with foes in past battles? Unfortunately, there are some who seek office for those reasons, but thankfully very few. Most seek public office because they do want to make Oklahoma a better place to live. They want an opportunity to give of themselves.

This year, let all of us in this chamber demonstrate by our actions that public service remains a high calling in this State. Let us say to the cynics that we resolve to put aside personal differences, petty bickering, self-serving motives, and not engage in politics as usual. Let us think of the people who sent us here. They are the people who cared so deeply about each other and their future that they led the nation in citizen participation with 94% of our voters going to polls. Every one of us here is proud to work for people who care, the people of Oklahoma.

Let us take up the challenge to build a better and fairer community for all of our people. Massive reforms need to be made in our system of workers' compensation. It is unfair to both the employer and employee. Our State ranks tenth highest in the premiums paid by the employer. The burden on the business community, particularly small businesses, is great. At the same time, our injured workers receive only \$60.00 per week for temporary total disability, the lowest in the entire nation. Our present system is a disgrace.

It is shameful that in many cases, we are giving away more in benefits to those who refuse to work than we pay to the truly injured workers in this State. Anyone who claims to be a friend of the working people and yet fights to prevent workers' compensation reform should be called upon by the people to answer for their actions.

We cannot afford to raise benefits without reforming the system. Under our present scandalous system, a party who appeals a trial judge's decision must also face the same judge again as one of his appeals judges. Can you imagine that judge voting to say that he was wrong?

There is no system for obtaining objective medical testimony. A 1974 study of 5,000 cases presented to the Industrial Court revealed that in a majority of cases, the medical evidence was provided by the same half dozen doctors. It is not uncommon to find doctors testifying that a worker is 100% disabled, while other doctors are willing to testify that the same person has little or no disability at all. There must be a better way.

One of the most ludicrous provisions of our present law is that a worker can parlay a series of separate injuries into more than 100% disability. I ask you, how can a person be more than 100% disabled? Yet, some people have been able to collect for as much as 200% or 300% disability.

We cannot raise benefits without reforming the system. To do so would virtually bankrupt the small businesses of this State. A bill to correct the present injustices will be introduced with Senators Funston and Berrong and Representatives Riggs, Morgan, Fried and Holden as authors. It is a balanced bill — fair to all. For the totally injured worker, it almost doubles the benefits. To assure the employer that he will pay only for the truly injured, new safeguards are added, including separate trial and appeals judges, a

medical panel, and above all, a new definition of disability tied to earning capacity. Under it, no one could be declared to be more than 100% disabled. This bill deserves your careful consideration and support.

Another area that cries out for reform is our present unemployment compensation system. The present system allows for shocking abuse. In the past three years, our reserves to care for the genuinely unemployed have fallen from over \$60 million to less than \$20 million. Under our existing law, which is one of the weakest in the nation, a person can voluntarily quit work without cause, wait only six weeks and then draw unemployment checks of up to \$93.00 per week for a year. In fact, there were over 20,000 such cases in Oklahoma last year alone. After the 52 weeks have passed, the person could then come back and earn \$500.00, quit work voluntarily, wait six weeks and start collecting all over again. Other loopholes allow payment of benefits to those fired for cause, those drawing retirement benefits, and those who are offered employment comparable to their former jobs and refuse to work. I think it is high time that we quit handing out unemployment checks to those who simply don't want to work. Those who won't work are in essence taking funds away from those who are genuinely unemployed. A bill by Senator Crow and Representative Rogers would stop this abuse. It deserves to be passed. We have led the nation in stopping welfare abuse, now we should take the lead in ending unemployment abuse as well.

Already, Oklahoma has taken the lead in holding down the growth of government and in sound financial management. Growth in the number of state employees has been held to the lowest levels in many years because of limits written into law. Taxes have been reduced and debts have been paid early. Passage of the Sunset Bill to be offered by Senators Holden and Lane

and Representatives Elder and Parris would take us another step in the right direction. Every state agency, board, or commission created by statute would be required to justify its existence every six years. Standing committees involving all members of the Legislature would examine the agencies, their programs and spending. If an agency were not recreated by the Legislature, it would pass out of existence.

Other states have adopted such laws. They are still experimental. It may be that few agencies will be abolished or reorganized as a result. Even if the results prove to be less than dramatic, the taxpayers can only gain by forcing every agency to regularly give an accounting of itself. Looking at budgets alone is not sufficient. The ultimate question is whether the people really need the continued existence of these agencies and programs.

Oklahoma has made strides, not only in efficiency in government, but also in openness and accountability in government. This year, we have an opportunity to take another step forward by passing a lobbying disclosure bill. We must let the people know more about those who are spending money to influence the decisions of state government. There is nothing sinister about lobbying and nothing wrong with being a lobbyist. Nearly every group from churches to educators to business and labor groups engage in lobbying. Lobbyists provide needed information. Many citizens lobby without compensation for causes in which they believe.

The people have a right to know how money is being spent to influence government decisions. The Legislature has already recognized the need for rules in this area. As Governor, I do not wish to invade in any way the prerogatives of the Legislature. The bill which I support, to be offered by Senator Dawson and Representative Matheson, would be a disclosure law

to make public those who lobby before the Executive Branch as well as the Legislature. The standards are reasonable and practical. They build upon rules already passed by the Legislature. Those who receive or who expend \$250.00 or more in any calendar quarter in conjunction with their lobbying activities would register. Semi-annual reports would list the nature of any expenditure at any one time of \$25.00 or more on any individual or of \$200.00 or more on any one individual in the aggregate during a twelve-month period. Filing would be with the Secretary of State, and violations would be a misdemeanor. No law will end every possible abuse just as passing criminal laws has not ended crime. The proposed bill extends present rules to the executive as well as the legislative branch and provides a method of enforcement now lacking. It is a step toward more open, wholesome government.

I have been talking thus far about immediate problems which face us, but we must not limit ourself just to the present. We must look ahead to the future. Oklahoma enjoys prosperity today because far-sighted men and women looked into the future. The five mini-cabinets which I have created to bring more efficiency to state government are working to develop long-range goals in all areas. In one critical area in particular, we must move now before it is too late. I will soon be announcing the membership of a Natural Heritage Foundation to work with the Department of Tourism and Recreation to preserve unique natural areas in Oklahoma. A total of \$825,000 is included in the budget to be used to inventory unique natural areas which we want to set aside and preserve, to construct trails, and to acquire land and easements either by lease, purchase or gift to the State. We must act now, so that our children and grandchildren years from now will be able to enjoy beautiful undeveloped natural areas as we have known them. Our mini-cabinet on natural re-

sources is also making great strides in working with private industry to voluntarily improve and monitor forestry practices.

In the same area of being good stewards of the land, I strongly support a bill to be offered by Senator Johnson and Representative Caldwell, which will provide for the reclamation of 28,000 acres of lands which were strip-mined over the years. The cost will be borne by an assessment on each ton of all coal mined in the State. This fund would be administered by our State Conservation Commission, long experienced in soil conservation programs.

The specific bills which I have mentioned are certainly not meant to be exhaustive of those matters before the Legislature which have merit. A proposed code of evidence, which has behind it many hours of research, a presidential primary proposal to expand participation in the nominating process, and many others deserve consideration.

In addition, the Legislature will again have an opportunity to ratify the Equal Rights Amendment. No one believes more strongly than I that the traditional roles of women as mothers and homemakers have great value. However, I also believe in the right of a woman to choose her own role in society and to receive equal pay for equal work. I hope that you will very carefully weigh the facts about the ERA. I am convinced that if you study it carefully, you will vote to ratify it and I urge you to do so.

The budget which I present to you contains many programs of importance and merit. It is, as my previous budgets have been, education-oriented. In the past two years, we have made significant gains in education. The increases in common and higher education have been roughly double the increases in any other two-year period in state history. We gained on the regional teachers salary average. We ranked

fourth in the nation in the past two years in percentage increases for higher education with a 24% real increase after adjustments for inflation and enrollment. This year again, almost 80% of new operating dollars in my budget are for education. Although we have \$24 million less new money than last year, I am advocating almost as many new dollars for education. I recommend an increase of \$21 million for higher education operations, plus an additional \$3.35 million in capital funds, including \$2.3 million for the continued construction of the Veterinary Teaching Hospital at Oklahoma State University. Further, I recommend an increase in operating funds for common education of \$43 million, including funds for 200 more classes in special education, an increase of \$800,000 for 133 new elementary counselors, and \$300,000 in additional funds to expand the program for gifted and talented students. I recommend an increase of \$200,000 to the Department of Vocational-Technical Education to provide comprehensive high school vocational classes which are so valuable to those who might otherwise become school dropouts. This is a pilot program to be patterned on the excellent program at the Byng school system. I also recommend \$1,050,000 for capital outlay and machinery replacement at existing vocational-technical schools. An increase of \$50,000 for the artist in schools program and \$100,000 for community arts grants is recommended.

All of these special programs are aimed at meeting the individual needs and talents of every young person. Our educational system must offer an opportunity and challenge to all of our young people. Innovative programs as well as dollars are needed.

The budget provides funds for another important educational program, Oklahoma Educational Television. There are some 677,000 Oklahoma taxpayers who help fund the system and are presently unable to receive educational television. I

propose the appropriation of \$1.3 million to be used to complete the tower in the Southeast and to begin construction of the tower and relays needed in the West to bring the signal to the Southwestern and Northwestern corners of the State and to the Panhandle. I hope that coverage will be fully operational in the East by October of this year and in the West before the end of 1978.

To prevent financial crises in higher education, I support prompt action, within the next two weeks, on a bill by Speaker Willis and President Pro Tempore Howard to ratify tuition increases imposed last year by the State Regents. The increases were necessary to keep pace with inflation and to maintain a fair student share of total educational costs. Without passage of the bill, the higher education system would face a \$20 million shortage over the next 18 months. The bill contains careful limits on future tuition increases and contains a provision delaying the effective date of any future increases after this year, so that students would be given at least 120 days notice in order to plan for any increases.

No element is more important in determining the quality of education than the quality of the teacher in the classroom. In the long run, we must be competitive with neighboring states and other professions or face a decline in quality. After many years of falling behind, it is impossible for us to reach the regional average in one year. One problem is that we are somewhat like the dog chasing its own tail. Now that we are already behind, each time we raise our salaries, we raise the regional average which we are trying to catch. Still, we must keep trying. For the sake of the educational opportunities for our young people and to keep and to attract good people in the classroom, I urge that the Legislature mandate a \$900.00 salary increase for teachers in the public and vocational-technical schools.

All of the programs I have discussed are aimed at improving the quality of life for all Oklahomans. It is my sincere hope and belief that some day all of these programs will have contributed to a society in which we no longer need to categorize social and economic problems by race or creed. We must treat these problems as people problems. Until that day, we must focus on the unique problems of some of our citizens. I recently signed an Executive Order establishing a Human Affairs Representative to work with Affirmative Action Programs in all agencies. A Governor's Talent Bank has been established to collect resumes of qualified persons for appointments, and a task force to assist disadvantaged business persons has been established. It is my hope that these actions, which have been assisted by several members of the Legislature, will help us reach the day when all labels can be discarded.

The provision of human services, including health and welfare, has been an important priority of this administration. In aid to the elderly, we have experienced the greatest increases in the history of the State. In the years from 1974 through the close of 1976, total supplemental benefits to the elderly have increased approximately 50%. A new prescription drug program for the elderly has been started to buy the three most expensive prescriptions each month. I propose that we follow the advice of our State Welfare Director, Mr. Lloyd Rader, and allow him to use funds available to the department to be used for further expansion of medical care to the elderly. This is more meaningful than spending it for 100% state funded supplemental payments, which are not eligible for federal matching funds.

Funding to continue vital community mental health programs and the expansion of the emergency medical service programs is included in the budget. The largest children's hospital in America, a debt-free \$39 million project, will be

opened in May. Funds are included for new residency positions and increases in matching funds for rural communities needing doctors. Since January of 1975, we have increased residency positions in Oklahoma by 80%, thereby helping to keep our doctors here where they are needed.

The budget which I have presented reflects a continued emphasis on our fight on crime. It contains funds to complete the Corrections Construction Program, along with improvements in the probation system and other vital correctional programs, all aimed at reducing crime. Already, compensation for our highway patrol troopers has been increased by more in the past two years than in the prior six years. More improvements must be made to keep pace with metropolitan police and other law enforcement agencies. This budget implements the final stage of the program to double the budget and size of the State Bureau of Investigation, along with significant gains for the State Narcotics Bureau. In addition, an appropriation of \$410,000 is recommended for the Welfare Department, to enable them to use federal matching funds to expand programs to combat juvenile delinquency. The law enforcement minicabinet recently received a report which indicates that almost 40% of serious crimes in Oklahoma are being committed by juveniles. Approximately 60% of those crimes are occurring in Tulsa, Oklahoma, and Comanche Counties. These funds would provide three additional juvenile shelters in Oklahoma and Tulsa Counties and also three group homes for eight to ten juveniles each in Oklahoma County, two group homes in Tulsa County, and one group home in Comanche County. The homes and shelters give a homelike environment to juveniles and have been very successful. I pledge to work with the Legislature to find ways for the State to comply with standards to obtain funds for separate juvenile holding facilities.

Also under consideration by the Legisla-

ture is the concept of mandatory minimum sentences for certain offenders. Because of the very poor record of those who have been convicted three or more times for crimes of violence, I favor the concept of reasonable mandatory minimum sentencing. The protection of innocent and law abiding citizens must be our first concern. Bills and resolutions in this area, however, must be very carefully drawn. Because of the wide variation in sentencing from one area of the State to another for the very same crime, it would be much better to use a minimum number of years for those who repeatedly commit crimes of violence rather than a minimum based upon a fraction of the sentence. One-third of a sentence might be too long in some cases, but too short in others. The number of years established should also be carefully decided, remembering that it is a mandatory minimum and still leaving an incentive for obedience to rules and some chance for rehabilitation even to the multiple offender. The budget further recommends funds to construct a modern medical/legal examination facility which will be a tremendous forensic tool in fighting crime and also will serve as a teaching tool for the Health Sciences Center.

Highways are an important service we provide to the people. The budget calls for continued improvements in our road program. In the past two years, a record amount of general revenue dollars has gone to the effort of improving our highways. Almost as much has been appropriated in general revenue dollars in the first two years of this administration as in the past four years put together. This is understandable because inflation and the price increases in petroleum products have struck a severe blow. This year, I again recommend a significant increase in the amount of \$4 million, of which \$1.5 million will come from an anticipated receipt of federal counter-cyclical funds.

The budget also accounts for the impact

of inflation on all departments, including supplies and utility bills. A one step cost of living increase is provided for our lowest paid employees, who have the greatest need. An optional one step increase, based upon merit as decided by our State administrators, is funded in the budget for employees at all salary levels.

Many problems, many challenges confront us. I prefer to call them opportunities. We have young people whose talents need developing, whose minds need to be stretched to their fullest capacity, injured workers who receive inadequate compensation, a bureaucracy that needs constant scrutiny, taxpayers who need relief from footing the bill for those who won't work, a beautiful place to live that needs to be kept clean and safe.

Politics as usual won't meet those challenges. Self-interest has tunnel vision and won't see the unlimited horizon.

Sometimes it seems that it takes a crisis to awaken us to what is really important. It is then that we realize that wealth, and power, titles and position, claiming credit or avoiding blame — all of them are fleeting. I never will forget visiting the scene of a tornado in one of our Oklahoma communities this past year. A father and his two sons and their families lived side by side in what had been substantial brick homes. Down the highway was their family business. When I arrived, virtually nothing was left. The houses, the business — all were gone. Walking amid the ruins of all that he had worked for was the father of

the family. With all of the evidence of his material success destroyed, he looked at me and said, "I'm the luckiest man in the world. All of my loved ones found shelter and were spared." The tornado with its fury had strangely given him new vision. It had caused him to realize what was truly important.

From the beginning our pioneer parents and grandparents held fast to values and principles that give meaning to life. As I said in my inaugural address, those pioneers have taught us lessons more valuable than any sophisticated treatise. They have shown us that it is simple things that add greatness to life. It is simple honesty, unlocked doors, an agreement sealed by a handshake. It is not trading self respect for material success. It is a generous spirit that helps a neighbor in need. Let these virtues of our pioneer heritage be our virtues. The old fashioned concept of public service is not out of date.

Senator Wadley presiding.

PREFILED BILLS

As provided under 75 O.S. 1971, § § 26.11 through 26.14, the bills and resolutions which had been prefiled were presented to the Secretary of the Senate.

COMMITTEE REPORT

Senator Luton, on behalf of the Committee on Employment and Administration, submitted the following report, which was adopted upon his motion.

Mr. President:

We, your Committee on Employment and Administration for members of the Senate, submit the following report, showing distance of each from his place of residence to the State Capitol, via reasonable passenger routes, and the amount of mileage due each at the rate of twelve cents (\$0.12) per mile each way:

Name	Address	Total Miles Round Trip	Amount Round Trip
Berrong, Ed	Weatherford	146	\$17.52
Birdsong, Jimmy	Oklahoma City	None	None
Boatner, Roy A.	Calera	332	39.84
Butler, Kenneth	Okmulgee	220	26.40
Capps, Gilmer N.	Snyder	278	33.36
Cate, Lee	Norman	52	6.24
Clifton, John L.	Shawnee	72	8.64
Crow, Herschal H.	Olustee	342	41.04
Dahl, John L.	Barnsdall	302	36.24
Dawson, Bill	Seminole	106	12.72
Field, Leon B.	Texhoma	574	68.88
Funston, Bob	Broken Arrow	228	27.36
Giles, Ray A.	Pocasset	90	10.80
Grantham, Roy E.	Ponca City	206	24.72
Green, Warren E.	Tulsa	240	28.80
Helm, Mary	Oklahoma City	None	None
Holden, Wayne M.	Duncan	200	24.00
Howard, Gene C.	Tulsa	240	28.80
Howell, James F.	Midwest City	None	None
Johnson, Joe	Heavener	420	50.40
Keating, Frank	Tulsa	240	28.80
Keller, E. W.	Oklahoma City	None	None
Kilpatrick, Don	Del City	None	None
Lamb, Norman A.	Enid	176	21.12
Lambert, Phil	Oklahoma City	None	None
Lane, Jim E.	Idabel	470	56.40
Luton, John D.	Muskogee	284	34.08
McCune, John R.	Oklahoma City	None	None
McDaniel, James W.	Fitzhugh	200	24.00
Martin, Ernest D.	Ardmore	210	25.20
Murphy, Robert M.	Stillwater	134	16.08
Pierce, Jerry T.	Bartlesville	330	39.60
Porter, E. Melvin	Oklahoma City	None	None
Randle, Rodger A.	Tulsa	240	28.80
Rozell, Herbert	Tahlequah	400	48.00
Schuelein, William M.	Miami	400	48.00
Shatwell, Bob R.	Tulsa	250	30.00
Smith, Finis W.	Tulsa	240	28.80
Stipe, Gene	McAlester	260	31.20
Taliaferro, Paul	Lawton	196	23.52
Terrill, Al	Lawton	204	24.48
Tinsley, Gideon	El Reno	80	9.60
Vann, Charles W.	Pauls Valley	124	14.88
Wadley, Robert L.	Claremore	254	30.48
Watson, Phil	Edmond	None	None
Wolfe, Stephen C.	Tulsa	240	28.80
York, Marvin	Oklahoma City	None	None
Young, John W.	Sapulpa	204	24.48

Respectfully submitted,

John Young, Chairman

Senator Luton moved that President Pro Tempore Howard be authorized and directed to approve expense claims for the members of the Rules Committee who had attended meetings prior to the convening of the 36th Legislature, which motion was declared adopted.

Senator Luton moved that President Pro Tempore Howard be authorized and

directed to approve claims in payment of postage, providing each member of the Senate with two rolls of thirteen-cent stamps immediately, which motion was declared adopted.

Senator Luton moved that each member of the Senate be allowed Three Hundred Fifty Dollars in payment of expenses incident to the purchase of personal stationery, supplies and materials, which motion was declared adopted.

COMMUNICATION

RESOLUTION OF THE
STATE BOARD OF EQUALIZATION

WHEREAS, according to the provisions of Article X, Section 23, of the Oklahoma Constitution, as amended July 22, 1975, which provides now in pertinent part as follows:

"Not more than forty-five (45) days or less than thirty-five (35) days 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. The estimate shall not exceed an amount which shall be determined by the following procedure:

(1) Certify the total amount of revenue which accrued to the General Revenue Fund and each special fund during the last preceding fiscal year.

(2) Next, compute the percentage by which, in each one of the last five (5) preceding fiscal years, the amount of revenue exceeded, or was below, the corresponding amount of revenue for the next preceding fiscal year, the average percentage of increase or decrease for this five-year period shall then be computed. Revenue of a non-recurring nature shall be excluded from the revenue of the preceding fiscal years in computing the percentage of increase or decrease for those years.

(3) If there is a decline in the percentage of increase during the last preceding fiscal year as compared to the five-year average computed above, the Board shall compute such percentage for that period.

(4) The Board of Equalization, having computed the percentage based on (2) and on (3) above, shall then certify which is the lesser of the two methods.

(5) The Board shall then add to or subtract from the total amount of the revenue for the last preceding fiscal year, a sum equal to twice the lesser of the two methods... ."

WHEREAS, the State Board of Equalization, acting in conformity with the Constitutional requirements above provided, 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 to the General Revenue Fund and each special fund of the state, including detailed and summarized reports and recommendations prepared and presented by the Director of State Finance. After consideration of same, and being fully advised in the premises, the State Board of Equalization has made estimates of the revenues to be received by the State under the laws in effect on this date, and for the next ensuing fiscal year (fiscal year 1978) and has itemized such estimates, showing separately the revenues to accrue to the credit of the general revenue fund and each special fund, which estimates do not exceed the amounts determined by the procedure set forth in Article X, Section 23 of the Oklahoma Constitution.

NOW, THEREFORE, BE IT RESOLVED, by the State Board of Equalization:

The estimate of revenues to be received for the next ensuing fiscal year (fiscal year ending June 30, 1978) to the credit of the General Revenue Fund and to the several special funds of the State shall be as follows, to wit:

General Revenue Fund	\$630,437,265
Federal Revenue Sharing Fund	25,096,662
Alcoholic Beverage Fund	564,612
State Examiner and Inspector Fund	256,068
Property and Casualty Rates Board Fund	888,542
Insurance Commissioner Fund	1,920,099
Liquefied Petroleum Gas Fund	162,216
Industrial Court Fund	34,827
Industrial Judiciary Fund	511,042
Oklahoma Tax Commission Fund	14,547,418
Occupational Health and Safety Fund	230,398
Technical & Scientific Education Fund	2,791,178
State Judicial Fund	1,700,000

BE IT FURTHER RESOLVED, that a duly authenticated duplicate of this resolution be delivered to the Governor, the President and the President Pro Tempore of the Senate, and the Speaker of the House of Representatives as provided by Article X, Section 23 of the State Constitution as amended July 22, 1975.

Done this 23rd day of November, 1976.

David Boren, Governor and Chairman

John M. Rogers, State Examiner and Inspector and Vice-Chairman

Joe Bailey Cobb, State Auditor and Secretary

Leo Winters, State Treasurer — Member

Jerome W. Byrd, Secretary of State — Member

Larry Derryberry, Attorney General — Member

STATE OF OKLAHOMA
EXECUTIVE DEPARTMENT
DIVISION OF THE BUDGET

November 23, 1976

State Board of Equalization
State Capitol Building
Oklahoma City, Oklahoma 73105

Gentlemen:

The Constitution of the State of Oklahoma, Article 10, Section 23, as amended by State Question No. 506, adopted July 22, 1975, provides in pertinent part:

"Not more than forty-five (45) days or less than thirty-five (35) days 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. The estimate shall not exceed an amount which shall be determined by the following procedure:

(1) Certify the total amount of revenue which accrued to the General Revenue Fund and each special fund during the last preceding fiscal year.

(2) Next, compute the percentage by which, in each one of the last five (5) preceding fiscal years, the amount of revenue exceeded, or was below, the corresponding amount of revenue for the next preceding fiscal year, the average percentage of increase or decrease for this five-year period shall then be computed. Revenue of a non-recurring nature shall be excluded from the revenue of the preceding fiscal years in computing the percentage of increase or decrease for those years.

(3) If there is a decline in the percentage of increase during the last preceding fiscal year as compared to the five-year average computed above, the Board shall compute such percentage for that period.

(4) The Board of Equalization, having computed the percentage based on (2) and on (3) above, shall then certify which is the lesser of the two methods.

(5) The Board shall then add to or subtract from the total amount of the revenue for the last preceding fiscal year, a sum equal to twice the lesser of the two methods. . . ."

The following report has been prepared in accordance with the procedure set forth in that portion of the Oklahoma Constitution cited above, and is respectfully submitted for your consideration.

Sincerely,

David W. Way
Director of State Finance

**FUNDS AVAILABLE FOR APPROPRIATION BY
THE FIRST SESSION OF THE 36TH LEGISLATURE**

GENERAL REVENUE FUND

Total Revenue Fiscal Year
Ended June 30, 1976\$517,873,329

The 5 year average increase
yielding the lesser of
the two methods:
14.53% x 2 x 517,873,329
equals 150,493,989

Adjustments:

Increase in Sinking
Fund Requirements\$ (706,297)

Estimated Increase in
Receipts From:
Sales Tax
(S.B. 568, 2nd
Session 35th Leg.) 1,771,516

Net Adjustment 1,065,219

Amount Determined
by Formula\$669,432,537

Estimated Income Fiscal
Year 1978\$630,437,265

**TOTAL GENERAL REVENUE FUND
AVAILABLE FOR APPROPRIATION\$630,437,265**

COMPARISON REPORT SHOWING REVENUE CREDITED TO THE GENERAL REVENUE FUND FOR THE FIRST
FOUR MONTHS OF THE FISCAL YEARS 1976 AND 1977 AND AN ESTIMATED TOTAL FOR FISCAL YEARS 1977 AND 1978

SOURCE	FIRST FOUR MONTHS F. Y. 1976	FIRST FOUR MONTHS F. Y. 1977	ACTUAL TOTAL F. Y. 1976	ESTIMATED TOTAL F. Y. 1977	ESTIMATED TOTAL F. Y. 1978
Alcoholic Beverage Excise Tax	\$ 4,474,332.86	\$ 3,719,069.30	\$ 12,262,538.26	\$ 11,507,275.00	\$ 10,931,911.00
Beverage Tax	5,002,049.22	5,313,395.25	13,355,628.67	13,741,606.00	14,138,738.00
Cigarette Tax	13,763,688.52	11,982,786.14	35,298,860.08	36,082,230.00	36,858,195.00
Franchise Tax	8,685,873.18	9,622,559.66	9,463,597.26	10,483,778.00	10,483,778.00
Freight Car Tax	308,094.06	391,943.10	309,906.73	391,943.00	391,943.00
Fuel Excise Tax	460,695.15	487,387.01	1,340,523.84	1,462,152.00	1,462,152.00
Gift Tax	271,653.04	262,974.40	2,421,020.05	2,640,510.00	2,860,000.00
Gross Production Tax	31,500,946.37	36,020,305.55	98,472,782.09	106,912,902.00	111,357,584.00
Income Tax	100,805,579.85	135,767,447.18	220,317,421.26	261,391,985.00	313,560,000.00
Estate Tax	9,067,150.84	5,387,329.36	20,575,963.16	15,000,000.00	15,400,000.00
Insurance Premium Tax	3,824,401.99	5,634,551.02	20,666,674.93	22,313,337.00	23,960,000.00
Motor Vehicle Excise Tax	8,227,520.87	11,524,561.03	24,953,082.68	28,386,541.00	31,820,000.00
Sales Tax	1,800,000.00	2,152,247.09	5,400,000.00	6,456,732.00	7,097,240.00
Tobacco Products Tax	1,095,644.18	1,081,227.25	3,250,569.53	3,250,569.00	3,250,569.00
Use Tax	3,697,121.17	3,752,497.88	11,001,151.15	11,257,488.00	11,519,787.00
Filing Fees - Secretary of State	599,372.65	529,559.05	879,046.62	848,159.00	848,159.00
Coin Device Licenses	142,713.47	180,674.15	657,948.27	695,909.00	695,909.00
Drivers Licenses	1,661,786.46	1,698,140.26	4,618,613.03	4,921,615.00	5,028,906.00
Oversize Truck Permits	193,530.00	185,615.00	547,870.00	548,000.00	548,000.00
Title Fees	298,101.40	362,533.70	977,279.75	1,123,870.00	1,292,451.00
Interest on Bank Deposits	7,789,493.20	8,373,789.12	22,226,722.18	19,731,943.00	19,731,943.00
Other Receipts	791,995.16	817,001.10	4,256,287.98	4,500,000.00	4,700,000.00
Total Collections	204,461,743.64	245,247,593.60	513,253,487.52	563,648,544.00	627,937,265.00
Transfers from Special Funds	-0-	-0-	4,619,842.22	3,700,000.00	2,500,000.00
TOTAL INCOME	<u>\$204,461,743.64</u>	<u>\$245,247,593.60</u>	<u>\$517,873,329.74</u>	<u>\$567,348,544.00</u>	<u>\$630,437,265.00</u>

SPECIAL FUNDS AVAILABLE FOR APPROPRIATION BY
THE FIRST SESSION OF THE 36TH LEGISLATURE

FEDERAL REVENUE SHARING FUND

Total Revenue Fiscal Year Ended	
June 30, 1976	\$25,021,559
The decline during the last preceding fiscal year, since the fund has been established less than five years: (.758)% x 2 x 25,021,559 equals	(379,327)
Adjustment:	
Increase in Federal Entitlement	454,430
Amount determined by formula	\$25,096,662
Estimated Income F.Y. 1978	\$25,096,662
Available for Appropriation	<u>\$25,096,662</u>

ALCOHOLIC BEVERAGE FUND

Total Revenue Fiscal Year Ended	
June 30, 1976	\$ 475,108
The five year average yielding the lesser of the two methods: (.61)% x 2 x 475,108 equals	(5,796)
Adjustment:	
Alcohol Brand Fees (S.B. 553, 2nd Session 35th Leg.)	95,300
Amount determined by Formula	\$ 564,612
Estimated Income F.Y. 1978	\$ 595,300
Available for Appropriation	<u>\$ 564,612</u>

STATE EXAMINER AND INSPECTOR FUND

Total Revenue Fiscal Year Ended	
June 30, 1976	\$ 226,489
The five year year average increase yielding the lesser of the two methods: 6.53% x 2 x 226,489 equals	29,579
Amount determined by Formula	\$ 256,068
Estimated Income F.Y. 1978	\$ 257,055
Available for Appropriation	<u>\$ 256,068</u>

PROPERTY AND CASUALTY RATES BOARD FUND

Total Revenue Fiscal Year Ended

June 30, 1976	\$ 980,514
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The decline during the last preceding fiscal
year yielding the lesser of the two methods:

(4.69)% x 2 x 980,514 equals	(91,972)
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Amount determined by Formula	\$ 888,542
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Estimated Income F. Y. 1978	\$ 1,135,704
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Available for Appropriation	<u>\$ 888,542</u>
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INSURANCE COMMISSIONER FUND

Total Revenue Fiscal Year Ended

June 30, 1976	\$ 1,776,225
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The increase of the last preceding fiscal year
yielding the lesser of the two methods:

4.05% x 2 x 1,776,225 equals	143,874
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Amount determined by Formula	\$ 1,920,099
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Estimated Income F. Y. 1978	\$ 2,011,925
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Available for Appropriation	<u>\$ 1,920,099</u>
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LIQUEFIED PETROLEUM GAS FUND

Total Revenue Fiscal Year Ended

June 30, 1976	\$ 152,258
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The five year average increase yielding the
lesser of the two methods:

3.27% x 2 x 152,258 equals	9,958
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Amount determined by Formula	\$ 162,216
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Estimated Income F. Y. 1978	\$ 167,870
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Available for Appropriation	<u>\$ 162,216</u>
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INDUSTRIAL COURT FUND

Total Revenue Fiscal Year Ended		
June 30, 1976	\$	44,043
The five year average increase yielding the lesser of the two methods:		
18.73% x 2 x 44,043 equals		16,499
Amount determined by Formula	\$	60,542
Estimated Income F.Y. 1978	\$	34,827
Available for Appropriation	\$	<u>34,827</u>

INDUSTRIAL JUDICIARY FUND

Total Revenue Fiscal Year Ended		
June 30, 1976	\$	600,323
The increase of the last preceding fiscal year since this fund has been established less than five years:		
17.63% x 2 x 600,323 equals		211,674
Amount determined by Formula	\$	811,997
Estimated Income F.Y. 1978	\$	511,042
Available for Appropriation	\$	<u>511,042</u>

OKLAHOMA TAX COMMISSION FUND

Total Revenue Fiscal Year Ended		
June 30, 1976	\$14,335,603	
The increase of the last preceding fiscal year yielding the lesser of the two methods:		
7.63% x 2 x 14,335,603 equals		2,187,613
Adjustments:		
Decrease in receipts from Income Tax	\$1,975,798	(1,975,798)
Amount determined by Formula	\$14,547,418	
Estimated Income F.Y. 1978	\$14,628,197	
Available for Appropriation		<u>\$14,547,418</u>

OCCUPATIONAL HEALTH AND SAFETY FUND

Total Revenue Fiscal Year Ended

June 30, 1976	\$ 251,601
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The increase of the last preceding fiscal year
since this fund has been established
less than five years:

17.50% x 2 x 251,601 equals	88,060
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Amount determined by Formula	\$ 339,661
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Estimated Income F.Y. 1978	\$ 230,398
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Available for Appropriation	<u>\$ 230,398</u>
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TECHNICAL AND SCIENTIFIC EDUCATION SPECIAL FUND

Total Revenue Fiscal Year Ended

June 30, 1976	\$ 2,109,415
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The five year average increase yielding
the lesser of the two methods:

16.16% x 2 x 2,109,415 equals	681,763
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Amount determined by Formula	\$ 2,791,178
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Estimated Income F.Y. 1978	\$ 3,302,446
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Available for Appropriation	<u>\$ 2,791,178</u>
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STATE JUDICIAL FUND

Total Revenue Fiscal Year Ended

June 30, 1976	\$ 3,890,754
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The five year year average increased yielding
the lesser of the two methods:

14.29% x 2 x 3,890,754 equals	1,111,977
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Adjustment:

Increase in Bailiff Salaries

(S.B. 229, 2nd Session 35th Leg.)	(250,000)
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Amount determined by Formula	\$ 4,752,731
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Estimated Income F.Y. 1978	\$ 1,700,000
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Available for Appropriation	<u>\$ 1,700,000</u>
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COMPARISON REPORT SHOWING REVENUE ACCRUED TO THE SEVERAL SPECIAL FUNDS FOR THE FIRST FOUR MONTHS OF THE FISCAL YEARS 1976 AND 1977 AND ESTIMATED TOTALS FOR 1977 AND 1978

SPECIAL FUNDS	FIRST FOUR MONTHS F.Y. 1976	FIRST FOUR MONTHS F.Y. 1977	ACTUAL TOTAL F.Y. 1976	ESTIMATED TOTAL F.Y. 1977	ESTIMATED TOTAL F.Y. 1978
Federal Revenue Sharing Fund					
Entitlement Payments	\$11,675,788	\$11,919,637	\$23,403,122	\$24,156,822	\$25,096,662
Interest Earnings	667,265	129,789	1,618,437	157,410	
Total	12,343,053	12,049,426	25,021,559	24,314,232	25,096,662
Alcoholic Beverage Fund					
Licenses and Miscellaneous	36,748	41,633	475,108	500,000	500,000
Brand Fees		8,400		95,300	95,300
Total	36,748	50,033	475,108	595,300	595,300
State Examiner and Inspector Fund					
Taxes and License Fees	64,124	68,312	226,489	241,299	257,055
Property and Casualty Rates Board Fund					
Insurance Premium Tax	212,857	269,066	980,514	1,057,652	1,135,704
Insurance Commissioner Fund					
Insurance Premium Tax	434,906	470,522	1,476,625	1,594,275	1,711,925
Agents' Licenses	11,657	97,083	299,600	300,000	300,000
Total	446,563	567,605	1,776,225	1,894,275	2,011,925

SPECIAL FUNDS

FIRST
FOUR MONTHS
F. Y. 1976

Liquefied Petroleum Gas Fund	
Permits and Fees	128,852
Industrial Court Fund	
Litigation Fees	15,770
Industrial Judiciary Fund	
Assessments on Workmens'	
Compensation Awards	226,967
Oklahoma Tax Commission Fund	
Percentages of Taxes and	
Licenses Collected	3,903,050
Occupational Health and Safety Fund	
Occupational Health and	
Safety Tax	94,021
Technical and Scientific Education	
Special Fund	
Documentary Stamps	700,966
State Judicial Fund	
Local Court Funds	680,000
Fees — Other	27,262
Total	707,262

FIRST FOUR MONTHS F. Y. 1977	ACTUAL TOTAL F. Y. 1976	ESTIMATED TOTAL F. Y. 1977	ESTIMATED TOTAL F. Y. 1978
135,301	152,258	159,875	167,870
11,609	44,043	34,827	34,827
193,174	600,323	511,042	511,042
3,475,625	14,335,603	13,512,066	14,628,197
79,721	251,601	213,332	230,398
948,979	2,109,415	2,846,937	3,302,446
1,146,773	3,813,856	2,925,000	1,625,000
22,994	76,898	75,000	75,000
<hr/> 1,169,767	<hr/> 3,890,754	<hr/> 3,000,000	<hr/> 1,700,000

COMMUNICATION

The following communication was read and incorporated in the Journal upon motion of Senator Terrill.

December 30, 1976

Senator Al Terrill
Room 424-A
State Capitol Building
Oklahoma City, Oklahoma

Dear Senator Terrill:

I am in receipt of the outline of your report of the Special Investigative Committee on Public Utilities as authorized by Senate Joint Resolution No. 70 of the 2nd Session of the 35th Oklahoma Legislature.

Please be advised because of the time frame involved, it would be my desire that you deliver a final report along with all legislative recommendations to the members of the House and the Senate after the convening of the 1st Session of the 36th Oklahoma Legislature at 12:00 Noon, January 4, 1977.

Because of the heavy schedule in this office and in the offices of other legislative members, I would respectfully suggest that your report be made as soon as physically and mechanically possible after the first week of the session.

Very truly yours,

Gene C. Howard
President Pro Tempore

Senator Holden moved that, as provided by 75 O.S. 1971, § § 26.11 through 26.14, the following prefiled bills and resolutions be placed on first reading and that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, January 5, 1977, at 1:30 p.m., which motion prevailed.

FIRST READING (Prefiled Bills)

The following were introduced and read the first time:

SB 1 — By Funston.

An Act relating to schools; amending 70 O.S. 1971, Section 6-104, as last amended by Section 1, Chapter 286, O.S.L. 1976 (70 O.S. Supp. 1976, Section 6-104); providing for payment of salaries to teachers while on sick leave; specifying conditions and limitations; expanding application of the act; and declaring an emergency.

SB 2 — By Smith.

An Act relating to county home rule; providing any county may adopt a County Home Rule Charter; prescribing manner and procedure therefor; providing structure of county government and manner in which it is to perform shall be set forth in charter; providing for a governing body thereof, terms of office of its members and the representation of each; providing for the exercise of certain powers and duties by the governing body; providing for merging of certain governmental functions of cities and towns therein; providing for severability; and repealing all conflicting laws or parts of laws.

SB 3 — By Grantham of the Senate and Elder of the House.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 990; modifying procedure for appeals to the State Supreme Court; repealing 12 O.S. 1971, Section 992; and declaring an emergency.

SB 4 — By Murphy.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 226; requiring a guardian or next friend to bring an action for an infant; providing for the dismissal of certain actions; providing for the appointment of certain representatives; permitting the waiver of rights to certain damages; providing for recovery of certain damages to the benefit of an infant; and declaring an emergency.

SB 5 — By Murphy.

An Act relating to schools; amending 70 O.S. 1971, Section 3409; providing for a

Board of Regents for the Oklahoma Agricultural and Mechanical Colleges; providing certain criteria for appointments; providing a definition of farmer; providing restrictions on membership; providing for removal and vacancies; and declaring an emergency.

SB 6 — By Cate.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 215.23, as amended by Section 3, Chapter 232, O.S.L. 1974 (19 O.S. Supp. 1976, Section 215.23); providing positions and duties of district attorneys' payroll clerk and assistant payroll clerk; and changing supervision of payroll clerk and assistant payroll clerk.

SB 7 — By Capps of the Senate and Wickersham and Bradshaw of the House.

An Act relating to oil and gas; amending 52 O.S. 1971, Section 87.1; authorizing the Corporation Commission to establish well spacing and drilling units; restricting the size of certain units; providing for notice and hearings; providing authority to alter the number, size and allowable production of wells; prohibiting certain drilling operations; providing for voluntary and compulsory pooling of interests; providing certain requirements for pooling and pooling orders; providing certain rights for operators of a unit; establishing certain provisions for royalty owners; providing exceptions; and declaring an emergency.

SB 8 — By Dahl.

An Act relating to agriculture; amending 2 O.S. 1971, Section 2-2; fixing compensation for members of the State Board of Agriculture; and increasing the per diem rate.

SB 9 — By Dahl.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305c, as amended by Section 2, Chapter 5, O.S.L. 1976 (68 O.S. Supp. 1976, Section 1305c); exempting sales of farm machinery from

consumer sales tax; defining certain terms; and declaring an emergency.

SB 10 — By Dawson.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 1014; and specifying the manner of inflicting punishment of death.

SB 11 — By Dawson.

An Act relating to the State Capitol and Capitol Building; repealing 73 O.S. 1971, Section 63, which provides for display of battle flags and colors in cases within the State Capitol Building.

SB 12 — By Dawson.

An Act relating to the State Capitol and Capitol Building; repealing 73 O.S. 1971, Section 61, which provides for assignment of space in the State Capitol Building to Boy Scouts.

SB 13 — By Dawson.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 375; prohibiting the raising of certain flags over tax-supported property; providing exceptions; providing penalty; and declaring an emergency.

SB 14 — By Keating.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 51, as amended by Section 1, Chapter 94, O.S.L. 1976 (21 O.S. Supp. 1976, Section 51); providing for imprisonment for second and subsequent offenses and adjudication of an habitual criminal; creating exceptions for certain classes of habitual criminals and setting maximum sentences.

SB 15 — By Keating.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 652; prohibiting shooting with intent to kill and increasing the punishment therefor; prohibiting assault and battery with a deadly weapon and providing punishment; providing for effective date; and declaring an emergency.

SB 16 — By Keating.

An Act relating to civil procedure; amending Section 1, Chapter 15, O.S.L. 1975 (12 O.S. Supp. 1976, Section 1770); providing procedures for entering small claims judgments on judgment docket; and authorizing release of judgments by the court.

SB 17 — By Murphy of the Senate and Manning of the House.

An Act relating to real property; amending 60 O.S. 1971, Sections 332 and 333, pertaining to titles by prescription; prescribing procedure, notice and time for commencing certain actions; providing for certain affidavits and documents and the filing thereof; and declaring an emergency.

SB 18 — By Keating.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 2-506; providing for seizure of certain vehicles used in unlawful transport of certain prohibited controlled dangerous substances; providing procedures for notice; providing procedures in forfeiture proceeding; providing for certain results upon forfeiture or failure to declare forfeiture; directing use of certain funds for enforcement of controlled dangerous substances; and declaring an emergency.

SB 19 — By Smith.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2702; providing for contractual agreements for collection for municipal taxes by the Tax Commission; limiting amount allowed for services by the Tax Commission for collecting sales tax; and declaring an emergency.

SB 20 — By Terrill.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2358, as last amended by Section 1, Chapter 18, O.S.L. 1975 (68 O.S. Supp. 1976, Section 2358); providing certain adjustments for arriving at

Oklahoma taxable income and Oklahoma adjusted gross income; providing for income tax adjustment applicable to certain newspaper enterprises; repealing 68 O.S. 1971, Section 2358, as amended by Section 1, Chapter 188, O.S.L. 1975; and declaring an emergency.

SB 21 — By Howell.

An Act relating to administration of district attorneys; amending 19 O.S. 1971, Sections 215.14, as amended by Section 4, Chapter 268, O.S.L. 1976, 215.23, as amended by Section 3, Chapter 232, O.S.L. 1974 (19 O.S. Supp. 1976, Sections 215.14 and 215.23), 215.24 and Section 2, Chapter 73, O.S.L. 1976 (70 O.S. Supp. 1976, Section 3311.1); providing for district attorneys' salaries, retirement, and certain other claims and expenses; changing responsibility for their administration; providing for the positions of district attorneys' payroll clerk and assistant payroll clerk; providing for a district attorneys training coordination council; transferring supervision of the district attorneys' payroll clerk and assistant payroll clerk from the Attorney General to the district attorneys training coordination council and its executive coordinator; and providing an effective date.

SB 22 — By Dawson, Watson, Clifton, McDaniel and Keating of the Senate and Abbott of the House.

An Act relating to professions and occupations; providing a short title; creating and stating qualifications and duties of the Optical Dispensers Committee; setting examination and licensing requirements for optical dispensers, including fees; providing for disposition of fees; exempting physicians and optometrists; fixing compensation for committee members; requesting an annual report; specifying unlawful acts and setting penalties; permitting advertising; providing severability; and declaring an emergency.

SB 23 — By Smith.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 23.2; providing for apportionment of certificate of title fees, either original, transfer or duplicate; and declaring an emergency.

SB 24 — By Birdsong.

An Act relating to state government; amending 74 O.S. 1971, Section 1306, as amended by Section 1, Chapter 116, O.S.L. 1974 (74 O.S. Supp. 1976, Section 1306); providing certain powers and duties of the State Employees Group Health and Life Insurance Board; providing for certain administrative functions; providing for the processing of employees' complaints and grievances by the State Insurance Commissioner; providing for studies; providing for rules and regulations; and providing an effective date.

SB 25 — By Grantham of the Senate and Elder of the House.

An Act relating to special mailing requirements; amending 25 O.S. 1971, Section 221; authorizing use of restricted delivery where statutory requirement for registered or certified mail is specified; and declaring an emergency.

SB 26 — By Grantham of the Senate and Elder of the House.

An Act relating to civil procedure; repealing 12 O.S. 1971, Sections 286 through 292, which relate to the verification of certain denials; and declaring an emergency.

SB 27 — By Dawson.

An Act relating to professions and occupations; repealing 59 O.S. 1971, Section 594, limiting practice of optometrists.

SB 28 — By Dawson.

An Act relating to professions and occupations; repealing 59 O.S. 1971, Sections 736.1, 736.2 and 736.3, relating to price advertising.

SB 29 — By Boatner.

An Act relating to cemeteries; amending 8 O.S. 1971, Sections 143 and 144; au-

thorizing county commissioners to use county equipment and employees to open and close graves and maintain and improve certain cemeteries; and declaring an emergency.

SB 30 — By Boatner.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 686; regulating judgments in foreclosure suits; and directing payment on a pro rata basis of current taxes on certain property.

SB 31 — By Boatner.

An Act relating to state officers and employees; amending Section 18, Chapter 123, O.S.L. 1972 (74 O.S. Supp. 1976, Section 500.18); modifying the scope and application of the State Travel Reimbursement Act; providing for certain travel expenses and the reimbursement for such expenses; providing for the approval of certain travel claims or vouchers; indicating when certain requests for reimbursement should be made; providing for a certain reimbursement period; providing for travel by public conveyance, personally-owned, leased or rented automobile and airplane; providing for a per diem allowance in lieu of subsistence; specifying method for computing the per diem allowance; allowing certain expenses in addition to the stipulated per diem allowance; providing for subsistence expenses within the state in lieu of a per diem allowance; providing for claims for reimbursement of travel expenses; requiring the Director of State Finance to prescribe certain forms of travel claims; directing codification; and repealing Section 1, Chapter 163, O.S.L. 1973 (74 O.S. Supp. 1976, Section 500.19).

SB 32 — By Boatner.

An Act relating to county highways; providing a short title; providing for the hard-surfacing of secondary roads in each county; defining hard-surfaced road; making an appropriation thereto; expressing legislative intent; directing codification; and declaring an emergency.

SB 33 — By Boatner.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 405, as last amended by Section 1, Chapter 146, O.S.L. 1976 (11 O.S. Supp. 1976, Section 405); providing for filing of protests to changes in regulations and boundaries of cities and incorporated towns; providing for effectiveness of amendments by certain percent favorable vote depending on number of members in legislative body; changing certain requirements as to notice; and limiting application.

SB 34 — By Howell.

An Act relating to schools; amending 70 O.S. 1971, Section 5-118, as amended by Section 1, Chapter 101, O.S.L. 1975 (70 O.S. Supp. 1976, Section 5-118); providing for meetings and compensation of Boards of Education; authorizing executive sessions under certain circumstances; and declaring an emergency.

SB 35 — By Smith.

An Act relating to insurance; providing for the Oklahoma Prepaid Legal Services Act; declaring intent; providing for liberal interpretation; defining terms; listing conditions of doing business of certain corporations; requiring maintenance of certain number of contracting attorneys; requiring bonds; providing for payment of claims and penalties for noncompliance; providing for dissolution of legal services corporations; specifying manner of dissolution; requiring payment of specified fees and taxes; permitting profit-making corporations to provide prepaid legal services; providing that complying corporations be governed and conducted as nonprofit nonmembership organizations; providing for maintenance, composition and use of specified funds; granting authority to contract with attorneys and stating limitations thereto; providing for advance of funds on contingent liability basis; providing for Department of Insurance control of plans of operation, rate schedules and expense fund size; provid-

ing for approval of benefit ratios; providing for guarantees and indemnity of costs for attorney services to participants; providing for issuance of benefit certificates; requiring deposit of funds in certain banks; limiting disbursement of claim funds; authorizing approved joint participation contracts among insurers; providing for regulation by Department of Insurance; specifying permissible compensation for certain corporate directors; providing for examination of corporate records; providing for referral of complaints; providing for regulation of agents; providing for hazardous financial condition of certain corporations; limiting use of exclusive agency and management contracts; requiring compliance with specified laws; providing for issuance and approval of prepaid legal services contracts under certain conditions; providing for regulation by Department of Insurance; declaring an exception to the Oklahoma Insurance Code; specifying limitations; limiting effect of article headings; and directing codification.

SB 36 — By Smith of the Senate and Nance of the House.

An Act relating to taxation; amending 68 O.S. 1971, Section 2355; providing for classes of taxpayers and determining rates of tax; and providing an effective date.

SB 37 — By Wolfe.

An Act relating to crimes and punishments; prohibiting the detention of a minor child by a parent not entitled to its custody, under certain circumstances; directing codification; and declaring an emergency.

SB 38 — By Keating.

An Act relating to mental health; amending 43A O.S. 1971, Sections 3, 5, 55, as last amended by Section 2, Chapter 355, O.S.L. 1975, 59, 64, 91 through 93, 111, 191, 451 and 452 (43A O.S. Supp. 1976, Section 55); modifying the definitions of a mentally ill person and qualified examiner;

expanding appellate procedure; modifying procedure for admission into and discharge from certain institutions; modifying procedure for determination of certain incompetent persons; expanding the rights of persons alleged or adjudged to be mentally ill or mentally incompetent; modifying treatment and care of certain patients; modifying use of mechanical restraints; modifying payment to patients for certain services; modifying custody and confinement; expanding the powers and duties of the Mental Health Board and the Director of Mental Health; modifying transfer of certain patients; providing for length of an involuntary commitment; authorizing reexamination of certain orders; providing for certain nonemergency surgery; creating the positions of patients' legal assistance officers; specifying qualifications, powers and duties; providing for the confidentiality of certain records; providing for certain privileged communications; providing for lock wards; specifying certain prohibitions directed at employment or credit reporting agencies and prospective employers; providing penalty; directing codification; and declaring an emergency.

SB 39 — By Smith and Dawson.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 50001, as last amended by Section 1, Chapter 115, O.S.L. 1976 (68 O.S. Supp. 1976, Section 50001), which provides for a tax on gross fire premium receipts of fire insurance companies, depositing of revenues in the State Fire Marshal Fund and expenses and compensation of certain officials; increasing the salary of the State Fire Marshal and his assistant; and declaring an emergency.

SB 40 — By Dahl.

An Act relating to the militia; amending 44 O.S. 1971, Section 232.3, as amended by Section 1, Chapter 32, O.S.L. 1973 (44 O.S. Supp. 1976, Section 232.3), providing for the appointment, composition and terms of

Armory Boards; allowing the appointment of Temporary Armory Boards; and declaring an emergency.

SB 41 — By Dahl.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305c, as amended by Section 2, Chapter 5, O.S.L. 1976 (68 O.S. Supp. 1976, Section 1305c); modifying exemptions from the consumer sales tax by defining the operation of a custom feed yard as farming and/or ranching.

SB 42 — By Grantham of the Senate and Elder of the House.

An Act relating to fees; amending 28 O.S. 1971, Section 121, as amended by Section 1, Chapter 31, O.S.L. 1973 (28 O.S. Supp. 1976, Section 121); specifying fees for printing legal notices.

SB 43 — By Grantham of the Senate and Elder of the House.

An Act relating to conveyances; proclaiming public interest in abandoned mineral interests; defining terms; providing for escheat to state of abandoned mineral interests; prescribing prescriptive period; establishing procedures; making provisions of act severable; and declaring an emergency.

SB 44 — By Howell.

An Act relating to torts; amending Section 1, Chapter 66, O.S.L. 1975 (76 O.S. Supp. 1976, Section 16); expanding committees to which certain protection from liability is provided; providing certain exemptions; and declaring an emergency.

SB 45 — By Pierce.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 1106; providing for deposits of money for bail; allowing combination bonds; and declaring an emergency.

SB 46 — By Smith.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Sections 1402 and

1403; providing for additional state use tax and apportionment of additional revenues to cities and towns within the State of Oklahoma.

SB 47 — By Keating.

An Act relating to property; amending 60 O.S. 1971, Section 333; providing for title by prescription; and requiring payment of taxes.

SB 48 — By Grantham.

An Act relating to wills and succession; amending 84 O.S. 1971, Section 215; expanding inheritance by and from children born out of wedlock; giving children born out of wedlock right to inherit from father's kindred and from mother's kindred; and fixing an effective date.

SB 49 — By Grantham.

An Act relating to corporations; amending 18 O.S. 1971, Section 1.174; and providing that officers and directors will be liable for corporate debts under certain conditions.

SB 50 — By Pierce.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.22, 22.22a, 22.30c, 22.30 1, 22.30m and 22.30n; providing for the abolishment of independent motor license tag agents; transferring powers, duties and responsibilities to the office of the county clerk; providing for supplies, equipment and personnel; providing motor license agent and other similar terms to refer to county clerk; providing for duties and fees; providing for certain restrictions on advertising; restricting acts as to representative of motor license tag agent; providing penalties; striking provisions for subagents; prohibiting unauthorized release of plates; deleting provisions as to compensation; providing for notice of registration and license fees; providing mail order purchase of license tags or pickup at county clerk's office; deleting provisions for same system by motor license agents; providing

for bonds; providing for expenses and setting aside of reserves; providing procedure for distribution of net income to public schools; providing for annual financial statement and audits; repealing Section 2, Chapter 169, O.S.L. 1975 (47 O.S. Supp. 1976, Section 22.30 1-1), providing for compensation for motor license tag agents, and 47 O.S. 1971, Sections 22.300 and 22.30p, providing certain provisions relating to subagents, and Section 2, Chapter 396, O.S.L. 1967, providing certain population limitations.

SB 51 — By Watson.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 481; providing for city council authority to add territory to the city; providing certain guidelines for cities to abide by regarding adding territory, taxation and furnishing services; providing special requirements as to furnishing of fire protection to newly-added territory; and declaring an emergency.

SB 52 — By Pierce.

An Act relating to the office of county superintendent of schools; providing for a petition and election to abolish said office; providing for the transfer of duties; limiting the application of certain existing statutes; directing codification; providing for severability; and declaring an emergency.

SB 53 — By Watson.

An Act relating to labor; amending 40 O.S. 1971, Section 215, as last amended by Section 3, Chapter 163, O.S.L. 1976 (40 O.S. Supp. 1976, Section 215); providing certain disqualifications for unemployment benefits; extending periods of disqualification under certain circumstances; requiring certain qualifications for work eligibility; providing certain exceptions; allowing certain benefit reductions; and declaring an emergency.

SB 54 — By Grantham of the Senate and Elder of the House.

An Act relating to probate procedure; amending 58 O.S. 1971, Section 890.5; prescribing powers and duties of conservators; providing jurisdiction of the court as in guardianship shall be applicable to conservatorship; providing certain procedural exceptions; and declaring an emergency.

SB 55 — By Lambert and Birdsong.

An Act relating to crimes and punishments; providing mandatory minimum periods of incarceration for certain offenses prior to being eligible for commutation, pardon or parole; directing codification; and providing effective date.

SB 56 — By Lambert and Birdsong.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 51, as amended by Section 1, Chapter 94, O.S.L. 1976 (21 O.S. Supp. 1976, Section 51); specifying punishment for second and subsequent offenses under certain circumstances and providing for habitual criminal offenders and specifying terms of imprisonment; and providing for effective date.

SB 57 — By Butler.

An Act relating to schools; making an appropriation to the Oklahoma State University School of Technical Training at Okmulgee; stating the purpose; making appropriation nonfiscal; and declaring an emergency.

SB 58 — By Birdsong.

An Act relating to insurance; amending Section 1, Chapter 301, O.S.L. 1975 (36 O.S. Supp. 1976, Section 1219); providing for notification by restricted delivery mail to policyholders of delays in processing completed claims; specifying unfair trade practices; providing certain time limitations; making omission of notification prima facie evidence that a claim will be paid; providing for attorney's fees; and declaring an emergency.

SB 59 — By Keating.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 14-109, as amended by Section 4, Chapter 52, O.S.L. 1972 (47 O.S. Supp. 1976, Section 14-109); extending exceptions to schedules of gross weight and axle load limitations for certain vehicles on certain classifications of roads and highways; and declaring an emergency.

SB 60 — By Keating.

An Act relating to labor; amending 40 O.S. 1971, Section 54; establishing fee schedules for employment agencies; and increasing fee for procuring temporary employment.

SB 61 — By Grantham.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 180.47; allowing payment of in-state traveling expenses for certain county officials; and expanding travel limitations to include certain out-of-state travel by county clerks.

SB 62 — By Murphy.

An Act relating to motor vehicles; amending Sections 1 and 2, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 and 7-602); providing for vehicle registration; excepting "ancient vehicles" from certain provisions of registration requirements; and declaring an emergency.

SB 63 — By Wadley.

An Act relating to counties and county officers; authorizing county membership in the National Association of Counties; and providing for payment of dues.

SB 64 — By Wadley and Howard.

An Act relating to waters and water rights; amending 82 O.S. 1971, Section 870, as amended by Section 1, Chapter 117, O.S.L. 1975 (82 O.S. Supp. 1976, Section 870); authorizing the Grand River Dam Authority to issue bonds; increasing and limiting amount of debt; authorizing the

acquisition and development of certain facilities; providing procedures and criteria for the sale and issuance of bonds; providing for redemption of bonds; providing for certain funds and pledges; providing for certain criteria for certain resolutions, indentures and agreements; providing for certain trustees and certain powers and duties; providing jurisdiction for certain courts; providing responsibilities of certain state officials; providing for the borrowing of money and issuance of certain notes in anticipation of the issuance of bonds; providing certain criteria for anticipatory notes; providing for the payment of notes; directing codification; and providing an effective date.

SB 65 — By Howard of the Senate and Willis of the House.

An Act relating to public buildings and public works; amending Section 2, Chapter 298, O.S.L. 1974, as amended by Section 1, Chapter 266, O.S.L. 1975 (61 O.S. Supp. 1976, Section 102); expanding definitions by adding definition of retainage; authorizing partial payment on public construction projects; specifying certain percentages as retainage; providing for withdrawal of amounts from retainage, under certain conditions; providing for payment of interest to contractor; directing codification; and providing an effective date.

SB 66 — By Dawson.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-1402; prohibiting certain acts; and requiring the labeling of drugs.

SB 67 — By Keating.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 455; establishing penalty for prevention of witness from answering summons or subpoena; and prohibiting the intimidation of witnesses.

SB 68 — By Keating.

An Act relating to crimes and punish-

ments; amending 21 O.S. 1971, Section 647; and making conviction of aggravated assault and battery a felony.

SB 69 — By Keating.

An Act relating to crimes and punishments; repealing 21 O.S. 1971, Sections 1550.1 through 1550.3, which prohibit the use of credit cards by certain individuals and provide penalties.

SB 70 — By Murphy.

An Act relating to waters and water rights; amending Section 20, Chapter 254, O.S.L. 1972 (82 O.S. Supp. 1976, Section 1324.20); and modifying dissolution of certain districts by changing distribution of excess funds.

SB 71 — By Birdsong.

An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 65.2; estopping certain employers and insurance carriers from asserting that an employee was not employed in a hazardous employment under certain circumstances; making holders of own risk permits subject to such estoppel; and declaring an emergency.

SB 72 — By Young.

An Act relating to workmen's compensation; authorizing two additional industrial court judges to be assigned first and second congressional district cases; and directing codification.

SB 73 — By Young, Birdsong, Howard, Luton and Holden.

An Act relating to uniform accident and health insurance and/or benefits and life insurance and/or life benefits on employees and officers of the State of Oklahoma; amending 74 O.S. 1971, Sections 1301, 1302, 1303, 1304, 1305, 1306, as amended by Section 1, Chapter 116, O.S.L. 1974, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, and Sections 1 and 2, Chapter 201, O.S.L. 1972 (74 O.S. Supp. 1976, Sections 1306, 1318 and 1319); declaring purpose of act; defining certain

terms; extending benefits to legislative secretaries; creating State Employees Group Health and Life Benefit Board; providing for membership thereof; eliminating the Attorney General therefrom and adding as additional members the Lieutenant Governor, the Commissioner of Public Safety and the Chairman of the Oklahoma Tax Commission, or their designees, and providing for officers thereof; providing for the meetings of the Board and defining a quorum thereof; providing that Board members shall not be personally liable for Board or Committee acts; defining the duties and powers of the Board; providing for the establishment of a grievance procedure and committee; providing for new right to establish a plan of "self-insurance" and/or claim administration; authorizing negotiations for administrative services contract; providing for continued coverage; authorizing the appointment of an administrator, associate administrator and legal counsel and employment of necessary personnel, all to be in unclassified service, if state becomes "self-insured"; providing benefits included in Health and Life Benefit Plans and providing for bids and contracts therefor; providing for change of carrier; providing conditions under which employee may be enrolled in plans; providing for enrollment of eligible dependents in health plan; providing amounts and manner of contributions to plan from employees and participating state agencies; creating the Health and Life Benefit Reserve Fund and providing for expenditures therefrom; providing for assistance from Public Employees Retirement System; providing that the provisions of this act shall not apply to certain employees, officers and board and commission members; providing for participation by certain county employees and providing the conditions therefor; providing for conversion privileges for person leaving state, county or agency employment; providing for the making of blind vending stand operators and managing operators eligible for parti-

cipation; providing maximum for which reemployed ex-employees and new employees who are sixty-five years of age and older may be insured in the plan; making provisions of the act severable; and declaring an emergency.

SJR 1 — By Lambert and Birdsong of the Senate and Hood of the House.

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 Oklahoma Constitution relating to the powers and duties of the Pardon and Parole Board and the Governor concerning commutations, pardons and paroles; authorizing the Legislature to prescribe minimum and maximum terms of imprisonment for all criminal offenses and to prescribe that no person shall be eligible for consideration by the Board for commutation, pardon or parole until such person has served the applicable mandatory minimum term of incarceration; providing ballot title; and directing filing.

SJR 2 — By Luton.

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 Section 8 of Article II; enlarging nonbailable offenses; providing ballot title; and directing filing.

SJR 3 — By Randle of the Senate and Atkins of the House.

A Joint Resolution ratifying the amendment to the Constitution of the United States extending equal rights for men and women; and directing distribution.

SJR 4 — By Watson.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment of Section 15 of Article IX of the Oklahoma Constitution; creating a Corporation Commission; modifying manner

of election of members; modifying terms of office; providing for vacancies; providing ballot title; directing filing; and ordering a special election.

SJR 5 — By Watson.

A Joint Resolution relating to pardons and paroles; 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 10 of Article VI of the Constitution of the State of Oklahoma; directing the State Legislature to create one or more pardon and parole boards; abolishing the present pardon and parole board; removing certain powers and duties from the Governor; providing a ballot title; and directing filing.

FIRST READING

The following were introduced and read the first time:

SB 74 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma State Legislature and making an appropriation thereto; stating the purpose; providing procedures for filing and approval of claims; making the appropriation nonfiscal; providing severability; and declaring an emergency.

SB 75 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma State Legislative Council; making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; authorizing the payment of state assessment for the Southwest Regional Energy Council; making appropriation nonfiscal; providing severability; and declaring an emergency.

SB 76 — By Crow and Randle of the

Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the Governor and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number of employees; authorizing reimbursement for travel; authorizing appropriated funds for federal matching purposes; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 77 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the Lieutenant Governor and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number of employees; providing for travel expenses of Lieutenant Governor; providing lapse date; providing severability; and declaring an emergency.

SB 78 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Division of the Budget and making an appropriation thereto; stating the purposes; fixing the salary of the Director of State Finance; authorizing the Director of State Finance to appoint and fix the duties and compensation of personnel; limiting number of employees; limiting expenditures for salaries and wages; providing for payment of expenses of the Board on Legislative Compensation; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 79 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the Secretary of State and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation

of employees; limiting number of employees; limiting expenditures for salaries and wages; providing lapse dates; providing severability; and declaring an emergency.

SB 80 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the State Emergency Fund and making an appropriation thereto; stating the purpose; making appropriation nonfiscal; making provisions of this act severable; and declaring an emergency.

SB 81 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Department of Industrial Development and making appropriations thereto; stating the purposes; authorizing agreements or contracts with substate planning districts; providing for the appointment and compensation of officers and employees; establishing salary schedule for certain employees; establishing limit on number of personnel used in department operations; limiting expenditure for salaries and wages; providing for agreement with federal government; providing lapse dates; providing severability; and declaring an emergency.

SB 82 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the State Auditor and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 83 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Secretary of the State Election Board and making appropriations thereto; stating the purposes; fixing the salary of the Secretary of the State Election Board; providing for the employment and compensation of necessary personnel; making appropriations nonfiscal; providing severability; and declaring an emergency.

SB 84 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Board of Equalization and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number of employees; providing lapse date; providing severability; and declaring an emergency.

SB 85 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the State Examiner and Inspector and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees within prescribed limits; limiting number of employees; limiting expenditures for salaries and wages; providing for transfer of certain unappropriated funds; providing lapse date; providing severability; and declaring an emergency.

SB 86 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the State Board of Public Affairs and making an appropriation thereto; stating the purpose of appropriation; making an appropriation to the Capitol Cafeteria Revolving Fund in the State Board of Public Affairs; appropriating for capital expenditures; reappropriating certain funds; prescribing restrictions on the use of Federal Revenue Sharing Funds; amending 74 O.S. 1971, Section 81b, as last amended by Section 6,

Chapter 230, O.S.L. 1976 (74 O.S. Supp. 1976, Section 81b), pertaining to salaries of members; providing for appointment, duties and compensation of officers and employees; limiting the number of employees; limiting the expenditures for salaries and wages; providing lapse dates; providing severability; and declaring an emergency.

SB 87 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Department of Economic and Community Affairs; making appropriations thereto; stating the purposes; fixing the salary of the Director; providing for the appointment, duties and compensation of employees; limiting the number of employees; limiting expenditures for salaries and wages; providing for termination of positions; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 88 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Tax Commission and making appropriations thereto; stating the purposes; prohibiting payments for prior years' obligations; re-appropriating certain funds; authorizing payments for services of State Examiners and Inspectors and limiting amount to be paid; providing for the appointment, duties and compensation of necessary personnel; limiting number of employees; limiting expenditures for salary and wages; allowing for the transfer of funds; providing lapse dates; providing severability; and declaring an emergency.

SB 89 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the State Treasurer and making an appropriation thereto; stating the purpose; providing for

appointment, duties and compensation of employees; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 90 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Capitol Improvement Authority and making appropriations thereto; stating the purposes; limiting the number of agency employees; limiting expenditures for salaries and wages; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 91 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to State Officers and Employees; making an appropriation to the State Personnel Board; stating the purpose; limiting expenditures for salaries and wages; amending 74 O.S. 1971, Section 813, as last amended by Section 3, Chapter 203, O.S.L. 1976 (74 O.S. Supp. 1976, Section 813); providing for the cost of operating the Merit System; fixing the salary of the Director; fixing the number of authorized employees; providing lapse date; providing for severability; and declaring an emergency.

SB 92 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Department of Libraries and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees and fixing the salary of the Director; limiting the number of employees; limiting expenditures for salaries and wages; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 93 — By Crow and Randle of the

Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the Oklahoma Historical Society and making an appropriation thereto; stating the purposes; providing for the appointment and compensation of employees and designating the maximum salary for the Executive Director and limiting the number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 94—By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the J. M. Davis Memorial Commission and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees and fixing the salary of the Business Manager; limiting the number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 95 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

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; designating the Manager's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 96 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the State Department of Health; making appropriations thereto; stating the purposes; making appropriation of State Department of Health Domiciliary Facilities Inspection Funds

and providing for additional funds; providing for appointment, duties and compensation of personnel; fixing the salary of the Commissioner of Health; limiting number of employees; limiting expenditures for salaries and wages; stating the method of allocation of funds to the local health departments; providing for the method of payment of claims; providing for utilization of appropriation for child guidance services; making appropriation for capital outlay; providing for audit of federal anti-recession fiscal assistance funds; providing lapse dates; providing severability; and declaring an emergency.

SB 97 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Health Planning Commission and making an appropriation thereto; stating the purpose; fixing the salary of the Director of the Oklahoma Health Planning Commission; providing for appointment, duties and compensation of employees; limiting the number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 98 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Board of Medicolegal Investigations and making appropriations thereto; stating the purposes; establishing permanent offices; providing for appointment, duties, numbers and compensation of employees; requiring filing monthly payroll claims; limiting expenditures for salaries and wages; authorizing use of all funds appropriated for federal matching purposes; providing lapse dates; providing severability; and declaring an emergency.

SB 99 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Department of Mental Health, Central State Griffin Memorial Hospital, Eastern State Hospital and Western State Hospital and making appropriations thereto; stating the purposes; fixing the salary of the Director of Mental Health; providing for the appointment, duties and compensation of employees; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; authorizing expenditures in support of the Drug Treatment and Rehabilitation Authority and the Alcohol Prevention, Training, Treatment and Rehabilitation Authority; appropriating funds for capital expenditures; providing for audit of federal Antirecession Fiscal Assistance Funds; providing lapse dates; providing for severability; and declaring an emergency.

SB 100 —By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Department of Public Safety; making appropriations thereto; stating the purposes; providing for appointment and compensation of personnel; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; specifying salary increase and providing for uniform maintenance and cleaning allowances; allocating funds for the purchase of motor vehicles; appropriating funds for capital expenditures; amending Section 2, Chapter 231, O.S.L. 1975 (73 O.S. Supp. 1976, Section 18.2), pertaining to mansion security guards; authorizing use of all funds appropriated for federal matching purposes; amending 47 O.S. 1971, Sections 14-116 and 22.2, as last amended by Sections 10 and 11, Chapter 241, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 14-116 and 22.2), pertaining to collection and allocation of fees; prescribing an effective date; providing lapse dates; providing for severability; and declaring an emergency.

SB 101 — By Crow and Randle of the

Senate and Miskelly and Davis (Don) of the House.

An Act relating to motor vehicles and the Department of Public Safety; amending 47 O.S. 1971, Sections 2-102, 2-104, 2-105, 2-106, 377.1 and 116.12, and 63 O.S. 1971, Section 825.1, all as last amended by Sections 1 through 7, Chapter 242, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 2-102, 2-104, 2-105, 2-106, 377.1 and 116.12, and 63 O.S. Supp. 1976, Section 825.1), pertaining to members, positions, salaries, qualifications, longevity and retirement; providing for the appointment and compensation of the Commissioner of Public Safety; establishing positions, qualifications for appointment, duties, employment and amount of compensation of employees within certain divisions of the Department of Public Safety; providing for retirement and pension allowances; establishing conditions of employment; providing severability; setting operative date; and declaring an emergency.

SB 102 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the Oklahoma Military Department and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of personnel; limiting the number of full-time-equivalent employees; limiting the expenditure of funds for salaries and wages; making an appropriation for a recruiting incentive program; making appropriations for capital expenditures; making reappropriation of funds; providing lapse dates; making provisions of this act severable; and declaring an emergency.

SB 103 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the State Bureau of Investigation and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation

of necessary employees; fixing the salary of the Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; allocating funds for the purchase of automobiles; allocating funds for use as evidence funds; appropriating funds for construction of satellite laboratories; appropriating funds for renovation of Oklahoma City Laboratory; authorizing use of all funds appropriated for federal matching purposes; providing lapse dates; providing severability; and declaring an emergency.

SB 104 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Crime Commission and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees within certain limitations; limiting expenditures of salaries and wages; reappropriating certain funds for matching purposes; authorizing use of all funds appropriated for federal matching purposes; providing lapse date; providing severability; and declaring an emergency.

SB 105 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of Civil Defense and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees, fixing the salary of the Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 106 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Council on Law Enforcement Education and Training and making an appropriation thereto; stating

the purpose; providing for appointment, duties and compensation of employees; fixing the salary of the Director and Assistant Director, Council on Law Enforcement Education and Training; limiting the number of full-time-equivalent employees; limiting the amount of funds to be expended for salaries and wages; specifying the certification of payroll claims; providing lapse date; providing severability; and declaring an emergency.

SB 107 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Department of Corrections and making appropriations thereto; stating the purposes; authorizing the appointment, duties and compensation of employees; limiting the number of full-time-equivalent employees; exempting certain positions and setting the compensation for such positions; placing other employees under the Merit System of Personnel Administration; providing for hazardous conditions positions; limiting the amount of funds that may be expended for salaries and wages; providing for transfer of personnel spaces and funds; appropriating funds for the completion of the two new medium security facilities; granting legislative authority for expenditures to be made; making funds available for federal matching funds; authorizing agreements with agencies of the Federal Government; providing lapse dates; repealing Section 6, Chapter 244, O.S.L. 1976 (57 O.S. Supp. 1976, Section 534.1); making provisions of this act severable; and declaring an emergency.

SB 108 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Office of the Pardon and Parole Board and making an appropriation thereto; stating the purpose; providing for appointment, duties, compensation and number of employees; limiting expenditures for salaries and

wages; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 109 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Bureau of Narcotics and Dangerous Drugs Control and making appropriations thereto; stating the purposes; providing for duties, compensation and maximum number of employees; limiting the salary of the Director; limiting the amount of funds that may be expended for salaries and wages; specifying merit system grades for agents; amending 63 O.S. 1971, Section 2-103, as last amended by Section 6, Chapter 202, O.S.L. 1976 (63 O.S. Supp. 1976, Section 2-103), pertaining to the appointment of the Director, qualifications, salary, probation, and longevity of agents; authorizing the expenditure of funds to obtain federal grants or assistance; providing lapse date; providing for severability; and declaring an emergency.

SB 110 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the State Department of Transportation; making an appropriation thereto; providing for transfer of funds; specifying purposes for which appropriated funds shall be used; authorizing the appointment, number and compensation of personnel; limiting the expenditures for salaries and wages; making appropriations for the Oklahoma Aeronautics Commission; stating the purposes; providing for appointment, duties and compensation of employees; designating the Aeronautics Commission Director's maximum salary; limiting the number of employees; limiting expenditures for salaries and wages; specifying payment for auditing accounts; providing for special maintenance projects; authorizing expenditure for administrative functions imposed by Highway Safety Act; requiring

allocation of certain funds by Commissioners' districts; providing for obligation of funds; subjecting obligation of funds to certain provisions; pertaining to Anti-Recession Fiscal Assistance Fund; pertaining to audit of expenditures from the Anti-Recession Fiscal Assistance Fund; providing lapse dates; making provisions of this act severable; and declaring an emergency.

SB 111 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the State Department of Agriculture; making appropriations thereto; stating the purposes; making an appropriation for a program of Tick Research; making an appropriation for a program of Wheat Root Rot-Nematode Complex Research; providing for appointment, duties and compensation of personnel; specifying the salary of the Director of the Forestry Division; limiting number of employees with exception; limiting expenditures for salaries and wages; designating that control over certain land remain in the Forestry Division of the State Department of Agriculture; providing lapse dates; providing severability; and declaring an emergency.

SB 112 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Tourism and Recreation Department and making appropriations thereto; stating the purposes; providing for the appointment and compensation of officials and employees within prescribed limitations; limiting number of employees; limiting expenditures for salaries and wages; appropriating funds for capital expenditures; prohibiting expenditures in leased state-owned lodges for certain purposes; providing for agreements with the Federal Government; authorizing the use of certain revolving funds; providing lapse dates; providing severability; and declaring an emergency.

SB 113 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Oklahoma Conservation Commission and making appropriations thereto; stating the purposes; making an appropriation to the Small Watershed Flood Control Fund; providing for appointment, duties and compensation of employees; designating Executive Director's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; making an appropriation to accomplish state representation in certain hearings before State and Federal Regulatory Agencies and State and Federal Courts; authorizing a cooperative agreement with the office of the Attorney General; authorizing the Commission to enter into agreements or contracts with recognized Substate Planning Districts; providing for the payment of District Directors; allowing for assistance to Soil and Water Conservation Districts; providing lapse date; providing severability; and declaring an emergency.

SB 114 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Water Resources Board and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; designating Executive Director's salary; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 115 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to the Department of Pollution Control and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; fixing Director's maximum salary; limiting number of

employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

SB 116 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act relating to Public Finance; establishing a fund; stating its purpose; providing for investment and interest earned thereon; providing for severability; and declaring an emergency.

SB 117 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House.

An Act making an appropriation from designated state funds to pay unpaid claims and warrants cancelled by statutes; providing lapse date; making provisions of this act severable; and declaring an emergency.

SB 118 — By York of the Senate and Fried of the House.

An Act relating to schools; amending 70 O.S. 1971, Section 509.2; providing for employee representation for collective bargaining; providing for petitions for employee organizations; prescribing the requirements of the petition; providing for time limits for petitions; providing for certain elections; providing for secret ballots; prescribing methods, procedures and requirements for elections; providing alternative method of conducting an election; providing for absentee ballot; providing for certain fees; providing for conditional refunds of fees; providing for non-representation; providing certain time limitations; providing for identification of electors; providing for designation of representatives; providing for challenging of petitions and time limits; limiting the number of elections and providing exceptions; and declaring an emergency.

Upon motion of Senator Holden, the Senate adjourned at 2:40 p.m. to meet Wednesday, January 5, 1977, at 1:30 p.m.

Second Legislative Day

Wednesday, January 5, 1977

Pursuant to adjournment, the Senate was called to order by President Nigh.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Porter, Randle, Smith and Stipe.—4.

President Nigh declared a quorum present.

The following prayer was offered by Reverend Estep and incorporated into the Journal upon request of President Nigh.

Our Heavenly Father, thank You for this day and for the opportunities it affords. Thank You for these men who represent our State.

Lord, we were reminded yesterday of the challenges that are before us. Give courage and wisdom to meet them.

We were asked to search out our real motivations. May our motivation be to serve God and His people.

In Jesus' name we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator McCune introduced Barbara Graham, R.N., Harrah, Executive Director of the Oklahoma State Nurses' Association, as the Nurse of the Day.

Senator Watson introduced Norman Haug, M.D., Edmond, as the Doctor of the Day.

Senator McDaniel introduced his wife, Sandra, and her friend, Lorene Clark, Ada.

FIRST READING

The following were introduced and read the first time.

SB 119 — By Stipe and Grantham of the Senate and Kennedy and Matheson of the House.

An Act relating to coal pipelines; authorizing companies operating pipelines in Oklahoma to transport coal by pipeline; granting such companies the right of eminent domain and prescribing the procedure to be followed in the exercise of said right; empowering the Oklahoma Corporation Commission to make rules and regulations for the design, construction, maintenance and operation of such

pipelines; prohibiting the use of Oklahoma water except on permit of the Oklahoma Water Resources Board; providing for codification; and declaring an emergency.

SB 120 — By Grantham of the Senate and Elder, Kennedy and Conaghan of the House.

An Act relating to corporations; amending 18 O.S. 1971, Section 1.19; providing general powers of domestic corporations; and increasing names under which domestic corporations may be sued.

SB 121 — By Grantham of the Senate and Holt, Conaghan and Kennedy of the House.

An Act relating to children; amending 10 O.S. 1971, Section 60.6, as last amended by Section 4, Chapter 297, O.S.L. 1974 (10 O.S. Supp. 1976, Section 60.6); prescribing parental consent as a requisite to adoption of a child; providing exceptions; and providing for the validation of certain decrees of adoption.

SB 122 — By Berrong and Grantham of the Senate and Floyd, Nance and Parris of the House.

An Act relating to conveyances; providing for Oklahoma Subdivided Land Sales Code; defining terms; providing for registration; providing for exemptions; providing for public offering statement; specifying powers and duties of the Administrator of the Department of Securities; providing for stop order proceedings; providing for licensing; specifying powers and duties of certain agents; providing for sales practices; providing for fees, expenses and surplus funds; providing for advertising; providing for certain statements and representations; providing for the production of evidence and privileges therefrom; providing for penalties and remedies; providing for civil liability; providing for a certain offer to purchaser; providing for review of certain orders; providing for the Administrator's rules, forms and orders; providing for public information; provid-

ing for service of process; providing for certain dispositions, offer to dispose, purchases and offers to purchase; providing for certain liens; providing for article headings; and directing codification.

SB 123 — By Keating.

An Act relating to property; amending 60 O.S. 1971, Section 31; and increasing the period during which the absolute power of alienation may be suspended.

SB 124 — By Lane.

An Act relating to state government; requiring that the state, school districts, counties and municipalities give purchase preference to goods manufactured or produced within this state; directing codification; and declaring an emergency.

SB 125 — By Dawson of the Senate and Sanders of the House.

An Act relating to cities and towns; repealing 11 O.S. 1971, Sections 335 and 336, which prohibit political activity of paid firemen and provide penalties.

SB 126 — By Boatner.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 288; prescribing the keeping of a plat record by the county clerk; prohibiting duplication of names of recorded subdivisions; and declaring an emergency.

SB 127 — By Boatner and Young.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1303, as last amended by Section 1, Chapter 96, O.S.L. 1976 (68 O.S. Supp. 1976, Section 1303), relating to sales tax; and terminating the transfer of a portion of sales tax revenue to the general fund.

SB 128 — By Helm.

An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 510, as last amended by Section 1, Chapter 155, O.S.L. 1974 (57 O.S. Supp. 1976, Section 510); specifying powers and duties of the

Director of the Department of Corrections; modifying qualifications of a warden or superintendent for each penal institution; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

- SB 1 — Education, Common.
- SB 2 — County, State and Federal Government.
- SB 3 — Judiciary.
- SB 4 — Judiciary.
- SB 5 — Education, Higher.
- SB 6 — County, State and Federal Government.
- SB 7 — Oil and Gas.
- SB 8 — Agriculture.
- SB 9 — Revenue and Taxation and then to County, State and Federal Government.
- SB 10 — Criminal Jurisprudence.
- SB 11 — County, State and Federal Government.
- SB 12 — County, State and Federal Government.
- SB 13 — Criminal Jurisprudence and then to County, State and Federal Government.
- SB 14 — Criminal Jurisprudence and then to County, State and Federal Government.
- SB 15 — Criminal Jurisprudence.
- SB 16 — Judiciary.
- SB 17 — Judiciary.
- SB 18 — Public Safety and Penal Affairs and then to Criminal Jurisprudence.
- SB 19 — Revenue and Taxation.
- SB 20 — Revenue and Taxation.
- SB 21 — Criminal Jurisprudence and then to County, State and Federal Government.
- SB 22 — Professions and Occupations and then to County, State and Federal Government.
- SB 23 — Revenue and Taxation.
- SB 24 — Insurance.
- SB 25 — Judiciary.
- SB 26 — Judiciary.

SB 27 — Professions and Occupations and then to County, State and Federal Government.

SB 28 — Professions and Occupations and then to County, State and Federal Government.

SB 29 — County, State and Federal Government.

SB 30 — Judiciary.

SB 31 — County, State and Federal Government.

SB 32 — Roads and Highways.

SB 33 — Municipal Government.

SB 34 — Education, Common.

SB 35 — Insurance.

SB 36 — Revenue and Taxation.

SB 37 — Criminal Jurisprudence.

SB 38 — Public and Mental Health.

SB 39 — Revenue and Taxation and then to Insurance.

SB 40 — County, State and Federal Government.

SB 41 — Revenue and Taxation and then to County, State and Federal Government.

SB 42 — Judiciary.

SB 43 — Judiciary.

SB 44 — Judiciary.

SB 45 — Criminal Jurisprudence.

SB 46 — Revenue and Taxation.

SB 47 — Judiciary.

SB 48 — Judiciary.

SB 49 — Business, Industry and Labor Relations and then to Judiciary.

SB 50 — Revenue and Taxation and then to County, State and Federal Government.

SB 51 — Municipal Government.

SB 52 — Education, Common and then to County, State and Federal Government.

SB 53 — Business, Industry and Labor Relations.

SB 54 — Judiciary.

SB 55 — Criminal Jurisprudence and then to County, State and Federal Government.

SB 56 — Criminal Jurisprudence and then to County, State and Federal Government.

SB 57 — Appropriations and Budget.

SB 58 — Insurance.
 SB 59 — Public Safety and Penal Affairs and then to Revenue and Taxation.
 SB 60 — Professions and Occupations.
 SB 61 — County, State and Federal Government.
 SB 62 — Revenue and Taxation.
 SB 63 — County, State and Federal Government.
 SB 64 — County, State and Federal Government.
 SB 65 — County, State and Federal Government.
 SB 66 — Public and Mental Health and then to Professions and Occupations.
 SB 67 — Criminal Jurisprudence.
 SB 68 — Criminal Jurisprudence.
 SB 69 — Criminal Jurisprudence.
 SB 70 — Environmental and Natural Resources.
 SB 71 — Insurance and then to Business, Industry and Labor Relations.
 SB 72 — Insurance and then to Business, Industry and Labor Relations.
 SB 73 — Insurance.
 SB 74 — Appropriations and Budget.
 SB 75 — Appropriations and Budget.
 SB 76 — Appropriations and Budget.
 SB 77 — Appropriations and Budget.
 SB 78 — Appropriations and Budget.
 SB 79 — Appropriations and Budget.
 SB 80 — Appropriations and Budget.
 SB 81 — Appropriations and Budget.
 SB 82 — Appropriations and Budget.
 SB 83 — Appropriations and Budget.
 SB 84 — Appropriations and Budget.
 SB 85 — Appropriations and Budget.
 SB 86 — Appropriations and Budget.
 SB 87 — Appropriations and Budget.
 SB 88 — Appropriations and Budget.
 SB 89 — Appropriations and Budget.
 SB 90 — Appropriations and Budget.
 SB 91 — Appropriations and Budget.
 SB 92 — Appropriations and Budget.
 SB 93 — Appropriations and Budget.
 SB 94 — Appropriations and Budget.
 SB 95 — Appropriations and Budget.
 SB 96 — Appropriations and Budget.
 SB 97 — Appropriations and Budget.
 SB 98 — Appropriations and Budget.

SB 99 — Appropriations and Budget.
 SB 100 — Appropriations and Budget.
 SB 101 — Appropriations and Budget.
 SB 102 — Appropriations and Budget.
 SB 103 — Appropriations and Budget.
 SB 104 — Appropriations and Budget.
 SB 105 — Appropriations and Budget.
 SB 106 — Appropriations and Budget.
 SB 107 — Appropriations and Budget.
 SB 108 — Appropriations and Budget.
 SB 109 — Appropriations and Budget.
 SB 110 — Appropriations and Budget.
 SB 111 — Appropriations and Budget.
 SB 112 — Appropriations and Budget.
 SB 113 — Appropriations and Budget.
 SB 114 — Appropriations and Budget.
 SB 115 — Appropriations and Budget.
 SB 116 — Appropriations and Budget.
 SB 117 — Appropriations and Budget.
 SB 118 — Business, Industry and Labor Relations.

SJR 1 — Criminal Jurisprudence and then to County, State and Federal Government.

SJR 2 — Criminal Jurisprudence and then to County, State and Federal Government.

SJR 3 — County, State and Federal Government.

SJR 4 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

SJR 5 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

RESOLUTIONS

Senator Lane introduced the following Resolution:

SR 1 — By Lane.

A Resolution providing for payment of necessary expenses of certain Senate committees, delegations, employees and members traveling to and from points outside the State of Oklahoma, on trips authorized by the President Pro Tempore of the Senate.

WHEREAS, during the 1st Session of the

36th Oklahoma Legislature certain committees, delegations, members and employees 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 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

THAT each member or employee of the Senate who travels to and from any point outside the State of Oklahoma, under authority of the President Pro Tempore of the Senate, whether as an individual or as a member of a committee or delegation, shall be paid, out of the funds appropriated for the Senate, the sum of Forty-five Dollars (\$45.00) per day for necessary expenses. That, in addition to such per diem allowance, reimbursement for out-of-state transportation costs shall be made at an amount not exceeding the cost of coach airplane fare. Provided, that reimbursement for travel by commercial airplane on a first-class basis may be made if coach class space is not available within a reasonable time and is justified by attachments to claim for reimbursement. Claims for reimbursement for first-class transportation by commercial airline shall be accompanied by the passenger's duplicate of airline ticket, or other airline receipt which includes information as to class of accommodation for which reimbursement is claimed.

SR 1 was read at length, adopted upon motion of Senator Lane and ordered referred for enrollment.

Senator Lane introduced the following Resolution:

SR 2 — By Lane.

A Resolution providing for employment of temporary personnel for administrative and technical assistance to the State Senate of the 1st Session of the 36th Oklahoma Legislature; and designating positions and emoluments.

WHEREAS, the efficient and expeditious performance of the legislative functions of the 1st Session of the 36th Oklahoma Legislature requires the employment of necessary and proper administrative and technical personnel by the State Senate; and

WHEREAS, 74 O.S. 1971, Section 292, as amended, provides that the State Senate shall, during each regular or special 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 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

THAT the following positions are hereby authorized for the 1st Session of the 36th Oklahoma Legislature, at such emolument as may be fixed by the President Pro Tempore, subject to the following limitations:

Position	No.	Rate of Pay Per Week	
		Min.	Max.
Chaplain	1	\$ 0.00	\$ 100.00
Pages	16	56.00	75.00

Position	No.	Rate of Pay Per Month	
		Min.	Max.
Chief Page	1	\$375.00	\$ 500.00
Assistant Chief Pages	2	335.00	400.00

Calendar Clerk	1	600.00	850.00	(Majority Whip)	1	500.00	800.00
Assistant Calendar Clerk	1	535.00	775.00	(Chairman of the Committee on Appropriations and Budget)	1	500.00	800.00
Engrossing and Enrolling Chief Clerk	1	650.00	900.00	(Chairman of the Committee on Revenue and Taxation)	1	500.00	700.00
Engrossing and Enrolling Assistant Supervisors	2	510.00	775.00	(Chairman of the Committee on Judiciary)	1	500.00	700.00
Engrossing and Enrolling Clerks	3	420.00	620.00	(Chairman of the Employment Committee)	1	500.00	700.00
Chief Record Clerk	1	520.00	800.00	Committee Secretaries	26	485.00	650.00
Record Clerks	3	485.00	650.00	Secretaries	32	425.00	585.00
Records Messengers	2	350.00	440.00	Chief Counsel	1	400.00	1,200.00
Information Clerk	1	365.00	500.00	Assistant Chief Counsel	1	400.00	1,000.00
Finance Clerk	1	425.00	575.00	Clerk-Typists	3	350.00	560.00
Post Office Clerks	2	335.00	475.00	Housekeeping Maids	2	355.00	450.00
Communications Technician	1	425.00	550.00	Janitors	6	355.00	450.00
Research Assistants	10	400.00	1,000.00	Night Watchmen	3	335.00	450.00
Page Counselor	1	470.00	600.00				
Receptionists	2	350.00	475.00				
Chief, Duplicating Services	1	425.00	530.00				
Duplicating Machine Operator (Night)	1	350.00	450.00				
Post Office Supervisor	1	470.00	650.00				
Chief Sergeant-at-Arms	1	750.00	1,100.00				
Assistant Chief Sergeants-at-Arms	2	500.00	700.00				
Sergeants-at-Arms	20	335.00	450.00				
Parking Lot Attendants	4	335.00	450.00				
Executive Secretaries							
Secretary for:							
(Assistant Majority Floor Leader)	1	500.00	800.00				

SR 2 was read at length, adopted upon motion of Senator Lane and ordered referred for enrollment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, January 6, 1977, at 12:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 2:05 p.m. to meet Thursday, January 6, 1977, at 12:30 p.m.

Third Legislative Day

Thursday, January 6, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Cate, Lane, Randle and Smith.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Estep and incorporated into the Journal upon request of President Nigh.

Our Heavenly Father, thank You for this day and for its blessings. Thank You for the privilege of being here.

Father, lead and bless each of our elected representatives. May they lead our State to her most spiritually productive year.

In Christ's name we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Watson introduced Adelina Tonquett, R.N., Oklahoma City, as Nurse of the Day and Ronald Legako, M.D., Edmond, as Doctor of the Day.

Senator Taliaferro introduced his wife, Elaine.

COMMITTEE REPORT

The following was reported by the committee named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

CS for SB 73 — Insurance.

FIRST READING

The following were introduced and read the first time.

SB 129 — By Crow, Holden and Field of the Senate and Morgan and Bradshaw of the House.

An Act relating to motor vehicles; repealing Sections 1 through 6, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 through 7-606), which relate to compulsory liability insurance; and declaring an emergency.

SB 130 — By Capps.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 856; providing for permits and signs of official inspection stations; providing for the issuance of a certificate of inspection and approval; and augmenting vehicle mechanical equipment which must be examined and tested.

SB 131 — By Green.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 22.17; providing pro rata adjustment of registration and license fees for motor vehicles; making expiration date of registration and license for motor vehicle fall on last day of month in which applicant previously registered; and declaring an emergency.

SB 132 — By Green.

An Act relating to statutes and reports; amending Section 1, Chapter 182, O.S.L. 1974 (75 O.S. Supp. 1976, Section 26.41); establishing procedures for deciding proposed amendments to the U. S. Constitution; changing voting requirements to require a two-thirds majority for passage; and declaring an emergency.

SB 133 — By Keating.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 1106; providing for release of defendants posting certain sums of money as bail; and making release of defendants posting a twenty-five percent cash bond discretionary.

SB 134 — By Capps.

An Act relating to courts; amending 20 O.S. 1971, Section 1504; entitling certain persons to enrollment as licensed court reporters without examination; altering an eligibility date; and declaring an emergency.

SB 135 — By Watson and Terrill.

An Act relating to public health and safety; requiring adoption of written criteria for granting of hospital staff

privileges; requiring acceptance of staff privileges applications; and directing codification.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 119 — Judiciary.**SB 120 — Judiciary.****SB 121 — Social Welfare.**

SB 122 — Judiciary and then to Business, Industry and Labor Relations.

SB 123 — Judiciary.

SB 124 — County, State and Federal Government.

SB 125 — Municipal Government.

SB 126 — County, State and Federal Government.

SB 127 — Revenue and Taxation and then to County, State and Federal Government.

SB 128 — Public Safety and Penal Affairs.

REPORT OF ENGROSSED AND ENROLLED BILLS

SRs 1 and 2 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

RESOLUTION

Senator Watson introduced the following Resolution:

SCR 1 — By Watson of the Senate and Craighead of the House.

A Concurrent Resolution recommending that members of the Legislature participate in "Find Your Doctor Day" on February 3, 1977, at the Health Sciences Center campus.

Senator Watson asked unanimous consent that all Senators be made coauthors of SCR 1, which was the order.

SCR 1, as coauthored, was read at

length, adopted upon motion of Senator Watson and ordered referred for engrossment.

Senator Wadley presiding.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, January 10, 1977, at 1:00 p.m., which motion prevailed.

Upon motion of Senator Holden the Senate adjourned at 1:15 p.m. to meet Monday, January 10, 1977, at 1:00 p.m.



Fourth Legislative Day

Monday, January 10, 1977

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

Roll Call:

Present: Berrong, Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Wadley, Watson, York and Young.—36.

Excused: Butler, Capps, Cate, Keating, Luton, McDaniel, Martin, Porter, Rozell, Terrill, Vann and Wolfe.—12.

President Pro Tempore Howard declared a quorum present.

The following prayer was offered by Reverend Dick Spinner, Pastor, First Presbyterian Church of Broken Bow, and incorporated into the Journal upon request of Senator Lane.

O God, who makes the stars and planets and directs their movements in space, yet who knows the concerns and needs of every inhabitant of this great state; we thank Thee for the lives and service of these dedicated public servants.

Relieve them of the burden of past failures, and free them to try again in that

hope born of knowing that Thy divine purposes will ultimately win out.

Grant in this chamber the presence of Thy Holy Spirit, that each one seeking to know and do Thy will shall not be disappointed.

For Thine is the Kingdom, and the power, and the Glory, forever, Amen.

The Journal for the last legislative day was declared approved.

FIRST READING

The following were introduced and read the first time.

SB 136 — By Howard of the Senate and Willis of the House.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 85.9A; providing for deposit and expenditure of proceeds of insurance; and declaring an emergency.

SB 137 — By McCune.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1287, as amended by Section 1, Chapter 111, O.S.L. 1976 (21 O.S. Supp. 1976, Section 1287); providing for penalties for use of weapons while committing certain crimes; providing for mandatory imposition of sentences; and declaring an emergency.

SB 138 — By Holden and Lane of the Senate and Elder and Parris of the House.

An Act relating to state government; defining terms; providing for the termination, recreation, modification or consolidation of certain statutory agencies; providing a schedule of statutory agencies and dates of termination; providing for review and evaluation of certain agencies; providing for certain procedures; providing time limitations; providing for certain recommendations; providing for public hearings; providing criteria for certain determinations; requiring the presentation of certain information; preserving certain powers, duties and functions for specified periods of time; providing for certain transfers; providing for use of joint resolutions under certain circumstances; providing procedure for creation of prospective agencies; providing for legislative action other than specified; directing codification; and declaring an emergency.

SJR 6 — By Howard of the Senate and Willis of the House.

A Joint Resolution approving grade adjustments recommended by the Oklahoma State Personnel Board and establishing an effective date; providing for salary increases; specifying salary increase procedure for all state employees; providing legislative intent that this Resolution is not to modify or change salary and wage restrictions included in other legislation; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 129 — Insurance and then to County, State and Federal Government.

SB 130 — Public Safety and Penal Affairs.

SB 131 — Revenue and Taxation and then to County, State and Federal Government.

SB 132 — Constitutional Revision and Regulatory Services.

SB 133 — Criminal Jurisprudence.

SB 134 — Judiciary.

SB 135 — Public and Mental Health.

Senator Lane moved that the Senate stand recessed until 2:00 p.m., which motion was declared adopted.

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

Senator Young questioned the presence of a quorum. President Pro Tempore Howard ordered the roll called, following which he declared a quorum present.

Senator Wadley presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 1 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 73 by Young, Birdsong, Howard, Luton and Holden was read and considered.

Senator Stipe asked to be made a coauthor of **SB 73**, which was the order.

Senator Young moved to amend **SB 73**, Page 1, Line 9½, by adding after the figure "1315", and before the word "and" the figure "1316", which amendment was declared adopted.

Senator Young moved to amend **SB 73**, Page 3, Lines 11 and 12, by striking after the word "years" on Line 11, and before the word "regardless" on Line 12, the following language: "and the employees own

children," which amendment was declared adopted.

Senators Birdsong and Luton moved to amend SB 73, Page 5, Lines 24 and 25, by striking the word "but" on Line 24 and in lieu thereof inserting the word "and", and by inserting after the word "Board" on Line 26 the word "present", which amendment was declared adopted.

Senator Young moved to amend SB 73, Page 10, Line 4, by adding after the word "or" and before the word "participating" the word "any" and by inserting after the words "participating county" and before the words "or agency" the words ", city or town", which amendment was declared adopted.

Upon motion of Senator Young, SB 73, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 73, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Young moved to reconsider the vote by which SB 73 was considered engrossed and placed on third reading and final passage, which motion was declared adopted.

Senator Young moved to reconsider the vote by which SB 73 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

SB 73 was considered further.

Senator Berrong moved to amend SB 73, Page 4, Line 9, by striking after the word "Plan" and before "SECTION 2." on Line 12, the sentence commencing on Line 9 and

ending on Line 11, which amendment was declared adopted.

Senator Green moved to amend SB 73, Page 4, Line 21, by striking the word "and" and inserting a comma in lieu thereof and by inserting after the word "Commission" the following: "one member to be appointed by the President Pro Tempore of the Senate and one member to be appointed by the Speaker of the House of Representatives", which amendment was declared failed of adoption.

Upon motion of Senator Young, SB 73, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 73, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 73 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Wadley, Watson, York and Young.—35.

Excused: Butler, Capps, Cate, Field, Keating, Luton, McDaniel, Martin, Porter, Rozell, Terrill, Vann and Wolfe.—13.

The bill and emergency passed.

SB 73 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding.

UNANIMOUS CONSENT REQUEST

President Pro Tempore Howard asked unanimous consent that the committee assignment of SB 50 be changed from "Revenue and Taxation and then to County, State and Federal Government" to "Rules and then to County, State and Federal Government" inasmuch as the Chairman of the Revenue and Taxation Committee requested that no bills of that subject matter be assigned to his committee, which was the order.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1122.

HB 1122 — By Willis of the House and Howard of the Senate.

An Act relating to the Oklahoma State Regents for Higher Education; providing authority to prescribe and coordinate student fees and tuition; prescribing the maximum amount of fees and tuition that may be collected at institutions in the Oklahoma State System of Higher Education; authorizing establishment of a system of student scholarships; fixing the minimum time for notice to be given students when increasing fees and tuition; repealing 70 O.S. 1971, Section 3207; and declaring an emergency.

The above numbered HB was read for the first time.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, January 11, 1977, at 1:30 p.m., which motion prevailed.

Senator Smith presiding.

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

Upon motion of Senator Lane, the Senate adjourned at 4:00 p.m. to meet Tuesday, January 11, 1977 at 1:30 p.m.

Fifth Legislative Day

Tuesday, January 11, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Lambert, Stipe and York.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Spinner and incorporated into the Journal upon request of Senator Lane.

O God, to whom a thousand years is as a day, yet who gives us a sharp sense of time so that we reflect on the past and hope for the future; we thank Thee for the gift of this particular day.

In Thy grace, O God, forgive our coveting yesterday's achievements, or idly awaiting tomorrow's promises. Focus

afresh our energies on present possibilities.

Let Thy Spirit so dwell in the hearts of these Thy servants as to free their minds from any thought which does not constructively contribute to the order of the day or to the welfare of the people of Oklahoma.

So help us all this day, through Jesus Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Taliaferro introduced Willie Jones, R.N., Lawton, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 116 — Appropriations and Budget.

DO PASS, as amended:

SB 74 — Appropriations and Budget.

SB 80 — Appropriations and Budget.

SB 117 — Appropriations and Budget.

COMMITTEE REPORT

Senator Terrill submitted the following report of the Committee on Rules and asked that consideration be deferred for this legislative day:

Mr. President:

We, your Committee on Rules, having had under consideration the Rules for the Senate of the 36th Legislature, ask unanimous consent that the Rules for the 35th Legislature, with the following amendments, be adopted as the Rules for the 36th Legislature:

AMENDMENT NO. 1: Rule 8, amend the first paragraph by adding to the list of Senate standing committees the Committee on Elections and Privileges.

Recommendation:

The Committee on Rules (as shown below) makes the following recommendation for appointments on Standing Committees for the 36th Legislature:

RULES COMMITTEE

Terrill, Chairman
Lambert, Vice Chairman

Cate	Luton
Crow	McCune
Field	Murphy
Grantham	Smith
Holden	Stipe
Lane	York

STANDING COMMITTEES**AGRICULTURE-11**

Dahl, Chairman
Capps, Vice Chairman

Boatner	Martin
Field	McDaniel
Giles	Taliaferro

Holden
Lane

Vann

**APPROPRIATIONS AND
BUDGET-14**

Crow, Chairman
Randle, Vice Chairman

Berrong	Lambert
Boatner	Murphy
Butler	Pierce
Cate	Stipe
Funston	Terrill
Keating	Young

BANKS AND BANKING-11

Boatner, Chairman
Randle, Vice Chairman

Birdsong	Smith
Green	Terrill
Howell	Wolfe
Keller	York
Porter	

**BUSINESS, INDUSTRY AND
LABOR RELATIONS-7**

Butler, Chairman
Kilpatrick, Vice Chairman

Birdsong	Shatwell
Helm	York
Schuelein	

**CONSTITUTIONAL REVISION AND
REGULATORY SERVICES-6**

Berrong, Chairman
Taliaferro, Vice Chairman

Howell	Pierce
McCune	Terrill

COUNTY, STATE AND FEDERAL
GOVERNMENT-7

Wadley, Chairman
Vann, Vice Chairman

Birdsong	Taliaferro
Cate	York
Luton	

CRIMINAL JURISPRUDENCE-6

Cate, Chairman
Keating, Vice Chairman

Clifton	Stipe
Grantham	Wolfe

EDUCATION, COMMON-14

Howell, Chairman
Funston, Vice Chairman

Butler	Luton
Capps	Martin
Dawson	Rozell
Field	Terrill
Keller	Watson
Lamb	Young

EDUCATION, HIGHER-7

Murphy, Chairman
Cate, Vice Chairman

Dawson	Shatwell
Lane	Watson
Schuelein	

ELECTIONS AND PRIVILEGES-6

Shatwell, Chairman
Pierce, Vice Chairman

Berrong	Lane
Kilpatrick	Tinsley

EMPLOYMENT AND
ADMINISTRATION-5

Young, Chairman
Luton, Vice Chairman

Crow	Lane
Holden	

ENGROSSED AND ENROLLED
BILLS-3

Helm, Chairman
McCune, Vice Chairman

Crow

ENVIRONMENTAL AND
NATURAL RESOURCES-6

Capps, Chairman
McDaniel, Vice Chairman

Helm	McCune
Lambert	Wadley

INSURANCE-6

Birdsong, Chairman
Green, Vice Chairman

Luton	Smith
Porter	Young

JUDICIARY-11

Grantham, Chairman
Lambert, Vice Chairman

Clifton	Lamb
Green	Luton
Howell	Wolfe
Keating	Young
Kilpatrick	

MUNICIPAL GOVERNMENT-6

York, Chairman
Keller, Vice Chairman

Grantham	Schuelein
Lambert	Smith

OIL AND GAS-7

Funston, Chairman
Dahl, Vice Chairman

Field	McDaniel
Giles	Pierce
Holden	

PROFESSIONS AND
OCCUPATIONS-8

Dawson, Chairman
Giles, Vice Chairman

Johnson	Tinsley
Martin	Wadley
Rozell	Watson

PUBLIC AND MENTAL
HEALTH-6

Martin, Chairman
Wolfe, Vice Chairman

Funston	Keating
Helm	Vann

PUBLIC SAFETY AND PENAL
AFFAIRS-8

Schuelein, Chairman
Johnson, Vice Chairman

Clifton	Porter
Dahl	Stipe
McCune	Watson

REVENUE AND TAXATION-13

Smith, Chairman
Clifton, Vice Chairman

Berrong	Keller
Crow	Kilpatrick
Dawson	Lamb
Green	Murphy
Helm	Randle
Holden	

ROADS AND HIGHWAYS-13

Stipe, Chairman
Tinsley, Vice Chairman

Boatner	Johnson
Butler	McDaniel
Capps	Murphy
Giles	Shatwell
Grantham	Vann
Holden	

SOCIAL WELFARE-5

Porter, Chairman
Rozell, Vice Chairman

Lamb	Randle
Lane	

WILDLIFE-7

Field, Chairman
Tinsley, Vice Chairman

Dahl	Taliaferro
Johnson	Wadley
Rozell	

Respectfully submitted,
Al Terrill, Chairman

FIRST READING

The following were introduced and read the first time.

SB 139 — By Keller.

An Act relating to state government; providing for the review and continuation or termination of certain agencies; providing a definition of agency; providing duties and powers for the Interim Professions and Occupations Committee and State Legislative Council; providing criteria for the review of agencies; limiting the existence of certain agencies to a specified period of time; providing for other legislative action concerning agencies; providing for concluding activity of an agency; providing for the

transfer of funds; providing for hearings; providing for the use of Joint Resolutions to continue agency existence; providing for the termination of agencies; directing codification; providing an effective date; and declaring an emergency.

SB 140 — By Keller.

An Act relating to game and fish; amending Sections 4-101, Chapter 17, O.S.L. 1974, and 4-112, Chapter 17, O.S.L. 1974, as last amended by Section 2, Chapter 238, O.S.L. 1975 (29 O.S. Supp. 1976, Sections 4-101 and 4-112); providing for license usage and expiration; establishing hunting license requirements, fees and exemptions and penalties; changing expiration dates; extending the validity of certain licenses; and providing effective date.

SB 141 — By Keller.

An Act relating to civil procedure; requiring that delinquent child support payments draw specified interest; and directing codification.

SB 142 — By Capps.

An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 2, as last amended by Section 1, Chapter 103, O.S.L. 1974 (85 O.S. Supp. 1976, Section 2); providing eligibility for compensation for persons engaged in certain specified employments; repealing 85 O.S. 1971, Section 2, as amended by Section 1, Chapter 94, O.S.L. 1974, specifying certain employments; and declaring an emergency.

SB 143 — By Dawson.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 173; requiring the posting of certain notices; eliminating the requirement of having a rope fire escape in certain buildings; and repealing 63 O.S. 1971, Section 172.

SB 144 — By Tinsley and Lane of the Senate and Dunn of the House.

An Act relating to public finance; amending 62 O.S. 1971, Sections 310.1,

310.2, 310.3 and 310.4; modifying purchasing procedures of county, school district and municipal officers and boards of county commissioners; requiring that invoices be signed by person accepting delivery of goods; providing for presentation of purchase orders to governing board; requiring approval of purchase orders; requiring that boards of county commissioners designate purchasing officers; providing for liability for unauthorized purchases; removing restriction that only bonded county officers may incur county debts; changing the word "claim" to "purchase order"; and directing codification.

SB 145 — By Keating.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 404; allowing certain multiple offenses to be charged in the same information; and providing for consecutive sentences.

SB 146 — By Berrong.

An Act relating to labor; amending 40 O.S. 1971, Section 197.4, defining terms under the Oklahoma Minimum Wage Act; and providing for the exclusion of certain taxes in computing gross business.

SB 147 — By Crow.

An Act relating to counties and county officers; amending Section 1, Chapter 157, O.S.L. 1976 (19 O.S. Supp. 1976, Section 510); changing eligibility requirements for the office of county sheriff; and declaring an emergency.

SB 148 — By Grantham of the Senate and Elder and Floyd of the House.

An Act relating to crimes and punishments, concerning nepotism; amending 21 O.S. 1971, Section 483; repealing 21 O.S. 1971, Section 484; and declaring an emergency.

SJR 7 — By Capps of the Senate and Cotner of the House.

A Joint Resolution relating to the allocation of Oklahoma's water resources and

expressing legislative intent to ensure Oklahoma's water resources are used primarily in projects to benefit the residents of Oklahoma before being diminished in federal projects using our resources in supplying water to neighboring states.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when HB 1122 is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 136 — County, State and Federal Government.

SB 137 — Criminal Jurisprudence and then to County, State and Federal Government.

SB 138 — County, State and Federal Government.

SJR 6 — Appropriations and Budget.

HB 1122 — Direct to Calendar.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Luton presiding.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, January 12, 1977, at 1:30 p.m., which motion prevailed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 73 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Upon motion of Senator Lane, the Senate adjourned at 2:00 p.m. to meet Wednesday, January 12, 1977, at 1:30 p.m.

Sixth Legislative Day

Wednesday, January 12, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—47.

Excused: York.—1.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Dick Spinner and incorporated into the Journal upon request of Senator Lane.

O, God, whose plan of the universe is too complex and awesome for the wisest mind to perceive, yet whose plan for each of us is simple enough for a child to understand; we are thankful that our government is in Thy hands, and is enacted by these, Thy servants, whom Thou has placed here for such a time as this.

Father, in Thy mercy, find patience when our efforts fall short of achieving equity and justice in public affairs. Create within us clean hearts and renew right spirits that we may do better.

Bless us this day with Thy spirit in all things great and small, so that small things become great and great things possible.

Thy will be done in the Senate of Oklahoma as it is in the universe. Through Jesus Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Field introduced Letha Billings, R.N., Woodward; and Senator Keating introduced Thomas L. Ashcraft, M.D., Tulsa.

Senator Rozell introduced his wife, Carol, to the members of the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 3 — Judiciary, as coauthored by Conaghan and Kennedy of the House.

SB 25 — Judiciary, as coauthored by Kennedy and Conaghan of the House.

SB 42 — Judiciary, as coauthored by Conaghan, Holt and Kennedy of the House.

SB 122 — Judiciary, and be referred to Committee on Business, Industry and Labor Relations by previous order.

SB 138 — County, State and Federal Government, as coauthored by Dawson.

DO PASS, as amended:

SB 4 — Judiciary, as coauthored by Manning of the House.

SB 26 — Judiciary, as coauthored by Conaghan of the House.

SB 79 — Appropriations and Budget.

SB 82 — Appropriations and Budget.

SB 83 — Appropriations and Budget.

SB 84 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 149 — By Luton.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 10-115; providing for confidentiality of accident reports and supplemental information; adding exceptions; and declaring an emergency.

SB 150 — By Stipe and Boatner of the Senate and Hopkins of the House.

An Act relating to roads, bridges and ferries; amending Section 1, Chapter 182, O.S.L. 1976 (69 O.S. Supp. 1976, Section 1206.1); modifying participation in the acquisition of lands for use for certain rights-of-way; and declaring an emergency.

SJR 8 — By Boatner.

A Joint Resolution granting South-eastern Oklahoma State University the authority to confer superintendents' and administrators' certificates in the field of

secondary education; and directing distribution.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 139 — County, State and Federal Government.

SB 140 — Wildlife.

SB 141 — Judiciary.

SB 142 — Business, Industry and Labor Relations.

SB 143 — Public Safety and Penal Affairs.

SB 144 — County, State and Federal Government and then to Municipal Government.

SB 145 — Criminal Jurisprudence and then to County, State and Federal Government.

SB 146 — Business, Industry and Labor Relations.

SB 147 — County, State and Federal Government and then to Criminal Jurisprudence.

SB 148 — Criminal Jurisprudence.

SJR 7 — Environmental and Natural Resources.

GENERAL ORDER

SB 80 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 80 was advanced to engrossment.

By unanimous consent upon request of Senator Crow, SB 80 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 80 was read for the third time at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—47.

Excused: York.—1.

The bill and emergency passed.

SB 80 was referred for engrossment.

GENERAL ORDER

SB 74 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 74 was advanced to engrossment.

By unanimous consent upon request of Senator Crow, SB 74 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 74 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune,

McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—47.

Excused: York.—1.

The bill and emergency passed.

SB 74 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Luton presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Cate, advised and consented to the confirmation of BOB LESTER, Norman, as a member of the State Board of Public Affairs, to serve an unexpired 3-year term ending January 1, 1979, and effective upon Senate confirmation. Mr. Lester succeeds Jim McAdams, Pauls Valley.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of JOHN LITTLE, Oklahoma City, as a member of the State Board of Public Affairs, to serve a 3-year term ending January 10, 1980, and effective upon Senate confirmation. Mr. Little succeeds Walter Price, Stillwater.

Senator Lane moved that the Senate stand recessed until 2:10 p.m., which motion was declared adopted.

Senator Lane questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Smith presiding.

GENERAL ORDER

HB 1122 by Willis of the House and Howard of the Senate was read and considered.

Senator Murphy moved to amend HB 1122, Page 2, Lines 1 through 6, by striking all language after the word "to" on Line 1 and before the word "For" on Line 6 and substituting the following: "recommend to the Legislature proposed fees commonly charged students at institutions in the Oklahoma State System of Higher Education, and any such fees shall be effective only within the limits prescribed herein."; and Page 3, Lines 7 through 10 by striking all language after the word "College." on Line 7 and inserting the following: "All fees charged at institutions in the State System of Higher Education, as approved by the State Regents and published in 'Student Fees authorized at institutions in the Oklahoma State System of Higher Education, effective Fall Semester 1976, revised August 1976', are hereby approved and prescribed. Educational fees and tuition to be fixed hereafter by the Oklahoma State Regents for Higher Education shall not exceed the limits set out in the following schedule:"; and Page 4, Line 12, by striking the figure "20.00" and inserting the figure "25.00"; and Page 4, Line 15, by inserting after the figure "\$26.00" the following: "or aircraft operating cost"; and by amending the title to conform thereto, which amendment was declared adopted.

Senator Stipe moved to amend HB 1122, Page 5, Line 9, by striking "School for Deaf" before the word "Per" and substituting "College students in the Speech and Hearing Clinic located on the Okla-

homa University Medical School Campus", which amendment was declared adopted.

Senator Lamb moved to amend HB 1122, Page 5, Line 15, by adding after the words "Per Student" the following: ", both resident and nonresident", which amendment was declared adopted.

Senator Stipe moved to amend HB 1122, Page 5, Line 18, by inserting before the words "Per Student" the following "an additional charge", which amendment was declared adopted.

Senators Murphy and Howard moved to amend HB 1122, Page 6, Lines 2 and 3 by striking the language on Lines 2 and 3 and substituting the following: "as per program cost by offering Institution.", which amendment was declared adopted.

Senator Watson moved to amend HB 1122, Page 6, Line 3½, by adding a new section as follows:

"SECTION 2. The Oklahoma State Regents for Higher Education shall review tuition schedules each year and recommend to the Legislature adjustments to reflect a percentage of the total costs of delivery of programs as determined by percentages of current costs reflected by the figures in Section 1.",

and by renumbering subsequent sections, which amendment was tabled upon motion of Senator Cate.

Senator Helm moved to amend HB 1122, Page 6, Line 11, by inserting after the word "colleges." and before the word "Fees" the following: "Such fees shall be voluntary, and the student may designate those activities he wishes his fees to fund.", which amendment was tabled upon motion of Senator Howard.

Senator Luton presiding.

Senator Berrong moved to amend HB 1122, Page 6, Line 18, by adding after the word "colleges" the following: "unless said fees are insufficient to meet the existing bonded indebtedness on bonds issued as of the effective date of this act, in which case said fees may be increased to meet the funding requirements of said bonded indebtedness", which amendment was declared adopted.

Senator Boatner moved to amend HB 1122, Page 7, Line 14, by inserting after the word "tuition" the following: "and shall hold a public hearing at least thirty (30) days prior to the effective date of any increase in fees and tuition", which amendment was declared adopted.

Senator Murphy moved to amend HB 1122, Page 7, Line 16½, by inserting a new section as follows:

"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.",

and by renumbering subsequent sections, which amendment was declared adopted.

Upon motion of Senator Howard, HB 1122, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, HB 1122, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1122 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—45.

Excused: Keating, Wadley and York.—3.

The bill passed.

Senator Wadley desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 46. Excused: 2.

The emergency passed.

HB 1122 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, January 13, 1977, at 12:30 p.m., which motion prevailed.

Senator Crow presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1122 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:15 p.m. to meet Thursday, January 13, 1977, at 12:30 p.m.



Seventh Legislative Day

Thursday, January 13, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Cate, Lane, Porter, Smith and Tinsley.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Spinner and incorporated into the Journal upon request of Senator Lane.

O God, most high and yet very near, in whom we live and move, and have our being; we thank Thee that the daily business of the Senate finds its beginning in prayer.

Forgive us for feeling that prayer is a waste of time and help us to see that without it, our labors are a waste of effort.

Take away the notion that this formal prayer can stand in the place of private petition. May there arise from every desk silent prayer seeking to know Thy will.

We seek such guidance that when a thing is right, we shall all know it; and when it is wrong, it shall not be proposed; and when we know not the way to go, let us ask of Thee—that we may find the way. And if that way be unpopular with men, let Thy Spirit strengthen us in the truth that one person going the way of the Lord is always a majority.

We ask this in the name of our Lord who promised a guide unto all truth, Amen.

The Journal for the last legislative day was declared approved.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 1 — Education, Common, as coauthored by Craighead of the House.

SB 123 — Judiciary, as coauthored by Frates of the House.

SB 134 — Judiciary, as coauthored by Weichel of the House.

FIRST READING

The following were introduced and read the first time.

SB 151 — By Keller.

An Act relating to the Corporation Commission; amending 17 O.S. 1971, Section 158.27; requiring certain disclosures relating to advertising by public service corporations, public utilities, telephone companies, retail electric suppliers, associations doing business under the Rural Electric Cooperative Act and generation or transmission associations; imposing certain penalties; enlarging general supervision of Corporation Commission to include generation and transmission associations and cooperative corporations; and directing codification.

SB 152 — By Grantham of the Senate and Elder of the House.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 523, as amended by Section 1, Chapter 197, O.S.L. 1973 (11 O.S. Supp. 1976, Section 523), relating to vacation of plats, streets and alleys; prescribing procedure, including notice, for vacation; and providing an effective date.

SB 153 — By Keating.

An Act relating to criminal procedure; allowing certain tape recordings of telephone conversations to be admissible as evidence; and directing codification.

SB 154 — By Funston of the Senate and Lancaster of the House.

An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Section 1705, as amended by Section 1, Chapter 225, O.S.L. 1973 (69 O.S. Supp. 1976, Section 1705); defining the powers, duties, authority and functions of the Oklahoma Turnpike Authority; and authorizing an additional tollgate in the vicinity of Porter, Oklahoma.

SB 155 — By Smith of the Senate and Davis (Don) of the House.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2357; increasing allowable tax credits by adding tax credit for child care expenses in certain circumstances; and declaring an emergency.

SB 156 — By Field of the Senate and McKee of the House.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305, as amended by Section 1, Chapter 23, O.S.L. 1975 (68 O.S. Supp. 1976, Section 1305); and creating sales tax exemption for natural gas used for irrigation purposes.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 149 — Public Safety and Penal Affairs.**SB 150 — Roads and Highways.****SJR 8 — Education, Higher.****MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed HBs 1129, 1143 and 1152.

HB 1129 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Court of Tax Review and making an appropriation thereto; stating the purpose; providing lapse date; providing severability; and declaring an emergency.

HB 1143 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Commission on Fire Protection Personnel Standards and Education; making an appropriation thereto; stating purpose and manner of

expenditures; providing lapse date; making provisions of this act severable; and declaring an emergency.

HB 1152 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

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.

The above numbered HBs were read for the first time.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1122, as amended.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Luton presiding.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 1, as coauthored by entire House membership.

The above numbered Resolution was referred for enrollment.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, January 17, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1122.

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 74 and 80 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Upon motion of Senator Holden, the Senate adjourned at 1:00 p.m. to meet Monday, January 17, 1977, at 1:30 p.m.



Eighth Legislative Day

Monday, January 17, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—46.

Excused: Capps and Wolfe.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Robert M. Shaw, Rector, All Souls Episcopal Church, Oklahoma City, and incorporated into the Journal upon request of President Pro Tempore Howard.

O God our Father in Heaven, make us true lovers of our state. Make us true Oklahomans. Help us to make our state a land of freedom and brotherhood and justice for all. We come before Thee to ask for strength and courage, for loyalty and love of this great land which Thou hast placed in our care. May we ever defend the

principles for which our forefathers died. May we ever be worthy of the blood that has been shed to keep this land free from the oppressors of life, liberty and the pursuit of happiness.

We pray O Lord, not that our path may be smooth, but that Thou wouldst give us faith to tread it without fear; not that we may always behold the heights and measure the depths of either side, but that Thy lamp may light up the way before our feet, so that we falter not. We ask not for tasks more suited for our strength, but for strength more suited for our tasks. Give us the vision that inspires, the strength that endures and the grace to follow in Thy way, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senators Terrill and Taliaferro introduced Delores Kruger, R.N., Lawton, as Nurse of the Day.

Senator Dahl announced the birth of Senator Giles' first grandchild, a baby girl named Jamie Dawn born this morning to Mr. and Mrs. Bill Giles, Hereford, Texas, and extended warmest congratulations to Senator Giles and his family.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 11 — County, State and Federal Government.

SB 12 — County, State and Federal Government.

SB 61 — County, State and Federal Government, as coauthored by Conaghan and Kennedy of the House.

SB 65 — County, State and Federal Government.

SB 124 — County, State and Federal Government, as coauthored by Townsend of the House.

FIRST READING

The following were introduced and read the first time.

SB 157 — By Grantham of the Senate and Elder and Conaghan of the House.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 1573, as amended by Section 2, Chapter 71, O.S.L. 1976, and Section 3, Chapter 71, O.S.L. 1976 (12 O.S. Supp. 1976, Sections 1573 and 1573.1); prescribing certain requirements for order and writ of replevin; providing procedure; and declaring an emergency.

SB 158 — By Cate.

An Act relating to state government; amending 74 O.S. 1971, Section 360.13, as amended by Section 3, Chapter 19, O.S.L. 1974 (74 O.S. Supp. 1976, Section 360.13); specifying powers of campus policemen; expanding powers of campus policemen holding a certain certificate; and repealing 70 O.S. 1971, Section 4304.

SB 159 — By Terrill, Holden, Stipe, McCune, Grantham, Berrong, Lane and Green of the Senate and Townsend of the House.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 563 and

564; requiring fees and charges collected to be deposited in the state treasury by Executive Director of the Commission for purposes of carrying out act; providing a per diem compensation of Commissioners; providing for licensing motor vehicle dealers, salesmen, manufacturers, distributors, wholesalers, factory branches, distributor branches, factory representatives and distributor representatives by the Oklahoma Motor Vehicle Commission; prescribing penalty upon conviction of violating provisions; prescribing licensing procedure and schedule of fees to be charged and received by Commission; and declaring an emergency.

SB 160 — By Field of the Senate and McKee of the House.

An Act relating to oil and gas; creating a preferred usage for certain natural gas; granting rights to certain persons engaged in agricultural activities where natural gas is produced or gathered; setting maximum prices for certain natural gas; providing for payment of equipment and installation costs; conferring certain powers and duties on the Corporation Commission; imposing liabilities; directing codification; and making provisions of act severable.

SB 161 — By Boatner, York and Watson.

An Act relating to schools; establishing a program of student internships in state government; providing for the appointment, duties, salary and expenses of an administrator; defining full-time and part-time interns; fixing academic credit hours and wages received by interns; authorizing the application for and expenditure of federal funds; directing codification; and declaring an emergency.

SJR 9 — By Dawson of the Senate and Johnston of the House.

A Joint Resolution relating to the naming of the bridge over Wewoka Creek, located south of Seminole on Highways 3

and 99, as the "John Quimby Wilson Bridge"; directing the Department of Transportation to cause suitable permanent markers to be placed on said bridge; and directing distribution.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 151 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

SB 152 — Municipal Government.

SB 153 — Criminal Jurisprudence.

SB 154 — Roads and Highways.

SB 155 — Revenue and Taxation.

SB 156 — Revenue and Taxation.

HB 1129 — Appropriations and Budget.

HB 1143 — Appropriations and Budget.

HB 1152 — Appropriations and Budget.

Senator Cate presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 1 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 138 by Holden, Lane and Dawson of the Senate and Elder and Parris of the House was read and considered.

Senators Lambert and Shatwell asked to be made coauthors of SB 138, which was the order.

Senator Luton moved that the bill be referred to committee with instructions that a public hearing be held on said bill.

Senator Lane moved to table the Luton motion to commit, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lambert, Lane, McDaniel, Martin, Pierce, Randle, Rozell, Shatwell, Smith, Terrill and Tinsley.—29.

Nay: Boatner, Helm, Howell, Keller, Lamb, Luton, McCune, Porter, Schuelein, Stipe, Taliaferro, Vann, Wadley, Watson, York and Young.—16.

Excused: Capps, Murphy and Wolfe.—3.

Senator Martin moved to amend SB 138, Page 5, Line 5, by striking after "July 1" and before the word "and" the figure "1979" and substituting the figure "1978"; Page 7, Line 11, by striking after "July 1" and before the word "and" the figure "1980" and substituting the figure "1978"; Page 9, Line 17, by striking after "July 1" and before the word "and" the figure "1981" and substituting the figure "1978"; Page 12, Line 1, by striking after "July 1" and before the word "and" the figure "1982" and substituting the figure "1978"; and Page 14, Line 9, by striking after "July 1" and before the word "and" the figure "1983" and substituting "1978".

Senator Lane moved to table the Martin motion to amend, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Holden, Howard, Howell, Kilpatrick, Lane, McDaniel, Pierce, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann and Wadley.—25.

Nay: Boatner, Butler, Funston, Green, Helm, Johnson, Keating, Keller, Lamb, Lambert, Luton, McCune, Martin, Porter, Randle, Schuelein, Tinsley, Watson, York and Young.—20.

Excused: Capps, Murphy and Wolfe.—3.

Senator Dawson moved to amend **SB 138**, Page 17, Lines 11 through 17, by striking all of Section 11 and substituting the following:

"SECTION 11. Legislative committee review of any statutory entity shall commence before July 1 of the calendar year prior to its respective termination date as enumerated in Sections 3 through 8 of this act and shall conclude with a recommendation prior to the following legislative session as to whether the statutory entity shall be recreated."

, which amendment was declared adopted.

Senator Lane moved that further consideration of **SB 138** be deferred for this legislative day.

Senator Lane asked unanimous consent, which was granted, that his previous motion be withdrawn.

Senator Dawson moved to amend **SB 138**, Page 19, Line 17, by adding after the word "General" the following: "if it would have been his duty to so defend had the statutory entity been recreated", which amendment was declared adopted.

Senator Luton moved that **SB 138** be set for Special Order on the Senate Calendar for Wednesday, January 19, 1977, at 1:30 p.m.

Senator Lane moved to table the Luton motion, which motion to table was declared adopted.

Senator Holden moved to amend **SB 138**, Page 22, Line 14, by inserting before the word "committee" the word "review", which amendment was declared adopted.

Senator Lane moved that further con-

sideration of **SB 138** be deferred until Tuesday, January 18, 1977, when bills are considered on General Order.

Senator Luton moved that the Senate stand adjourned under the rule.

Senator Luton stated that he would withhold his motion for an announcement.

Senator Holden moved that **SB 138** be advanced.

Senator Luton stated that the Holden motion was not a prior motion.

The Chair ruled that the Luton motion to adjourn had been withdrawn.

Senator Luton moved that the Senate stand adjourned under the rule until 1:30 p.m. Tuesday, January 18.

Senator Holden withdrew his motion to advance the bill.

Senator Luton withheld his motion to adjourn until the floor leader had made an announcement.

Senator Lane pressed Senator Luton's motion to adjourn, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 1**.

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

Upon motion of Senator Luton, the Senate adjourned at 2:30 p.m. to meet Tuesday, January 18, 1977, at 1:30 p.m.

Ninth Legislative Day

Tuesday, January 18, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—40.

Excused: Berrong, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro and Wadley.—8.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Shaw and incorporated into the Journal upon request of President Pro Tempore Howard.

O most gracious God, from whom cometh every good and perfect gift, we beseech Thee to work in us the will to live according to Thy Holy Laws.

We thank Thee for our being, our life, and the gift of reason. Give us full trust in Thee and a deep reverence for all things

that relate to Thee. May Thy spirit illuminate our minds and lead us into all truth. We pray that Thou will fill us with the ardour of true service for our state.

We thank Thee for the inspiration that Thou hast given Thy servants here assembled, and we pray that Thou wilt give to them, and to all who serve in the government of our state, wisdom and strength to know and to do Thy will.

We thank Thee for the opportunity of reflecting on the principles that have made our country a great land where all men may share in its blessings. As we seek Thy Holy Truth, may we always be aware of Thy Kingdom, Thy Power and Thy Glory, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lambert introduced Leonard R. Diehl, M.D., Oklahoma City, as Doctor of the Day.

Senator Cate introduced Janet Bogart, R.N., Norman, as Nurse of the Day.

Senator Keating introduced his daughter, Carrie, and asked unanimous consent, which was granted, that she be named Honorary Journal Clerk for this legislative day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 23 — Revenue and Taxation, as co-authored by Nance of the House.

SB 36 — Revenue and Taxation.

SB 91 — Appropriations and Budget.

DO PASS, as amended:

SB 89 — Appropriations and Budget.

SB 90 — Appropriations and Budget.

SB 155 — Revenue and Taxation, as co-authored by Terrill.

FIRST READING

The following were introduced and read the first time.

SB 162 — By Berrong.

An Act relating to insurance; amending 36 O.S. 1971, Section 1513; prescribing the manner of valuation of real property; changing the basis of valuation of certain real property; and repealing Section 1, Chapter 151, O.S.L. 1972 (36 O.S. Supp. 1976, Section 311.3).

SB 163 — By Luton.

An Act relating to civil procedure; amending Section 6, Chapter 208, O.S.L. 1972, as last amended by Section 1, Chapter 106, O.S.L. 1974 (12 O.S. Supp. 1976, Section 170.6); providing for service by publication; and expanding grounds for such service.

SB 164 — By Tinsley.

An Act relating to counties and county officers; authorizing the use of county-owned machinery and equipment for public schools for certain school improvements; providing for certain expenses; and directing codification.

SJR 10 — By Watson.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article V of the Oklahoma Constitution; providing for date of meeting and duration of regular legislative sessions; limiting the second session of each Legislature to ninety calendar days; providing that budgetary matters be primarily considered during second sessions of the Legislature; providing ballot title; and directing filing.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 157 — Judiciary.

SB 158 — County, State and Federal Government.

SB 159 — Public Safety and Penal Affairs.

SB 160 — Agriculture and then to Oil and Gas.

SB 161 — County, State and Federal Government and then to Appropriations and Budget.

SJR 9 — Roads and Highways.

Senator Stipe presiding.

RESOLUTIONS

Senator Dahl introduced the following Resolution:

SCR 2 — By Dahl of the Senate and Johnson (Don) of the House.

A Concurrent Resolution praising the outstanding success of Ross Case High School in football and track; and directing distribution.

Senator Dahl asked unanimous consent, which was granted, that all other Senators be made coauthors of SCR 2.

SCR 2, as coauthored, was read at length, adopted upon motion of Senator

Dahl and ordered referred for engrossment.

Senators Birdsong, York, Lambert, Howell and Kilpatrick introduced the following Resolution:

SCR 3 — By Birdsong, York, Lambert, Howell and Kilpatrick.

A Concurrent Resolution commending and honoring Bob Turner for his great accomplishments, numerous honors and outstanding career as sheriff for Oklahoma County; expressing legislative gratitude for his years of outstanding public service to the citizens of Oklahoma; and directing distribution.

Senator Birdsong asked unanimous consent, which was granted, that all other Senators be made coauthors of SCR 3.

SCR 3, as coauthored, was read at length, adopted upon motion of Senator Birdsong and ordered referred for engrossment.

Senators Boatner, Lane, Cate and Dahl introduced the following Resolution:

SCR 4 — By Boatner, Lane, Cate and Dahl.

A Concurrent Resolution relating to game and fish; expressing legislative intent by requesting the Wildlife Conservation Commission to rescind a certain educational requirement for rangers; and directing distribution.

WHEREAS, the Wildlife Conservation Commission in its regular meeting on November 1, 1976, adopted the requirement that effective July 1, 1977, a Wildlife Conservation Ranger would be required to have the minimum educational qualification of a Bachelor of Science Degree in fish, wildlife or fish and wildlife with a preference accorded persons with a minor or option in wildlife enforcement; and

WHEREAS, the Legislature feels this minimum educational requirement for Wildlife Conservation Rangers could work a hardship on both otherwise qualified individuals and the Department of Conservation, by preventing them from making use of such individuals as rangers when necessary; and

WHEREAS, the Legislature feels that the Wildlife Conservation Commission should rescind the educational requirement for Wildlife Conservation Rangers adopted in its regular meeting on November 1, 1976, for further study and evaluation.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Wildlife Conservation Commission be hereby requested to rescind the minimum educational requirement for Wildlife Conservation Rangers that was adopted in its regular meeting of November 1, 1976.

THAT copies of this Resolution be forwarded to each member of the Wildlife Conservation Commission.

Senator Boatner, citing Rule 8(d), asked unanimous consent that Representative Davis (Guy) be added as House author of SCR 4, which was the order.

SCR 4, as coauthored, was read at length, adopted upon motion of Senator Boatner and ordered referred for engrossment.

Senator Lambert presiding.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1001.

HCR 1001 — By Kamas of the House and Boatner of the Senate.

A Concurrent Resolution relating to the establishment of programs of study at the regional universities to train potential school administrators to qualify for the standard administrator's certificate and the provisional administrator's certificate; expressing legislative intent for the necessary feasibility study by the Oklahoma State Regents for Higher Education and necessary coordination with the State Board of Education; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

Senator Crow presiding.

GENERAL ORDER

SB 138, previously coauthored and amended on pages 91 and 92, was considered further.

Senator Randle asked to be made a co-author of SB 138, which was the order.

Senator Young moved to amend SB 138, Page 3, Line 9, by striking after the word "Committee" and after "7." the following: "Department of Civil Defense."

Senator Holden moved to table the Young amendment, which motion to table was declared adopted.

Senator Holden moved to amend SB 138, Page 24, Line 13, by striking after the word "the" and before the word "review" the words "joint legislative", which amendment was declared adopted.

Senator Holden moved to amend SB 138, Page 25, by inserting a new section as follows:

"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."

which amendment was declared adopted.

Senator Luton moved to amend SB 138, Page 25, Line 9½, by adding a new Section 21 as follows:

"SECTION 21. The provisions of this act shall not apply to any statutory entity whose funding is not provided by annual appropriation of the Legislature."

Senator Luton asked unanimous consent that his amendment be adopted, to which request objection was heard.

Senator Howard moved to table the Luton amendment, which motion to table was declared adopted upon roll call as follows:

Senator Smith presiding.

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lambert, Lane, Pierce, Randle, Rozell, Schuelein, Smith, Terrill, Watson, Wolfe and York.—29.

Nay: Butler, Lamb, Luton, McCune, McDaniel, Martin, Porter, Stipe, Tinsley, Vann and Young.—11.

Excused: Berrong, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro and Wadley.—8.

Senator Boatner moved to amend SB 138, Page 3, Lines 13 and 14, by striking "Pork Utilization, Research and Market Development Commission" and inserting same on Page 14, Line 2½; Page 7, Lines 8 and 9, by striking "Sheep and Wool Utilization, Research and Market Development

Commission" and inserting same on Page 14, Line 2½; and Page 9, Line 15, by striking "Oklahoma Pecan Commission" and inserting same on Page 14, Line 2½; and Page 11, Lines 8 and 9, by striking "Wheat Utilization, Research and Market Development Commission" and inserting same on Page 14, Line 2½, which amendment was declared adopted.

Senator Dawson moved to amend SB 138, Page 17, Line 5, by striking after the first comma the words "the appropriate standing committee" and substituting the following: "the appropriate standing committee from each house meeting jointly during the legislative session or the appropriate interim committee of the Legislative Council", which amendment was declared adopted.

Upon motion of Senator Holden, SB 138, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, SB 138, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 138 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Vann, Watson, Wolfe, York and Young.—36.

Nay: McCune, Martin, Porter and Tinsley.—4.

Excused: Berrong, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro and Wadley.—8.

The bill and emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Stipe moved that the vote be reconsidered by which SB 138 and the emergency section passed.

GENERAL ORDER

SB 79 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 79 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 79 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 79 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—38.

Excused: Berrong, Butler, Capps, Funston, Howell, Keating, Murphy, Shatwell, Taliaferro and Wadley.—10.

The bill passed.

Senator Keating desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 39. Excused: 9.

The emergency passed.

SB 79 was referred for engrossment.

GENERAL ORDER

SB 83 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 83 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 83 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 83 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—39.

Excused: Berrong, Butler, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro and Wadley.—9.

The bill and emergency passed.

SB 83 was referred for engrossment.

GENERAL ORDER

SB 82 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 82 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 82 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 82 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—39.

Excused: Berrong, Butler, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro and Wadley.—9.

The bill and emergency passed.

SB 82 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Stipe asked unanimous consent, which was granted, that his motion to reconsider the vote by which SB 138 and the emergency section passed be withdrawn.

SB 138 was referred for engrossment.

GENERAL ORDER

SB 84 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 84 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 84 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 84 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—39.

Excused: Berrong, Butler, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro and Wadley.—9.

The bill and emergency passed.

SB 84 was referred for engrossment.

GENERAL ORDER

SB 116 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 116 was advanced to engrossment.

By unanimous consent, upon request of

Senator Crow, SB 116 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 116 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Field, Giles, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Stipe, Terrill, Tinsley, Vann, Watson and York.—31.

Nay: Dawson, Grantham, Helm, McCune, McDaniel, Smith and Wolfe.—7.

Excused: Berrong, Butler, Capps, Funston, Howell, Murphy, Shatwell, Taliaferro, Wadley and Young.—10.

The bill passed.

Senators Smith, Grantham and Dawson desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 4. Excused: 10.

The emergency passed.

SB 116 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session

with Senator Smith presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Kilpatrick, advised and consented to the confirmation of JOHN GARRETT, Del City, as a member of the Oklahoma Tax Commission to serve an unexpired 6-year term ending January 1, 1981, and effective upon Senate con-

firmation. Mr. Garrett succeeds Lawton L. Leininger.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, January 19, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Luton, the Senate adjourned at 3:40 p.m. to meet Wednesday, January 19, 1977, at 1:30 p.m.

Tenth Legislative Day

Wednesday, January 19, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—36.

Excused: Berrong, Butler, Capps, Funston, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro and Wadley.—12.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Shaw and incorporated into the Journal upon request of President Pro Tempore Howard.

O God, who has set us in a land of wide horizons, help us to set our eyes upon far-off goals and taking courage from the example of the simple beginnings in this land, let us strive to build for those who follow. Inspire the hearts of all to whom has been given the government of this state. Give them the vision of truth and justice

and guide them so to temper justice with mercy, that by their counsels the members of this Legislature may work together in fellowship and brotherhood for the good of all mankind.

Teach us, O Lord, to see in every question, the need of everyone. Help us to check in our selves, and in others, every temper which makes for bad judgements, presumptuous claims, and self-assertion.

May we with patience do whatsoever is in us, to remove suspicion and misunderstandings, and to honor all men in Thy Holy Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator York introduced Tom Garrett, M.D., Oklahoma City, as Doctor of the Day.

Senator Helm introduced Tresa Schlecht, R.N., Oklahoma City, as Nurse of the Day.

Senator Luton recognized and announced that a group of young ladies from Monte Cassino School in Tulsa were visiting the Senate today and extended greetings from the Senators to those present.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 157 — Judiciary.

DO PASS, as amended:

CS for SB 16 — Judiciary, as coauthored by Frates of the House.

FIRST READING

The following were introduced and read the first time.

SB 165 — By Keller.

An Act relating to the Corporation Commission; requiring certain disclosures relating to advertising by public service corporations, public utilities, telephone companies, retail electric suppliers, associations doing business under the Rural Electric Cooperative Act and generation or transmission associations; imposing certain penalties; and directing codification.

SJR 11 — By Dahl of the Senate and Johnson (Don) and Kennedy of the House.

A Joint Resolution authorizing Mr. Joe F. Colby to bring suit against the State of Oklahoma to determine the amount of damages, if any, sustained by him by reason of the construction of State Highway 60 which had rerouted the natural flow of water; providing for service of summons, venue and defense of the action; and directing the payment of any judgment rendered in said suit out of the State Highway Construction and Maintenance Fund.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 162 — Insurance.

SB 163 — Judiciary.

SB 164 — County, State and Federal Government and then to Education, Com-
mon.

SJR 10 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1055 and 1126.

HB 1055 — By Cleveland, Monks and Fitzgibbon of the House and Stipe of the Senate.

An Act relating to labor; amending 40 O.S. 1971, Sections 215, as last amended by Section 3, Chapter 163, O.S.L. 1976 (40 O.S. Supp. 1976, Section 215), 216, as amended by Section 1, Chapter 245, O.S.L. 1972 (40 O.S. Supp. 1976, Section 216), and 217; providing for disqualification for unemployment compensation benefits in certain circumstances; adding exceptions to period of disqualification; extending period of disqualification; changing contribution rates for employers; adding certain procedures to hearings before appeals tribunals and board of review; providing for payment of additional sum by employer after appeal in certain circumstances; and declaring an emergency.

HB 1126 — By Rogers, Holden, Twidwell, Hooper, Cleveland, Cotner, Holt, Johnson (Don), McCaleb and Vaughn of the House and Crow, Johnson, McDaniel and Vann of the Senate.

An Act relating to labor; amending 40 O.S. 1971, Sections 213, as amended by Section 1, Chapter 302, O.S.L. 1974, 214, 215, as last amended by Section 3, Chapter 163, O.S.L. 1976, and 226 (40 O.S. Supp. 1976, Sections 213 and 215); providing criteria and procedures for determining eligibility for benefits and training; establishing certain formulas; limiting eligibility for cer-

tain students; fixing grounds for disqualification; providing certain exceptions; and increasing certain penalties.

The above numbered HBs were read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 79, 82, 83, 84, 116 and 138; and SCRs 2, 3 and 4 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 155 by Smith and Terrill of the Senate and Davis (Don) of the House was read and considered.

Senators Grantham, Lamb, Keating, Wolfe, Luton and Boatner asked to be made coauthors of SB 155, which was the order.

Upon motion of Senator Smith, SB 155, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 155, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 155 was read for the third time at length.

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

Aye: Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—34.

Excused: Berrong, Butler, Capps, Cate, Funston, Howard, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro and Wadley.—14.

The bill and emergency passed.

SB 155 was referred for engrossment.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, January 20, 1977, at 12:00 p.m., which motion prevailed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 155 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Upon motion of Senator Holden, the Senate adjourned at 4:20 p.m. to meet Thursday, January 20, 1977, at 12:00 p.m.



Eleventh Legislative Day

Thursday, January 20, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Watson, York and Young.—34.

Excused: Berrong, Butler, Capps, Cate, Funston, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro, Wadley and Wolfe.—14.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Shaw and incorporated into the Journal upon request of President Pro Tempore Howard.

O God, who has made of one blood all nations of people to dwell on the face of the whole earth, grant that all men and women everywhere may seek after Thee and find Thee. We thank Thee for this good land that Thou hast given us for our heritage.

May we always prove ourselves a people mindful of Thy favor and glad to do Thy

will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride, arrogancy and every evil way. Help us to defend our liberties and fashion into one united people the multitudes brought here out of many kindreds and tongues.

In the time of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail. Bless the work of this legislative body. Help these representatives of our people to work in harmony and peace for the need of all mankind. And this we ask in Thy Holy name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Field, on behalf of Senator Berrong, introduced John Huser, M.D., Weatherford, as Doctor of the Day.

Senator Pierce introduced Maryann Cox, R.N., Bartlesville, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 129 — Insurance, and be referred to Committee on County, State and Federal Government by previous order.

DO PASS, as amended:

CS for SB 48 — Judiciary, as coauthored by Elder of the House.

SB 141 — Judiciary, as coauthored by Frates of the House.

FIRST READING

The following were introduced and read the first time.

SB 166 — By Rozell.

An Act relating to game and fish; amending Section 4-101, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 4-101); modifying requirements for certain licenses and permits.

SB 167 — By Luton, Lambert, York and Howard.

An Act relating to motor license agents; amending 47 O.S. 1971, Sections 22.2, as last amended by Section 11, Chapter 241, O.S.L. 1976, 22.22, 22.30 1, Section 2, Chapter 169, O.S.L. 1975 (47 O.S. Supp. 1976, Sections 22.2 and 22.30 1-1), 22.30m and 22.30n, and 63 O.S. 1971, Section 804.9; modifying apportionment, retention and distribution of certain monies; providing for motor license agents and subagents; modifying fees and methods of compensation; modifying certain powers and duties; requiring the submission of an annual financial statement; implementing a certain audit and inventory; implementing procedure for notice of license renewal and registration; directing codification; repealing Section 2, Chapter 396, O.S.L. 1967; and declaring an emergency.

SJR 12 — By Porter and Birdsong.

A Joint Resolution relating to assistance payments; requesting increases in pay-

ments under certain welfare programs; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 165 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

SJR 11 — Judiciary and then to Roads and Highways.

HB 1055 — Rules.

HB 1126 — Rules.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1072, and 1146, and HJR 1020.

HB 1072 — By Abbott and Wilson.

An Act relating to schools; amending 70 O.S. 1971, Section 13-106; providing for the apportionment of funds for educational facilities for exceptional children by the Board of Education; providing certain criteria for the apportionment of funds; deleting minimum requirements for teaching units; authorizing the Board of Education to establish the numerical makeup and other requirements of teaching units; providing an effective date; and declaring an emergency.

HB 1146 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

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, duties and compensation of employees; fixing the salary of the Administrative Assistant; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; providing lapse date; making provisions of this act severable; and declaring an emergency.

HJR 1020 — By Hood, Craig, Hammons, Hooper, Lancaster, McCaleb, Lawter, Cleveland, Camp, Holaday, Joiner and Steward of the House and Lambert and Birdsong of the Senate.

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 Oklahoma Constitution relating to the powers and duties of the Pardon and Parole Board and the Governor concerning commutations, pardons and paroles; authorizing the Legislature to prescribe minimum and maximum terms of imprisonment for all criminal offenses and to prescribe that no person shall be eligible for consideration by the Board for commutation, pardon or parole until such person has served the applicable mandatory minimum term of incarceration; providing ballot title; and directing filing.

The above numbered HBs and HJR were read for the first time.

PENDING CONSIDERATION — RESOLUTION

HCR 1001 by Kamas of the House and Boatner of the Senate (introduced on page 96) was called up for consideration.

HCR 1001 was read at length, adopted upon motion of Senator Boatner, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 89 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, **SB 89** was advanced to engrossment.

By unanimous consent, upon motion of Senator Crow, **SB 89** was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 89 was read for the third time at length.

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

Aye: Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Tinsley, Vann, Watson and Young.—31.

Excused: Berrong, Butler, Capps, Cate, Funston, Grantham, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro, Terrill, Wadley, Wolfe and York.—17.

The bill passed.

Senators Terrill and York desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33. Excused: 15.

The emergency passed.

SB 89 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 74**, as amended.

HOUSE AMENDMENTS

HAs to **SB 74** were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to the Oklahoma State Legislature and making an appropriation thereto; stating the purpose; providing

procedures for filing and approval of claims; making the appropriation nonfiscal; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

GENERAL ORDER

SB 91 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Crow moved to amend SB 91, Page 1, by crippling the title, which amendment was declared adopted.

Upon motion of Senator Crow, SB 91, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 91, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 91 was read for the third time at length.

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

Aye: Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Smith, Terrill, Tinsley, Vann, Watson, York and Young.—32.

Nay: Schuelein.—1.

Excused: Berrong, Butler, Capps, Cate, Funston, Grantham, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro, Wadley and Wolfe.—15.

The bill and emergency passed.

SB 91 was referred for engrossment.

GENERAL ORDER

SB 117 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 117 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 117 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 117 was read for the third time at length.

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

Aye: Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Watson, York and Young.—32.

Excused: Berrong, Butler, Capps, Cate, Funston, Grantham, Howell, Keller, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro, Wadley and Wolfe.—16.

The bill and emergency passed.

SB 117 was referred for engrossment.

GENERAL ORDER

SB 16 by Keating of the Senate and Frates of the House was read and considered.

Upon motion of Senator Keating, SB 16 was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 16 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 16 was read for the third time at length.

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

Aye: Birdsong, Boatner, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Watson, York and Young.—33.

Excused: Berrong, Butler, Capps, Cate, Funston, Grantham, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro, Wadley and Wolfe.—15.

The bill passed.

SB 16 was referred for engrossment.

GENERAL ORDER

SB 123 by Keating of the Senate and Frates of the House was read and considered.

Upon motion of Senator Keating, SB 123 was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 123 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 123 was read for the third time at length.

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

Aye: Boatner, Clifton, Dahl, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Luton, McDaniel, Martin, Pierce, Randle, Watson and York.—19.

Nay: Birdsong, Crow, Dawson, Field, Giles, McCune, Porter, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann and Young.—14.

Excused: Berrong, Butler, Capps, Cate, Funston, Grantham, Howell, Lambert, Lane, Murphy, Shatwell, Stipe, Taliaferro, Wadley and Wolfe.—15.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Keating moved that the vote be reconsidered by which SB 123 failed of passage.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, January 24, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 12:50 p.m. to meet Monday, January 24, 1977, at 1:30 p.m.



Twelfth Legislative Day

Monday, January 24, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Keller and Stipe.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Robert J. Hinson, Pastor, First Baptist Church, Marlow, and incorporated into the Journal upon request of Senator Holden.

Our Father, Free us from the formality of this moment and help us unite our hearts with You. At the beginning of this session we offer thanks for the privilege of prayer.

Thank You for these men and women of the Senate. Bless and enable them for the

task of service. Give them a sense of priority that will please You. Help them distinguish between the needs of the people and selfish desires of the people. Give them the moral conviction to stand alone when their views differ from the majority of the Senate or their constituency.

Now Father, as a citizen, help me and those like me to be faithful in our responsibilities. Help us to be informed. Forgive us when we criticize rather than pray for our representatives in government.

Make this day a productive one for Christ's sake, and we offer this prayer in His Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Ssnators Terrill and Taliaferro introduced Edna Hill, R.N., Lawton, as the Nurse of the Day, who was accompanied by her grandchildren, Bamah and Van Scott Lidecker.

Senator Helm introduced James Hampton, M.D., Oklahoma City, as Doctor of the Day.

ANNOUNCEMENT

President Pro Tempore Howard extended heartfelt sympathy and condolences on behalf of the Senate to Senator

Stipe upon the death of his step-mother, Rosie Lee Stipe, and asked that Senator Stipe be excused for this legislative day.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that SB 144, which had been referred to County, State and Federal Government and then to Municipal Government, be referred only to County, State and Federal Government.

BILL WITHDRAWN — REREFERRED

Senator Grantham asked unanimous consent, which was granted, that SB 61 be withdrawn from the Calendar and rereferred to the Committee on County, State and Federal Government.

REQUESTS FOR LOBBY PERMITS

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

Robert H. Anderson, 325 N.W. 3, P.O. Box 657, Oklahoma City, 73101, representing American Insurance Association.

Everette W. Baird, 215 E. 12th, Edmond, 73034, representing National Association of Retired Federal Employees.

Henry Baldridge, 1411 Classen Blvd., Suite 222, Oklahoma City, 73106, representing Oklahoma State Council of Carpenters.

Jack G. Burns, 4400 N. Lincoln # 232, Oklahoma City, 73105, representing Oklahoma Trial Lawyers Association.

Bernest H. Cain, Jr., 2200 Classen Blvd., # 1330, Oklahoma City, 73106, representing Oklahoma Common Cause.

Ken W. Cole, Box 3092, Houston, Texas, representing Standard Oil (Indiana).

Leo W. Cravens, 901 Office Park Plaza,

Oklahoma City, 73105, representing Oklahoma State Home Builders Association.

G. R. Crumpler, 201 N.E. 23rd, Oklahoma City, 73105, representing Oklahoma Municipal League.

J. Dave Fellers, Jr., 1140 N.W. 63rd, Suite 310, Oklahoma City, 73116, representing Oklahoma Oil Marketers Association.

Ouida E. Ferrall, 1611 N. Broadway, Oklahoma City, representing Communications Workers of America.

Roberta Ann Paris Funnell, 3115 Harvey Parkway, Oklahoma City, 73118, representing People's Lobby.

Barbara Graham, R.N., 4400 N. Lincoln Blvd., Suite 153, Oklahoma City, 73105, representing Oklahoma State Nurses Association.

Don Spears Hale, 1 Santa Fe Plaza, Oklahoma City, 73102, representing Oklahoma City Chamber of Commerce.

James G. Hamill, 309 Municipal Bldg., Oklahoma City, 73102, representing the City of Oklahoma City.

Bill Harrison, 4010 Lincoln Blvd., Oklahoma City, 73105, representing Oklahoma Vocational Association and Oklahoma Vocational Technical Education Council, Inc.

Burl E. Hays, City Center Bldg., 9th Floor, Main and Broadway, Oklahoma City, representing Allstate Insurance Company.

Jerry L. Hemry, 1355 First Nat'l. Center, Oklahoma City, 73102, representing Oklahoma Mortgage Bankers Association.

Charles G. Huddleston, 2501 N. Stiles, Suite 400, Oklahoma City, 73105, representing Ophthalmic Dispensers Society of Oklahoma and Oklahoma Farm Bureau.

David Hutchens, 2325 N.E. Expressway, P.O. Box 11047, Oklahoma City, 73111, representing Oklahoma Association of Electric Cooperatives.

Ben Hutchinson, 501 N.E. 27th, Oklahoma City, 73105, representing Oklahoma State AFL-CIO.

Henry C. Jordan, 2601 N.W. Expressway, Oklahoma City, representing General Telephone Company.

Julius E. Kubier, 217 Timbergate Office Gardens, 6161 N. May Ave., Oklahoma City, 73112, representing Associated Industries of Oklahoma, Inc.

Henry L. Likes, 501 N.E. 27, Oklahoma City, 73105, representing Oklahoma State AFL-CIO.

R. B. Moore, Box 251, Wayne, 73095, representing Brotherhood of Maintenance of Way Employees.

William A. Moyer, 201 N.E. 23, Oklahoma City, 73105, representing Oklahoma Municipal League.

Leigh Nichols, 2403 N.W. 39th Expressway, Suite 200, Oklahoma City, 73112, representing Oklahoma Association of Realtors.

Leonard R. O'Daniell, 2716 N.E. 50, Oklahoma City, 73111, representing Oklahoma State Firefighters Association.

Ira T. Oliver, 2000 Classen Center, Suite 426, East Bldg., Oklahoma City, 73106, representing Oklahoma Society of Professional Engineers, Inc.

James H. Price, 616 S. Boston, Tulsa, 74119, representing Metropolitan Tulsa Chamber of Commerce.

Horace G. Rhodes, 600 Fidelity Plaza, P.O. Box 1468, Oklahoma City, 73101, representing Association of Oklahoma Life Insurance Companies.

Donald C. Rider, 201 N.E. 23, Oklahoma City, 73105, representing Oklahoma Municipal League.

Ann Savage, 400 N.W. 23, Oklahoma City, 73103, representing League of Women Voters of Oklahoma.

Harlan D. Thompson, 2501 N. Stiles, # 206, Oklahoma City, 73105, representing Manufactured Housing Association of Oklahoma.

James O. Williams, 2501 N. Stiles, Oklahoma City, 73105, representing Oklahoma Farm Bureau.

James R. Williams, 607 Cravens Bldg., Oklahoma City, 73102, representing Oklahoma Public Expenditures Council.

C. J. Wright, Jr., P.O. Box 53037, Oklahoma City, 73105, representing American Legion of Oklahoma.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 40 — County, State and Federal Government.

SB 136 — County, State and Federal Government.

DO PASS, as amended:

SB 31 — County, State and Federal Government.

SB 85 — Appropriations and Budget.

SB 92 — Appropriations and Budget.

SB 93 — Appropriations and Budget.

SB 94 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 168 — By McCune.

An Act relating to county officers; amending 19 O.S. 1971, Sections 242, 544 and 636, and Section 12-111, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 12-111), and 51 O.S. 1971, Section 10, and Section 27, Chapter 211, O.S.L. 1973 (70 O.S. Supp. 1976, Section 4-112); changing methods of filling vacancies for county assessor, county clerk, county sheriff, county superintendent of schools, county surveyor, county treasurer and court clerk; providing for special elections; and providing an effective date.

SB 169 — By Porter.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1303, as last amended by Section 1, Chapter 96, O.S.L. 1976 (68 O.S. Supp. 1976, Section 1303); providing for apportionment of revenues to the State Assistance Fund; deleting provision that transferred portion of sales tax revenue to General Revenue Fund; fixing an effective date; and declaring an emergency.

SB 170 — By York.

An Act relating to public health and safety; mandating procedures for issuance of disposal permits for dead bodies; repealing 63 O.S. 1971, Section 1-329; directing codification; and setting an effective date.

SB 171 — By Keller.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-534, as recodified as 63 O.S. Supp. 1976, Section 1-533; providing the State Board of Education institute an educational program concerning prevention of mental retardation which may result from certain inborn diseases; and prescribing criteria for program.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 166 — Wildlife.**SB 167 — Rules.****SJR 12 — Social Welfare.****HB 1072 — Education, Common.****HB 1146 — Appropriations and Budget.**

HJR 1020 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 16, 89, 91 and 117 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 1 by Funston of the Senate and Craighead of the House was read and considered.

Senators Lambert, Murphy, Howell and Birdsong asked to be made coauthors of SB 1, which was the order.

Senator Smith moved to amend SB 1, Page 4, Line 7, by inserting after the word "may" and before the word "provide" the word "also"; and further on Line 7 by striking after the word "for" and before the word "for" the words "leave with pay" and inserting the word "benefits"; and on Line 8 by striking after the word "teachers," and before the word "benefits" the words "which leave" and inserting the words "provided that such", which amendment was declared adopted.

Upon motion of Senator Funston, SB 1, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, SB 1, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Funston asked unanimous consent to amend SB 1 on third reading by striking the title, which was the order.

SB 1 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Keller and Stipe.—2.

The bill and emergency passed.

SB 1 was referred for engrossment.

GENERAL ORDER

SB 23 by Smith of the Senate and Nance of the House was read and considered.

Senator Smith asked unanimous consent, which was granted, that further consideration of SB 23 be deferred for this legislative day.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 2 and SCR 3, as coauthored by all members of the House of Representatives.

The above numbered Resolutions were referred for enrollment.

GENERAL ORDER

SB 90 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 90 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 90 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 90 was read for the third time at length.

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

Aye: Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Green, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Randle, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—32.

Nay: Berrong, Birdsong, Boatner, Dawson, Grantham, Helm, Lambert, McCune, Pierce, Porter, Rozell, Vann and Young.—13.

Excused: Howard, Keller and Stipe.—3.

The bill and emergency passed.

SB 90 was referred for engrossment.

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

Senator Crow presiding.

GENERAL ORDER

SB 36 by Smith of the Senate and Nance of the House was read and considered.

Senators Terrill, Murphy and Lambert asked to be made coauthors of SB 36, which was the order.

Senator Helm moved to amend SB 36, Pages 2 and 3, by striking all language after the word "follows" on Page 2, Line 2, through Line 2 of Page 3, and by inserting after the word "Code" on Line 7 of Page 3 the following: "Single individuals and married individuals filing separately".

Senator Smith moved to table the Helm amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Tinsley, Vann, York and Young.—34.

Nay: Green, Helm, Holden, Lambert, McCune, Martin, Pierce, Porter, Terrill, Wadley, Watson and Wolfe.—12.

Excused: Stipe and Taliaferro.—2.

Upon motion of Senator Smith, SB 36, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 36, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 36 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Luton and Stipe.—2.

The bill passed.

SB 36 was referred for engrossment.

Senator Luton asked unanimous consent that the record show that he was in the Chamber at the time of third reading and final passage of SB 36 and that he be shown voting "Aye" on the bill, which was the order.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, January 25, 1977, at 1:30 p.m., which motion prevailed.

Senator Lane presiding.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1001.

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

Upon motion of Senator Lane, the Senate adjourned at 2:35 p.m. to meet Tuesday, January 25, 1977, at 1:30 p.m.

Thirteenth Legislative Day

Tuesday, January 25, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—45.

Excused: Keller, Wolfe and Young.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Robert J. Hinson and incorporated into the Journal upon request of Senator Holden.

Our Father, We praise Your name because You are God. Thank You for showing us who You are through Jesus Christ. We come to You today in His name.

We know without You, we can do nothing. Grant us the gift of faith and remind us that faith without works is dead. Teach us to live a day at a time. Bless these sena-

tors with insight and wisdom as they consider today's order of business. We know You have a will in every matter of life. Help us to know that will and do it. In Jesus name we pray. Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Keating introduced Pat Schapiro, R.N., Tulsa, the Nurse of the Day; and Senator Watson introduced James W. Hendrick, M.D., Oklahoma City, the Doctor of the Day, to the members of the Senate.

REQUESTS FOR LOBBY PERMITS

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

John Connor, 1601 City National Bank Tower, Oklahoma City, 73102, representing Oklahoma Automobile Dealers Association and Oklahoma City Motor Car Dealers Association.

William O. Pitts, 1120 Thompson Bldg., Tulsa, 74103, representing Kansas-Oklahoma Division, Mid Continent Oil & Gas Association.

Wayne Plummer, Box 269, Wright City, 74766, representing Weyerhaeuser Company.

C. H. Spearman, Jr., 2100 S. Broadway, Edmond, 73034, representing L.E.G.A.L.

Norma Jean Thomas, 1611 N. Broadway, Oklahoma City, representing Communications Workers of America.

Ross J. Williams, 7300 Melrose Lane, Oklahoma City, representing International Brotherhood of Electrical Workers Local # 2021.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 119 — Judiciary.

DO PASS, as amended:

SB 75 — Appropriations and Budget.

SB 77 — Appropriations and Budget.

SB 95 — Appropriations and Budget.

SB 97 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 172 — By Vann and Stipe of the Senate and Monks of the House.

An Act relating to funeral establishments and funeral directors; amending 59 O.S. 1971, Section 396.12; providing for places deemed funeral establishments; providing requirements of funeral establishments; providing for inspections; providing grounds for refusal to issue or review licenses or registrations and for revoking or suspending such license or registration; repealing 59 O.S. 1971, Sections 401 through 406; providing severability; and declaring an emergency.

SB 173 — By Vann and Stipe of the Senate and Monks of the House.

An Act relating to embalmers and funeral directors; amending 59 O.S. 1971, Section 396.2; amending the statutory definition of funeral director so as to include any person who meets the public, displays and sells or offers to sell funeral supplies, whether such sale or offer to sell involves prepaid burial benefits as defined and regulated by the laws of this state or for present use and delivery and otherwise amending and enlarging such definition of a funeral director; providing severability; and declaring an emergency.

SB 174 — By Howell.

An Act relating to joint city-county operations; amending 63 O.S. 1971, Section 1-210, and 65 O.S. 1971, Sections 554 and 555; providing for a City-County Board of Health and a Metropolitan Library Commission; changing membership, appointments and terms of office under certain conditions; and providing an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 168 — County, State and Federal Government.

SB 169 — Revenue and Taxation and then to County, State and Federal Government.

SB 170 — Public and Mental Health.

SB 171 — Public and Mental Health.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1006, 1015, 1118, 1155, 1187 and 1205.

HB 1006 — By Cunningham, et al, of the House and Johnson, Butler, McDaniel and Young of the Senate.

An Act relating to cemeteries; amend-

ing 8 O.S. 1971, Sections 143 and 144; providing for the maintenance and improvement of certain cemeteries; providing for the opening and closing of graves by county employees using county equipment in certain cemeteries; providing for the use of certain monies for opening and closing graves and maintaining and improving certain cemeteries; and declaring an emergency.

HB 1015 — By Parris, Sanders and Sparkman of the House and Rozell of the Senate.

An Act relating to waters and water rights; amending 82 O.S. 1971, Section 1452, as amended by Section 1, Chapter 56, O.S.L. 1974 (82 O.S. Supp. 1976, Section 1452); providing legislative findings and purpose; providing for preservation of certain free-flowing streams and rivers; designating certain scenic river areas; adding Little Lee Creek in Adair and Sequoyah counties as such an area; providing for certain descriptions and definitions; and declaring an emergency.

HB 1118 — By Hopkins.

An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Section 1503; providing for County Highway Fund; and allowing certain expenditures from the fund by the Board of County Commissioners including lighting of state highways.

HB 1155 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Banking Department and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; designating the Bank Commissioner's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; amending 6 O.S. 1971, Section 201, as last

amended by Section 3, Chapter 280, O.S.L. 1976 (6 O.S. Supp. 1976, Section 201), which establishes the Banking Department, provides for certain officials and employees of the Department, provides for certain travel expenses, places certain officers and employees in the Merit System, provides for powers and duties of the Commissioner, requires certain bonds and oaths of office, and provides for a seal; modifying the Commissioner's salary; prohibiting expenditure of certain monies for certain fees and services; providing for per diem of Banking Board members and Savings and Loan Board members; providing lapse date; repealing Section 3, Chapter 262, O.S.L. 1974 (6 O.S. Supp. 1976, Section 223) which provides additional, non-germane duties and compensation for the performance thereof by the Bank Commissioner; providing effective date; providing severability; and declaring an emergency.

HB 1187 — By Cotner.

An Act relating to crimes and punishments; prohibiting theft of cable television services; prescribing penalties; and directing codification.

HB 1205 — By Hopkins.

An Act relating to transportation; amending Section 9, Chapter 218, O.S.L. 1976 (69 O.S. Supp. 1976, Section 4009); adding a proviso that nothing contained in said section shall be construed to prevent the Department from applying for, accepting, receiving or administering federal transportation grants; and declaring an emergency.

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 124 by Lane of the Senate and Townsend of the House was read and considered.

Upon motion of Senator Lane, SB 124 was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, SB 124 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 124 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—44.

Excused: Keller, Porter, Wolfe and Young.—4.

The bill and emergency passed.

SB 124 was referred for engrossment.

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

Senator Randle presiding.

GENERAL ORDER

SB 11 by Dawson was read and considered.

Senator Dawson asked unanimous consent that further consideration of SB 11 be deferred for this legislative day, which was the order.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 1, 36 and 90 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCRs 2 and 3 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 40 by Dahl was read and considered.

Senator Schuelein moved to amend SB 40, Page 3, Line 9, by reinstating the language on Line 9 after the word "appointed" and by changing "one (1) year" in said reinstated language to "three (3) years", which amendment was declared adopted.

Senator Berrong moved to amend SB 40, Page 2, Line 9, by striking the word "individuals" after the word "other" and before the word "as" and inserting the word "individual"; Page 2, Line 10, by striking the word "are" after the word "determines" and before the word "necessary" and inserting the word "is"; and Page 3, Line 2, by striking the word "individuals" after the word "men]" and before the word "as" and inserting the word "individual", which amendment was declared adopted.

Senator Dahl asked unanimous consent that further consideration of SB 40 be deferred temporarily, which was the order.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 116.

The above numbered Bill was referred for enrollment.

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

GENERAL ORDER

SB 25 by Grantham of the Senate and Elder, Kennedy and Conaghan of the House was read and considered.

Senator Grantham asked unanimous consent to amend SB 25 by striking the emergency section, which was the order.

Upon motion of Senator Grantham, SB 25, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 25, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 25 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—44.

Nay: Crow and Stipe.—2.

Excused: Keller and Wadley.—2.

The bill passed.

SB 25 was referred for engrossment.

GENERAL ORDER

SB 40 was considered further.

Senator Berrong moved to amend SB 40, Page 3, Line 10, by striking after the word "time]" and before the word "(C)" on Line 12 the following: ", to serve at his pleasure", which amendment was declared adopted.

Senator Berrong asked unanimous consent to amend SB 40, Page 3, Line 2, by changing the word "individual" in a previous amendment back to the word "individuals", which was the order.

Upon motion of Senator Dahl, SB 40, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 40, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 40 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—44.

Nay: Smith and Young.—2.

Excused: Howard and Keller.—2.

The bill and emergency passed.

SB 40 was referred for engrossment.

GENERAL ORDER

SB 134 by Capps of the Senate and

Weichel of the House was read and considered.

Senator Pierce asked to be made a coauthor of SB 134, which was the order.

Upon motion of Senator Capps, SB 134, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 134, as coauthored, was considered engrossed and placed on third reading and final passage.

MOTION TO RECONSIDER VOTE

Senator Keating asked for consideration of his motion to reconsider the vote by which SB 123 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—40.

Nay: Crow, Funston, Lambert, McCune and Smith.—5.

Excused: Howard, Keller and Young.—3.

THIRD READING

Senator Boatner presiding.

SB 123 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Funston, Giles,

Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Watson, Wolfe and York.—36.

Nay: Crow, Dahl, Dawson, Field, Lambert, Lane, Schuelein, Smith, Terrill, Wadley and Young.—11.

Excused: Keller.—1.

The bill passed.

SB 123 was referred for engrossment.

GENERAL ORDER

SB 65 by Howard of the Senate and Willis of the House was read and considered.

Senator Funston asked to be made a coauthor of SB 65, which was the order.

Upon motion of Senator Howard, SB 65, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 65, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 65 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith,

Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Keller.—1.

The bill passed.

SB 65 was referred for engrossment.

GENERAL ORDER

SB 136 by Howard of the Senate and Willis of the House was read and considered.

Upon motion of Senator Howard, SB 136 was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 136 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 136 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Keller.—1.

The bill and emergency passed.

SB 136 was referred for engrossment.

GENERAL ORDER

SB 85 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 85 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 85 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 85 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Nay: McCune.—1.

Excused: Keller.—1.

The bill and emergency passed.

SB 85 was referred for engrossment.

GENERAL ORDER

SB 92 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 92 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 92 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 92 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Johnson and Keller.—2.

The bill and emergency passed.

SB 92 was referred for engrossment.

GENERAL ORDER

SB 93 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 93 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 93 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 93 was read for the third time at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Keller.—1.

The bill and emergency passed.

SB 93 was referred for engrossment.

GENERAL ORDER

SB 94 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 94 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 94 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 94 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe,

Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—40.

Nay: Dawson, Helm, Lambert, McCune, McDaniel, Watson and Wolfe.—7.

Excused: Keller.—1.

The bill and emergency passed.

SB 94 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Boatner presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Wadley, advised and consented to the confirmation of NELSON DEVERS, Pryor, as a member of the Board of Regents of Claremore Junior College to serve an unexpired 5-year term ending June 30, 1979, and effective upon Senate confirmation. Mr. Devers succeeds Bill Wiggington.

The Senate, in executive session, and upon motion of Senator Crow, advised and consented to the confirmation of CHARLES ECKENRODE, Frederick, as a member of the Western Oklahoma State College Board of Regents to serve a 7-year term ending March 24, 1980, and effective upon Senate confirmation. Mr. Eckenrode succeeds Waldo Talmage Oden, Altus.

The Senate, in executive session, and upon motion of Senator McDaniel, advised and consented to the confirmation of BOB IRBY, JR., D.O., Holdenville, as lay member of the State Board of Nursing Homes to

serve a 3-year term ending July 1, 1978, and effective upon Senate confirmation. Dr. Irby succeeds Dr. Riley Hill, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Tinsley, advised and consented to the confirmation of T. G. (THAD) JOHNSON, El Reno, as a member of the El Reno Junior College Board of Regents to serve a 7-year term ending April 22, 1983, and effective upon Senate confirmation. Mr. Johnson succeeds himself.

The Senate, in executive session, and upon motion of Senator Dawson, advised and consented to the confirmation of FRED A. LACQUEMENT, Wewoka, as a member of the Industrial Finance Authority to serve a 6-year term ending October 11, 1982, and effective upon Senate confirmation. Mr. Lacquement succeeds himself.

The Senate, in executive session, and upon motion of Senator Terrill, advised and consented to the confirmation of VESTAL LONG, Lawton, as lay member of the State Credit Union Board to serve a 4-year term ending October 11, 1980, and effective upon Senate confirmation. Mr. Long succeeds himself.

The Senate, in executive session, and upon motion of Senator Crow, advised and consented to the confirmation of RALPH G. McPHERSON, Altus, as member-at-large of the Oklahoma Water Resources Board to serve a 7-year term ending May 14, 1983, and effective upon Senate confirmation. Mr. McPherson succeeds Orville Saunders, Altus.

The Senate, in executive session, and upon motion of Senator Vann, advised and consented to the confirmation of DR. RAYMOND MILL, Norman, as a member of the Air Quality Council to serve a 7-year term ending June 15, 1983, and effective

upon Senate confirmation. Dr. Mill succeeds himself.

The Senate, in executive session, and upon motion of Senator Dawson, advised and consented to the confirmation of JEARL SMART, Wewoka, as a member of the State Board of Nursing Homes to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Smart succeeds himself.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand ad-

journed to meet Wednesday, January 26, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCRs 2 and 3.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

Upon motion of Senator Lane, the Senate adjourned at 3:30 p.m. to meet Wednesday, January 26, 1977, at 1:30 p.m.

Fourteenth Legislative Day

Wednesday, January 26, 1977

Pursuant to adjournment, the Senate was called to order by Senator Holden, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Schuelein.—1.

Senator Holden declared a quorum present.

The following prayer was offered by Reverend Hinson and incorporated into the Journal upon request of Senator Holden.

Father, Thank You for loving us beyond our comprehension. Thank You for Jesus who lives in my life, and in the life of every born again believer. In this chamber and gallery, make Your presence known to each of us. I pray for any here today whose life is full of activity, but yet an empty shell. Help them to know the fullness of Christ as Saviour and Lord.

Lord, when we get to thinking too highly of ourselves; cut us down to size. When we think too lowly of ourselves, lift us up.

Teach us there is a time to speak, and a time to keep silent. Forgive us, when we have to say something about everything.

Give us a desire to be honest with one another, and courage to be honest with ourselves.

By Your grace and plan we were born in America and enjoy its privileges. Remind us of those who are not as fortunate. Thank You for every blessing, and forgive us for thinking we deserve any blessing.

Comfort Senator Stipe and his family in the loss of their loved one. Lord, each of us has personal needs. Thank You for supplying all those needs in Christ Jesus.

In His name we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator McCune introduced former Senator Jack Short, Oklahoma City, to the members of the Senate.

Senator McDaniel introduced Loyd G. Williams, M.D., Wetumka, as Doctor of the Day and Senator Keating introduced

Pat Schapiro, R.N., Tulsa, as Nurse of the Day.

REQUESTS FOR LOBBY PERMITS

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

Dorman D. Barrett, 707 N. Robinson, Room 906, Oklahoma City, 73102, representing Southwestern Bell Telephone Company.

Elden G. Roscher, 25 N.E. 52, P.O. Box 18716, Oklahoma City, 73118, representing Oklahoma Retail Grocers Association.

Alvin C. Turner, 707 N. Robinson, Room 906, Oklahoma City, 73102, representing Southwestern Bell Telephone Company.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 8 — Agriculture.

SB 150 — Roads and Highways, as co-authored by Johnson of the Senate. Remove Hopkins of the House and replace with Roberts as principal House author.

SJR 9 — Roads and Highways.

SJR 11 — Judiciary, and be referred to Committee on Roads and Highways by previous order.

DO PASS, as amended:

SB 43 — Judiciary.

CS for SB 46 — Revenue and Taxation.

SB 62 — Revenue and Taxation, as co-authored by Cotner and Hammons of the House. Roll call vote on tabled amendment.

SB 81 — Appropriations and Budget.

SB 87 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 175 — By Howell.

An Act relating to professions and occupations; amending Sections 205, 207, 302 and 303, Chapter 121, O.S.L. 1974 (59 O.S. Supp. 1976, Sections 858-205, 858-207, 858-302 and 858-303); providing for an Oklahoma Real Estate Revolving Fund; modifying its contents; providing for an annual report of certain fees; modifying payments required to be made into the General Revenue Fund; providing for licensing of a real estate sales associate and real estate broker; modifying requirements; providing for revocation of the license; providing for a licensee's inactive status; modifying requirements imposed on a licensee during his active military status; creating a Real Estate Education, Research and Recovery Fund; designating its functions and purposes; specifying requirements for recovery from the Fund; specifying persons who are unqualified to recover from the Fund; limiting the amount of recovery from the Fund; providing for subrogation of the claimant's right, title and interest; providing for insufficient monies in the Fund; providing for repayment into the Fund; providing for the investment of the monies in the Fund; increasing certain license fees; providing for the deposit of the increase; providing for the adoption of rules and regulations; providing for the filing of certain documents; directing codification; providing an effective date; and declaring an emergency.

SB 176 — By Keating.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.4, as last amended by Section 2, Chapter 219, O.S.L. 1976, Section 1, Chapter 218, O.S.L. 1972, 22.13, 22.17, 22.18, 22.23, 22.30i, as amended by Section 1, Chapter 51, O.S.L. 1975, 22.30k, as amended by Section 1, Chapter 220, O.S.L. 1975, 22.30 1, Section 1,

Chapter 218, O.S.L. 1972, and Section 3, Chapter 169, O.S.L. 1975 (47 O.S. Supp. 1976, Sections 22.4, 22.4-2, 22.30i, 22.30k and 22.30 1-2); providing for assignment of vehicle number plate and stickers and issuance of certificate of registration; providing rules and requirements governing plates and stickers; providing certain new provisions for a five-year license plate and providing exceptions; applying definition of license plate or tag to include sticker throughout; providing for prefix designations and numbering combinations for plates; providing for issuance of temporary plates; providing certain rules regarding the certificate of registration; providing for funding; providing committee shall specify specifications of plates; providing for size of plates and stickers; providing for size, number and spacing of letters and figures; providing rules governing payment of fees for commercial motor vehicle plates; establishing procedures for monthly registration of all other motor vehicles; providing penalties for late registration; providing for exceptions to registration for full twelve-month period; providing for Tax Commission option to change registration period; providing for rules and procedures for payment of registration or license fees; providing for delinquent payment penalties; providing for fees for vehicles not registered in previous years and for non-registration by nonresidents; providing penalties and enforcement; prohibiting possession of motor vehicles without current plates; providing for design and style of plates; providing for procedures regarding personalized license plates; providing for apportionment of revenue; providing motor license and tag agents' compensation and fees; providing for mail order renewal system; providing for bonds; repealing Section 2, Chapter 396, O.S.L. 1967, providing for certain population limitations; providing for noncodification; and providing an effective date.

SB 177 — By Keller.

An Act relating to motor vehicles; providing certain exemptions for liability insurance requirements; providing for certification; providing penalties; and directing codification.

SB 178 — By Stipe.

An Act relating to workmen's compensation; repealing 85 O.S. 1971, Sections 1, 1.1, 2, as amended by Section 1, Chapter 94, and Section 1, Chapter 103, O.S.L. 1974, 2b through 4, Sections 1 through 3, Chapter 217, O.S.L. 1976, 11 through 13, 14, as amended by Section 1, Chapter 77, O.S.L. 1973, 15, 21, 22, as last amended by Section 1, Chapter 371, O.S.L. 1975, 23 through 30, 41 through 43, as amended by Section 2, Chapter 371, O.S.L. 1975, 45 through 49, 50, as amended by Section 1, Chapter 108, O.S.L. 1974, 61 through 63, 64, as amended by Section 1, Chapter 74, O.S.L. 1974, 65.1 through 65.4, 67.1 through 67.3, 69.1 through 69.3, 73, as amended by Section 4, Chapter 307, O.S.L. 1974, 74 through 88, 90 through 95, Section 6, Chapter 235, O.S.L. 1973, 101 through 109, 122, 131, as amended by Section 1, Chapter 193, O.S.L. 1972, 131a through 139, 141, 142, 144 through 149, 151, Sections 1 and 2, Chapter 209, O.S.L. 1974, 171, as amended by Section 3, Chapter 371, O.S.L. 1975, 172, 173, as last amended by Section 5, Chapter 235, O.S.L. 1973, and 174 through 176 (85 O.S. Supp. 1976, Sections 2, 5, 6, 7, 14, 22, 44, 50, 64, 73, 96, 131, 152, 153, 171 and 173), which repeal all Sections in Title 85.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 172 — Professions and Occupations.

SB 173 — Professions and Occupations.

SB 174 — Public and Mental Health and then to Municipal Government.

HB 1006 — Professions and Occupations.

HB 1015 — Environmental and Natural Resources.

HB 1118 — Roads and Highways.

HB 1155 — Appropriations and Budget.

HB 1187 — Criminal Jurisprudence.

HB 1205 — County, State and Federal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1047, 1071, 1111 and 1195.

HB 1047 — By Poulos, Hood, Denman and Duckett.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 7-201, as amended by Section 1, Chapter 160, O.S.L. 1972 (47 O.S. Supp. 1976, Section 7-201), 10-108 and 40-102; requiring proof of financial responsibility; requiring written reports on certain accidents; providing a report form for certain motor vehicle accidents; making copies available for a fee; providing for a penalty; providing for certain law enforcement officers' reports; repealing 47 O.S. 1971, Section 10-117; and directing codification.

HB 1071 — By Abbott and Parris.

An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Sections 1705, as amended by Section 1, Chapter 225, O.S.L. 1973 (69 O.S. Supp. 1976, Section 1705) and 1709; modifying powers of the Oklahoma Turnpike Authority by changing the descriptions of certain turnpikes; prohibiting certain acts; providing penalty; providing for turnpike revenue bonds; increasing the rate of interest; and declaring an emergency.

HB 1111 — By Matheson.

An Act relating to elections; amending Section 5-112, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 5-112); and increasing filing fees for candidates for certain offices.

HB 1195 — By Craig, et al, of the House and Martin of the Senate.

An Act relating to schools; prohibiting residency requirements for school district employees; and directing codification.

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 12 by Dawson was read and considered.

Upon motion of Senator Dawson, SB 12 was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 12 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 12 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—45.

Excused: Helm, Schuelein and Young.—3.

The bill passed.

SB 12 was referred for engrossment.

Senator Murphy presiding.

GENERAL ORDER

SB 42 by Grantham of the Senate and

Elder, et al, of the House was read and considered.

Upon motion of Senator Grantham, SB 42 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 42 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 42 was read for the third time at length.

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

Aye: Berrong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—41.

Nay: Birdsong, Lambert, Stipe and Wolfe.—4.

Excused: Schuelein and Young.—2.

*Not Voting: Cate.—1.

The bill passed.

SB 42 was referred for engrossment.

*Senator Cate asked unanimous consent that he be shown not voting on SB 42 for reason of personal interest as provided under Article V of the Constitution, which was the order.

GENERAL ORDER

SB 26 by Grantham of the Senate and Elder and Conaghan of the House was read and considered.

Upon motion of Senator Grantham, SB 26 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 26 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 26 was read for the third time at length.

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

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—41.

Nay: Birdsong, Crow, Dawson, Howell, Lambert and Young.—6.

Excused: Schuelein.—1.

The bill passed.

SB 26 was referred for engrossment.

GENERAL ORDER

SB 75 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Randle, SB 75 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 75 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 75 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Porter and Schuelein.—2.

The bill and emergency passed.

SB 75 was referred for engrossment.

Senator Smith presiding.

GENERAL ORDER

SB 77 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Randle, SB 77 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 77 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 77 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Dawson, Porter and Schuelein.—3.

The bill and emergency passed.

SB 77 was referred for engrossment.

GENERAL ORDER

SB 95 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Randle, SB 95 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 95 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 95 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Helm, McCune and Wolfe.—3.

Excused: Schuelein.—1.

The bill and emergency passed.

SB 95 was referred for engrossment.

GENERAL ORDER

SB 97 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Randle, SB 97 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 97 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 97 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Schuelein.—1.

The bill and emergency passed.

SB 97 was referred for engrossment.

Senator Murphy presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 25, 40, 65, 85, 92, 93, 94, 123, 124 and 136 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 116 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 141 by Keller of the Senate and Frates of the House was read and considered.

Senator Howell moved to amend SB 141, Page 1, Line 1, by striking after the word "SECTION 1." and before the word "ordered" the words "unless otherwise" and inserting the word "When", which amendment was declared adopted.

Senator Lambert moved to amend SB 141, Page 1, Line 3, by striking after the second word "as" and before the word "suit" the words "attorney fees and", which amendment was declared adopted.

Upon motion of Senator Keller, SB 141, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keller, SB 141, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 141 was read for the third time at length.

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

Aye: Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden,

Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Stipe, Watson, Wolfe and York.—29.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Crow, Dawson, Johnson, Lane, Porter, Rozell, Taliaferro, Terrill, Tinsley, Vann, Wadley and Young.—17.

Excused: Schuelein and Smith.—2.

The bill passed.

SB 141 was referred for engrossment.

Senator Lambert presiding.

GENERAL ORDER

SB 48 by Grantham of the Senate and Elder of the House was read and considered.

Upon motion of Senator Grantham, SB 48 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 48 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 48 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—42.

Nay: Boatner, Butler, Crow, Randle and Young.—5.

Excused: Schuelein.—1.

The bill passed.

SB 48 was referred for engrossment.

GENERAL ORDER

SB 31 by Boatner was read and considered.

Senator Berrong moved to amend SB 31, Page 8, Line 4, by striking all language after the numeral "9." on Line 4 through the word "Oklahoma" on Line 14 and inserting the following: "Per diem and overnight lodging of any official or employee of the Department of Wildlife Conservation shall be paid in accordance with provisions of Chapter 173, Section 500.8 and Section 500.9"; and further by striking Sections 10 and 11 on Pages 9 and 10.

Senator Boatner asked unanimous consent, which was granted, that further consideration of SB 31 and the Berrong amendment thereto be deferred for this legislative day.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, January 27, 1977, at 12:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 116.

The above numbered Enrolled Bill was referred to the Governor.

Upon motion of Senator Luton, the Senate adjourned at 3:05 p.m. to meet Thursday, January 27, 1977, at 12:30 p.m.

Fifteenth Legislative Day

Thursday, January 27, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Smith and Stipe.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Hinson and incorporated into the Journal upon request of Senator Holden.

Father, Thank You for the privilege of being Chaplain for the week, and voicing a prayer to You for this body. May our hearts truly be in tune with You as we begin our prayer today. Help us to know that prayer is just talking to You. Remind us we do not have to say certain words or have a special vocabulary to pray. Thank You that You hear, understand, and answer our prayers.

Help these Senators to treat others as they would like to be treated. Give them a gracious spirit toward their families, their staff, and their constituency.

For any who might have a spiritual vacuum in their life, I ask You to fill that void with Your Son, Christ Jesus.

May the business of the day and the manner it is conducted please You. Help these men and women pass laws of equity and benefit to Oklahomans.

At the close of the today's session grant those who travel home Your protective grace. Watch over all. Bring them back safely next week.

Finally Lord, we ask that we may see ourselves as You see us. Convict us of personal and corporate sin. Lead us to repentance and the experience of forgiveness and faith. In Jesus name we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Giles introduced his wife, Mary, and daughter, Nita, to the members of the Senate.

Senator Grantham introduced his daughter and son-in-law, Marcia and Ken Courtney.

Senator Keating introduced W. F. Phelps, M.D., Tulsa, as Doctor of the Day.

REQUESTS FOR LOBBY PERMITS

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

Carolyn J. Edwards, 400 N.W. 23, Oklahoma City, 73103, representing League of Women Voters of Oklahoma.

N. L. George, 2619 N.W. 67, Oklahoma City, 73120, representing National Retired Teachers Association and the American Association of Retired Persons.

Jerry L. Higgins, 301 S. Blvd., Edmond, 73034, representing Oklahoma Association of Realtors.

George H. Ryden, 1020 Krest Dr., Weatherford, 73096, representing National Retired Teachers Association and the American Association of Retired Persons.

Judy M. Tate, 7001 N.W. 23, Bethany, 73008, representing Communications Workers of America.

Arch Thompson, Box 507, McAlester, 74501, representing National Retired Teachers Association and the American Association of Retired Persons.

J. O. Vernon, 1616 Cherry Stone, Norman, 73069, representing National Retired Teachers Association and the American Association of Retired Persons.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 27 — Professions and Occupations,

and be referred to Committee on County, State and Federal Government by previous order.

SB 60 — Professions and Occupations, as coauthored by Johnson of the Senate and Hastings of the House.

SB 125 — Municipal Government.

DO PASS, as amended:

CS for SB 120 — Judiciary.

FIRST READING

The following were introduced and read the first time.

SB 179 — By Watson and Terrill.

An Act relating to schools; amending 70 O.S. 1971, Sections 625.3 and 625.5, as last amended by Sections 15 and 17, Chapter 212, O.S.L. 1976, Sections 19 and 20, Chapter 212, O.S.L. 1976, Sections 3 and 6, Chapter 271, O.S.L. 1975 (70 O.S. Supp. 1976, Sections 625.3, 625.5, 625.10a, 625.12, 697.3 and 697.6); fixing terms and conditions for repayment of certain scholarships; fixing penalties; granting exceptions; establishing scholarship eligibility requirements; fixing scholarship limits; requiring reports; fixing powers and duties of the Physician Manpower Training Commission; fixing scholarship recipient criteria; setting matching fund formulas and requirements; increasing ex officio membership of the Physician Manpower Training Commission; changing fund allocation; and declaring an emergency.

SB 180 — By Terrill of the Senate and Hopkins of the House.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 14-101, as last amended by Section 1, Chapter 119, O.S.L. 1973, 14-103, as amended by Section 2, Chapter 52, O.S.L. 1972, 14-107, as amended by Section 3, Chapter 52, O.S.L. 1972, 14-109, as amended by Section 4, Chapter 52, O.S.L. 1972, Section 1, Chapter 56, O.S.L. 1972 (47 O.S. Supp. 1976, Sections

14-101, 14-103, 14-107, 14-109 and 14-118); prohibiting violation of certain vehicle size, weight and load provisions; specifying certain exceptions; expanding definitions; modifying size, weight and load restrictions for use on certain highways; specifying certain fees; modifying provisions for movement of oversize and overweight vehicles; prescribing certain duties of Department of Transportation and Commissioner of Public Safety; providing for towing; and declaring an emergency.

SB 181 — By Terrill.

An Act relating to professions and occupations; providing for an Alarm Industry Act; defining terms; specifying exemptions from application of the act; creating an Alarm Industry Board; providing for membership, qualifications, terms, vacancies, compensation, meetings, elections, voting, powers and duties; providing for licensing and certain fees; specifying duties of a licensee and his employees; providing for a Manager; specifying the Manager's duties; providing for certain activity by certain political subdivisions of this state; providing for renewal, suspension and revocation of licenses and denial of license applications; creating a revolving fund; providing for operational expenses; providing for penalties and other sanctions; directing codification; and declaring an emergency.

SB 182 — By Young.

An Act relating to insurance; setting qualifications of insurance realty appraisers; setting certain requirements of the appraisal report; authorizing the Insurance Commissioner to require additional appraisal; directing codification; and setting an effective date.

SB 183 — By Young.

An Act relating to state officers and employees; amending Section 1, Chapter 52, O.S.L. 1976 (74 O.S. Supp. 1976, Section 1703); specifying duties of certain state of-

ficers and employees; limiting duties of certain state employees; placing certain employees under direction of Executive Director of Oklahoma Public Employees Retirement System; and declaring an emergency.

SJR 13 — By Keller.

A Joint Resolution preventing the imposition of delinquency penalties for the purchase of motor vehicle license plates through April 15, 1977; requiring said penalties imposed after April 15, 1977, to be computed as though the license plate fees had become delinquent as of February 1, 1977; and directing distribution.

SJR 14 — By Lane.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 9 of Article X of the Oklahoma Constitution; providing for levy and collection of ad valorem taxes; specifying millage for school purposes; increasing amount of emergency levy; providing for a certain election; providing for computation of levy and certification of appropriations; eliminating certain provisions which have lapsed; eliminating requirement that voters at an election to approve a local support levy must be ad valorem taxpaying voters; providing a ballot title; and directing filing.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 175 — Professions and Occupations.

SB 176 — Rules.

SB 177 — County, State and Federal Government.

SB 178 — Business, Industry and Labor Relations.

HB 1047 — Public Safety and Penal Affairs and then to County, State and Federal Government.

HB 1071 — Roads and Highways.

HB 1111 — Elections and Privileges.
HB 1195 — Education, Common.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1088 and 1142.

HB 1088 — By Sanders.

An Act relating to torts; amending Section 1, Chapter 66, O.S.L. 1975 (76 O.S. Supp. 1976, Section 16); providing protection to certain committees while performing peer review; expanding scope of protection to include certain chiropractic, osteopathic, veterinary and optometric societies; and declaring an emergency.

HB 1142 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Commissioners of the Land Office and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of necessary employees; providing for the salary of the Secretary to the Commissioners and limiting number of employees; limiting expenditures for salaries and wages; specifying number and compensation of authorized officials and employees; prohibiting expenditure of certain funds for certain fees and services; providing procedures for expenditure of funds; providing for lapse date; making provisions of this act severable; 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 1004.

HCR 1004 — By Wickersham.

A Concurrent Resolution memorializing the President of the United States to

initiate a moral reformation; and direct- ing distribution.

HCR 1004 was referred to the Committee on Rules.

GENERAL ORDER

SB 81 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 81 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 81 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 81 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: McCune.—1.

Excused: Smith and Stipe.—2.

The bill and emergency passed.

SB 81 was referred for engrossment.

GENERAL ORDER

SB 31, previously considered on page 134, was considered further.

Senator Berrong moved to amend SB 31, Page 9, Line 17, by striking Section 11 and substituting a new Section 11 as follows:

"SECTION 11. Travel by privately owned or chartered airplane, taxicab fares within the State of Oklahoma and communication charges for official business for the state shall be reimbursed in accordance with Title 74 O.S. Sections 500.4 and 500.5",

which amendment was declared adopted.

Senator Berrong asked unanimous consent, which was granted, to withdraw his previous amendment (read on page 134).

Senator Boatner moved to amend SB 31 by crippling the title, which amendment was declared adopted.

Upon motion of Senator Boatner, SB 31, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 31, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 31 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Crow.—1.

Excused: Howard, Smith and Stipe.—3.

The bill passed.

SB 31 was referred for engrossment.

GENERAL ORDER

SB 8 by Dahl was read and considered.

Upon motion of Senator Dahl, SB 8 was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 8 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 8 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe and York.—39.

Nay: Berrong, Crow, Dawson, Helm, Lane, Watson and Young.—7.

Excused: Smith and Stipe.—2.

The bill passed.

SB 8 was referred for engrossment.

GENERAL ORDER

SB 157 by Grantham of the Senate and Elder and Conaghan of the House was read and considered.

Upon motion of Senator Grantham, SB 157 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 157 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 157 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Crow.—1.

Excused: Smith and Stipe.—2.

The bill and emergency passed.

SB 157 was referred for engrossment.

Senator Murphy presiding.

MESSAGE FROM THE GOVERNOR

Advising approval by him, January 26, 1977, of Enrolled SB 116.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 12, 26, 42, 48, 75, 77, 95, 97 and 141 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

THIRD READING

Senator Capps moved to reconsider the vote by which SB 134 was considered engrossed and placed on third reading and final passage, which motion was declared adopted.

Senator Capps moved to reconsider the vote by which SB 134 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

Senator Pierce moved to amend SB 134, Page 2, Line 2, by striking the word "May" and inserting the word "September", which amendment was declared failed of adoption.

Upon motion of Senator Capps, SB 134 was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 134 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 134 was read for the third time at length.

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

Aye: Berrong, Boatner, Capps, Cate, Clifton, Dahl, Field, Grantham, Holden, Howard, Howell, Keating, Kilpatrick, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Taliaferro, Tinsley, Wadley and York.—27.

Nay: Birdsong, Butler, Crow, Dawson, Funston, Giles, Green, Helm, Johnson, Keller, Lamb, Lane, McCune, Schuelein, Terrill, Vann, Watson, Wolfe and Young.—19.

Excused: Smith and Stipe.—2.

The bill passed.

Senators Lamb, Helm, Green, Birdsong, Funston, Vann and Giles desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 12. Excused: 2.

The emergency passed.

SB 134 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, January 31, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 1:20 p.m. to meet Monday, January 31, 1977, at 1:30 p.m.



Sixteenth Legislative Day

Monday, January 31, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Funston, Grantham and Shatwell.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Richard Douglass, Pastor, Putnam City Baptist Church, and also President, Baptist Convention of Oklahoma, and incorporated into the Journal upon request of President Pro Tempore Howard.

Dear Heavenly Father, we thank You for the lives You have given us. Help us to remember that they are too short to be little. We realize that You have not given us the strength or the wisdom to do everything. Grant that we may use the wisdom

and strength we do have to be the best stewards possible of the life You have given us. Grant that we faithfully serve You and our people today. In Christ's name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Keller introduced D. M. Gregory, M.D., Bethany, as Doctor of the Day.

Senator Kilpatrick introduced his mother, Mrs. Evelyn Reynolds, Berlin, to members of the Senate.

Senator Holden introduced Coletha K. Yeakel, R.N., Duncan, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

SB 14 — Criminal Jurisprudence, and be referred to Committee on County, State and Federal Government by previous order.

FIRST READING

The following were introduced and read the first time.

SB 184 — By Howard of the Senate and Willis of the House.

An Act relating to state government; amending 74 O.S. 1971, Section 456, as amended by Section 1, Chapter 254, O.S.L. 1975 (74 O.S. Supp. 1976, Section 456); creating an Executive Committee of the State Legislative Council; providing for membership, meetings, appointment of standing and special committees, expenses and compensation; and eliminating the Executive Committee's duty to schedule certain required agenda for its first meeting.

SJR 15 — By Martin.

A Joint Resolution disapproving certain regulations by the Department of Tourism and Recreation allowing the Department to establish controlled access areas with fee schedules for those areas; and declaring an emergency.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when **SJR 13** is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 179 — Public and Mental Health.

SB 180 — Public Safety and Penal Affairs.

SB 181 — Professions and Occupations.

SB 182 — Insurance.

SB 183 — County, State and Federal Government.

SJR 13 — Direct to Calendar.

SJR 14 — Revenue and Taxation.

HB 1088 — Professions and Occupations.

HB 1142 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1009, 1093, 1119, 1160 and 1218.

HB 1009 — By Nance of the House and Smith of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1310; providing for personal liability in the payment of sales taxes; and providing an effective date.

HB 1093 — By Nance.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 231; providing for warrants for the sale of property to pay delinquent taxes, penalties and interest; providing for the filing of warrants by duly appointed agents of the Oklahoma Tax Commission and sheriffs in the court clerk's office; providing for the performance of certain other duties by tax agents; providing filing procedures; providing for certain liens; providing for sheriff's execution of tax warrants; providing for tax sales; providing for confirmation of sales; providing for holding of titles; providing for redemption of property; providing certain restrictions on redemption; providing certain time limitations; providing for issue of certain deeds; providing for certain fees; providing that certain certified copies of tax warrants have the same force and effect of sheriff's filing; providing penalties; and declaring an emergency.

HB 1119 — By Willis and Nance.

An Act relating to state government; amending 74 O.S. 1971, Section 291, as amended by Section 1, Chapter 90, O.S.L. 1974 (74 O.S. Supp. 1976, Section 291); specifying amount of mileage reimbursement for legislators during legislative sessions; and declaring an emergency.

HB 1160 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Liquefied Petroleum Gas Board and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; designating Administrator's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; prohibiting expenditure of certain monies for certain fees and services; providing for transfer of unappropriated balance at end of the fiscal year; providing lapse date; providing severability; and declaring an emergency.

HB 1218 — By Ford.

An Act relating to professions and occupations; amending Section 301, Chapter 121, O.S.L. 1974 (59 O.S. Supp. 1976, Section 858-301); and requiring license to engage in certain real estate activities with exceptions.

The above numbered HBs were read for the first time.

RESOLUTION

Senator Stipe introduced the following Resolution:

SCR 5 — By Stipe of the Senate and Sparkman of the House.

A Concurrent Resolution directing the Department of Institutions, Social and Rehabilitative Services to pay, during the months of February, March and April, an additional Fifteen Dollars to persons receiving Old Age Assistance pursuant to law, to compensate said persons for increases in their utility bills; and directing distribution.

Senator Boatner asked to be made a co-author of SCR 5, which was the order.

Senator Howard asked that consideration of SCR 5 be deferred for this legislative day under Rule 12(b) relating to resolutions giving rise to debate, which was the order.

COMMITTEE APPOINTMENT

Senator Terrill announced the members of the special subcommittee of the Senate Rules Committee to draft the legislation concerning motor vehicle tags and tag agents as follows:

Luton, Chairman
Cate
Field
Murphy
York

MESSAGE FROM THE HOUSE

Advising the appointment of the following special committee to meet with a like committee of the Honorable Senate for the purpose of drafting legislation relating to the operation of tag agencies:

Elder, Chairman
Davis (Don)
Henry
Draper
Murphy

Senator Murphy presiding.

COMMITTEE REPORT

Senator Terrill submitted Part I of the final report and recommendations of the Special Committee on Utility Service Companies pursuant to **SJR 70** of the 35th Legislature and moved that same be accepted by the Senate, which motion was declared adopted.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 8, 31, 81, 134 and 157 were each correctly engrossed, properly signed and

ordered transmitted to the Honorable House for consideration.

Senator Boatner presiding.

GENERAL ORDER

SB 119 by Stipe and Grantham of the Senate and Kennedy and Matheson of the House was read and considered.

Senator Berrong moved to amend **SB 119**, Page 3, Line 4, by adding after the word "thereof," a new Section 4 to read as follows:

"SECTION 4. The right-of-way requirements under this act shall be strictly limited to such width as is actually necessary for the construction and maintenance of said line. The Corporation Commission shall determine, in event of dispute, the width of right-of-way as is actually necessary to accomplish the purpose of this act with right of appeal by parties in interest to the appropriate district court."

and by renumbering subsequent sections, which amendment was declared adopted.

Senator Berrong moved to amend **SB 119**, Page 3, Line 7, by adding after the word "design," and before the word "construction" the words "rights-of-way," which amendment was declared adopted.

Senator Crow moved to amend **SB 119**, Page 3, Line 13½, by adding a new Section 7 to read as follows:

"SECTION 7. Every pipeline authorized hereunder shall be a common carrier and subject to all laws and regulations relating thereto."

and by renumbering subsequent sections, which amendment was declared adopted.

Upon motion of Senator Stipe, **SB 119**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **SB 119**, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 119 was read for the third time at length.

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

Aye: Berrong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Green, Helm, Holden, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Randle, Schuelein, Smith, Stipe, Wadley, Watson, Wolfe, York and Young.—31.

Nay: Birdsong, Boatner, Dawson, Giles, Howell, Johnson, Martin, Porter, Rozell, Taliaferro, Terrill, Tinsley and Vann.—13.

Excused: Funston, Grantham, Luton and Shatwell.—4.

The bill passed.

Senators Dawson, Giles, Martin and Vann desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 35. Nay: 9. Excused: 4.

The emergency passed.

SB 119 was referred for engrossment.

BILL WITHDRAWN — REREFERRED

Senator Murphy asked unanimous consent, which was granted, that **SB 4** be withdrawn from the Calendar and rereferred to the Judiciary Committee.

GENERAL ORDER

SB 150 by Stipe, Boatner and Johnson of

the Senate and Roberts of the House was read and considered.

Senators Wadley, Dahl, Giles, Berrong, Field, and Capps asked to be made coauthors of SB 150, which was the order.

Senator Dawson moved to amend SB 150, Page 1, Lines 4 and 5, by striking after the word "than" on Line 4 and before the word "persons" on Line 5, the words and figures "ten thousand (10,000)" and substituting the following: "fifteen thousand (15,000)", which amendment was tabled upon motion of Senator Stipe.

Senator Martin moved to amend SB 150, Page 2, Line 5, by striking after the word "Act" all language through Line 9.

Senator Martin asked unanimous consent, which was granted, to amend his amendment to Line 5 by striking after the word "relieve" the words "any county or", which amendment was declared adopted.

Senators Lambert and York moved that SB 150 be referred to the Committee on Municipal Government, which motion to commit was tabled upon motion of Senator Stipe.

Senator Martin moved to reconsider the vote by which his prior amendment was adopted, which motion to reconsider was adopted.

Senator Martin asked unanimous consent that his amendment be withdrawn, which was the order.

Senator Martin moved to amend SB 150, Page 2, Line 9, by adding after the word "department" the following: "which have not been let to contract".

Senator Stipe asked unanimous consent, which was granted, that further consideration of SB 150 and Senator Martin's

amendment thereto be deferred for this legislative day.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Boatner presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Boatner, advised and consented to the confirmation of J. C. COBB, Tishomingo, as a member of the State Board of Nursing Homes to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Cobb succeeds himself.

The Senate, in executive session, and upon motion of Senator Dahl, advised and consented to the confirmation of BILL JOE CULVER, Pawhuska, as a member of the Oklahoma Conservation Commission, District 3, to serve a 5-year term ending June 30, 1978, and effective upon Senate confirmation. Mr. Culver succeeds W. A. Juedeman, Bristow.

The Senate, in executive session, and upon motion of Senator Martin, advised and consented to the confirmation of MARZEE DOUGLAS, Ardmore, as a member of the Human Rights Commission, to serve a 3-year term ending July 15, 1979, and effective upon Senate confirmation. Mr. Douglas succeeds himself.

The Senate, in executive session, and upon motion of Senator Dahl, advised and consented to the confirmation of ED LONG, Garber, as a member of the Oklahoma Wheat Utilization, Research and

Market Commission to serve a 5-year term ending June 30, 1981, and effective upon Senate confirmation. Mr. Long succeeds L. L. Long.

The Senate, in executive session, and upon motion of Senator Vann, advised and consented to the confirmation of J. C. MILLER, Purcell, as Chairman of the Oklahoma Crime Commission to serve at the pleasure of the Governor, and effective upon Senate confirmation. Mr. Miller succeeds Jim McBee, Shawnee.

The Senate, in executive session, and upon motion of Senator McDaniel, advised and consented to the confirmation of MRS. ED PERRY, Holdenville, as a member of the State Textbook Committee to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mrs. Perry succeeds J. D. Curtis.

The Senate, in executive session, and upon motion of Senator Terrill, advised and consented to the confirmation of DERRELL ROUTH, Lawton, as a member of the Police Pension and Retirement Board to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Routh succeeds himself.

The Senate, in executive session, and upon motion of Senator Lamb, advised and consented to the confirmation of GENE SABIN, Waukomis, as a member of the Oklahoma Liquefied Petroleum Gas Board, to serve a 4-year term ending June 30, 1980, and effective upon Senate confirmation. Mr. Sabin succeeds himself.

The Senate, in executive session, and upon motion of Senator Murphy, advised and consented to the confirmation of ERWIN SCHROEDER, Stillwater, as a

member of the Board of Registration for Professional Engineers and Land Surveyors to serve a 5-year term ending June 28, 1981, and effective upon Senate confirmation. Mr. Schroeder succeeds himself.

The Senate, in executive session, and upon motion of Senator Pierce, advised and consented to the confirmation of H. J. SMITH, Bartlesville, as a member of the Police Pension and Retirement Board, District 2, to serve a 3-year term ending July 1, 1977, and effective upon Senate confirmation. Mr. Smith succeeds himself.

The Senate, in executive session, and upon motion of Senator Dahl, advised and consented to the confirmation of DR. SAM STRAUM, Pawhuska, as a member of the State Board of Veterinary Medical Examiners, District 2, to serve a 5-year term ending May 9, 1981, and effective upon Senate confirmation. Dr. Straum succeeds himself.

The Senate, in executive session, and upon motion of Senator Butler, advised and consented to the confirmation of MRS. JAMES W. (ANN) WISE, Okmulgee, as a member of the Arts and Humanities Council to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mrs. Wise succeeds Mrs. John Danstrom, Oklahoma City.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, February 1, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane the Senate adjourned at 3:30 p.m. to meet Tuesday, February 1, 1977, at 1:30 p.m.

Seventeenth Legislative Day

Tuesday, February 1, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Grantham, Porter and Shatwell.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Douglass and incorporated into the Journal upon request of President Pro Tempore Howard.

Dear Heavenly Father, When we come before You in prayer we recognize our weakness and our need for guidance. We ask You for the power of Your Spirit and the leadership of Your mind in our lives.

Lord, we recognize that we have been given the enormous responsibility of being

leaders. Help us to accept it with humility and a seriousness. Grant us peace and joy as an evidence of Your presence in our lives today.

In the name of Christ we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Dawson introduced his wife, Marie, to members of the Senate.

Senator Giles introduced Betty Davis, R.N., Chickasha, as Nurse of the Day.

Senator Kilpatrick introduced Thomas J. Carlile, D.O., Del City, and Senator Lane introduced James Ford, Broken Bow, medical student at Tulsa School of Osteopathy, as Doctors of the Day.

COMMITTEE REPORT

Senator Terrill submitted the following report of the Committee on Rules and asked that consideration be deferred for this legislative day:

Mr. President:

We, your Committee on Rules, having had under consideration the Rules for the Senate of the 36th Legislature, desire to make the following proposal for amendment, in addition to the amendment shown

on page 74 of the Senate Journal, by adding an additional Rule:

AMENDMENT NO. 2: Introduction of Guests

RULE 32. Introductions by members of the Senate of guests in the gallery shall be permitted only in cases of officials from other states and countries, and the introduction of members of each Senator's immediate family, same to be not more than once during a legislative session.

Senator Al Terrill
Chairman

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

CS for SB 54 — Judiciary.

CS for SB 159 — Public Safety and Penal Affairs.

FIRST READING

The following were introduced and read the first time.

SB 185 — By Keller.

An Act relating to the Corporation Commission; amending 17 O.S. 1971, Section 158.27; providing for supervision over certain associations and cooperative corporations; exempting certain associations and cooperative corporations; and granting certain enforcement powers.

SB 186 — By Young of the Senate and Poulos of the House.

An Act relating to the Office of the Governor and making an appropriation thereto; stating the purpose; providing lapse date; and declaring an emergency.

SB 187 — By Crow, Holden and Field.

An Act relating to waters and water rights; declaring legislative intent; creating the Oklahoma Water Development Board; providing for Board membership, terms and certain membership requirements; providing for meetings; providing for powers and duties; requiring certain reports to the Legislature; creating a revolving fund; providing codification; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 184 — County, State and Federal Government.

SJR 15 — Environmental and Natural Resources.

HB 1009 — Revenue and Taxation.

HB 1093 — Revenue and Taxation.

HB 1119 — County, State and Federal Government.

HB 1160 — Appropriations and Budget.

HB 1218 — Professions and Occupations.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 1022**.

HB 1022 — By Cleveland and Atkins.

An Act relating to public health and safety; providing for short title; requiring certain hospitals to provide specified services to rape victims; designating costs to be paid by counties in specific situations; and requiring certain physicians to provide services to rape victims.

The above numbered **HB** was read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 119 was correctly engrossed, proper-

ly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SJR 13 by Keller was read and considered:

Senator Keller, citing Rule 8(d), asked unanimous consent that Representative Sanders be added as House author of **SJR 13**, which was the order.

Senator Lambert asked to be made a co-author of **SJR 13**, which was the order.

Upon motion of Senator Keller, **SJR 13**, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Keller, **SJR 13**, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Lambert presiding.

SJR 13 was read for the third time at length.

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

Aye: Birdsong, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, Martin, Pierce, Rozell, Watson, Wolfe, York and Young.—20.

Nay: Berrong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Johnson, Luton, McDaniel, Murphy, Randle, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann and Wadley.—24.

Excused: Grantham, Porter, Shatwell and Smith.—4.

The resolution failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Keller moved that the vote be reconsidered by which **SJR 13** failed of passage.

GENERAL ORDER

SB 11, previously considered on page 120, was considered further.

Senator Dawson moved to amend **SB 11**, Page 1, Lines 1 and 2, by striking Section 1 and inserting a new Section 1 as follows:

"SECTION 1. 73 O.S. 1971, Section 63, is amended to read as follows:

Section 63. [For] THE STATE HISTORICAL SOCIETY SHALL CAUSE TO BE CONSTRUCTED DISPLAY CASES SUITED FOR the proper preservation and care of the Decorated Battle Flags and Colors carried by organizations composed in whole or in part of Oklahoma troops who HAVE served in [any arm of] the land, [and] naval AND AIR forces of the United States during [the World War, it is hereby provided that suitable cases shall be built to contain these priceless relics of the heroic service of Oklahoma's loyal sons in the greatest war of all times, and that] ITS WARS, AND SHALL CAUSE these cases [shall] TO be [properly] located FOR PUBLIC VIEWING in [the main galleries of the State Capitol] SUCH BUILDING OR BUILDINGS AS MAY BE MADE AVAILABLE, at Oklahoma City, [open to public view] BY THE STATE FOR THE USE OF THE STATE HISTORICAL SOCIETY, as a perpetual reminder of that spirit of service and sacrifice and that lesson of loyalty and love of liberty which Oklahoma's courageous sons HAVE demonstrated [so proudly on the historic battlefields of Europe]."

and by correcting the title to read as follows:

"An Act relating to the State Capital and Capitol Building; amending 73 O.S. 1971, Section 63; providing for display of battle flags and colors by the State Historical Society."

, which amendment was declared adopted.

Upon motion of Senator Dawson, SB 11, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 11, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 11 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Grantham, Porter and Shatwell.—3.

The bill passed.

SB 11 was referred for engrossment.

GENERAL ORDER

SB 125 by Dawson of the Senate and Sanders of the House was read and considered.

Upon motion of Senator Dawson, SB 125 was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 125 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 125 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: McCune.—1.

Excused: Grantham, Porter and Shatwell.—3.

The bill passed.

SB 125 was referred for engrossment.

COMMITTEE ASSIGNMENT

Senator Howard asked unanimous consent that SCR 5 be referred to the Committee on Social Welfare, which was the order.

GENERAL ORDER

SJR 9 by Dawson of the Senate and Johnston of the House was read and considered.

Upon motion of Senator Dawson, SJR 9 was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SJR 9 was considered en-

grossed and placed on third reading and final passage.

THIRD READING

SJR 9 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Nay: Crow.—1.

Excused: Grantham, Porter, Shatwell and Young.—4.

The resolution passed.

SJR 9 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Lambert presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Johnson, advised and consented to the confirmation of ALBERT E. HALL, JR., Heavener, as a member of the Board of Regents of Carl

Albert Junior College, to serve a 7-year term ending July 1, 1983, and effective upon Senate confirmation. Mr. Hall succeeds himself.

The Senate, in executive session, and upon motion of Senator Johnson, advised and consented to the confirmation of JOHN E. PROCK, Heavener, as a member of the Board of Regents of Eastern Oklahoma State College to serve an unexpired term of 7 years ending June 1, 1977, and effective upon Senate confirmation. Mr. Prock succeeds Henry Roye.

The Senate, in executive session, and upon motion of Senator Murphy, advised and consented to the confirmation of DR. G. EDWARD SHISSLER, Stillwater, as a member of the University Hospital Board of Trustees to serve a term of 3 years ending June 30, 1979, and effective upon Senate confirmation. Dr. Shissler succeeds Dr. Ross Deputy.

RESOLUTION

Senator Keating introduced the following Resolution:

SR 3 — By Keating, McCune, Lamb, Pierce, Helm, Keller, Watson, Green and Wolfe.

A Resolution expressing legislative intent that Senator Dewey F. Bartlett make a speedy and complete recovery from his recent illness; and directing distribution.

Senator Keating asked that all other Senators be made coauthors of SR 3, which was the order.

SR 3, as coauthored, was read at length as follows, adopted upon motion of Senator Keating and ordered referred for enrollment.

SR 3 — By Keating, McCune, Lamb, Pierce, Helm, Keller, Watson, Green, Wolfe, Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl,

Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.

A Resolution expressing legislative intent that Senator Dewey F. Bartlett make a speedy and complete recovery from his recent illness; and directing distribution.

WHEREAS, a former Governor of Oklahoma, Senator Dewey F. Bartlett has been a United States Senator since 1972; and

WHEREAS, Senator Bartlett has rendered valuable public service to this state and to this nation, serving on the Senate Committees on Interior and Insular Affairs, Armed Services and the District of Columbia, and being a ranking minority member of a subcommittee on Indian Affairs; and

WHEREAS, Senator Bartlett recently underwent serious surgery which threatened the loss of his life; and

WHEREAS, Senator Bartlett, a dedicated public servant, has many more valuable contributions to make to Oklahoma and to this nation.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. Senator Dewey F. Bartlett is encouraged to make a quick and thorough recovery from his recent misfortune so that he may continue to serve Oklahoma and this country as he has done so well in the past.

SECTION 2. A copy of this Resolution shall be sent to Senator Dewey F. Bartlett.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, February 2, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 2:50 p.m. to meet Wednesday, February 2, 1977, at 1:30 p.m.

Eighteenth Legislative Day

Wednesday, February 2, 1977

Pursuant to adjournment, the Senate was called to order by Senator Wadley, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—41.

Excused: Berrong, Crow, Funston, Holden, Lane, Shatwell and Watson.—7.

Senator Wadley declared a quorum present.

The following prayer was offered by Reverend Douglass and incorporated into the Journal upon request of President Pro Tempore Howard.

Our Heavenly Father, We thank You for making us a part of this exciting era of history. We realize that the future of our nation depends on our facing the tough issues of the hour with courage and integrity. Make us wise enough to make decisions that will give the greatest benefits to our generation without placing unbearable burdens on future ones. Help us not to

sleep through the revolutionary changes of our hour. Make us bold enough to be people of greatness today. In the name of Your redeeming Son we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lamb introduced Henry Harnish, D.O., and Steve Reinhart, medical student, both of Enid, as Doctors of the Day.

Senator Wadley introduced his daughter, Cheryl Gangel, Tulsa.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

CS for SB 4 — Judiciary.

FIRST READING

The following were introduced and read the first time.

SB 188 — By Dahl.

An Act relating to agriculture; amending 2 O.S. 1971, Section 6-102, as last

amended by Section 2, Chapter 107, O.S.L. 1976 (2 O.S. Supp. 1976, Section 6-102); prohibiting the sale and removal of bovine animals from markets unless certain conditions are met; modifying testing of a market consignment of cattle; providing for reversion of certain animals to their seller; and providing for certain feeder animals and the issuance of certain feeder permits.

SB 189 — By Dahl.

An Act relating to agriculture; amending 2 O.S. 1971, Sections 4-5 and 4-7; modifying application procedure for registration of certain marks or brands; increasing certain fees; modifying manner of publication of a certain brand book and supplements thereto; and providing for their sale and receipt.

SB 190 — By Dahl.

An Act relating to agriculture; amending 2 O.S. 1971, Sections 3-61, 3-62, 3-64, 3-81 through 3-86 and 3-271 through 3-276; changing certain definitions; expanding provisions which prohibit certain acts; modifying certain powers of the State Board of Agriculture; modifying provisions for permits for certain applications; modifying requirements for certain applicators; modifying certain hearing provisions; modifying provisions for supervision, cancellation and revocation of certain permits; specifying certain penalties; modifying certain licensing provisions; specifying certain duties of the State Board of Agriculture; modifying certain exemptions; and repealing 2 O.S. 1971, Sections 3-87, 3-88, 3-171 through 3-180 and 3-279.

SB 191 — By Howard of the Senate and Townsend of the House.

An Act relating to credit unions; providing that a state-chartered credit union may exercise any of the powers of a federally-chartered credit union doing business in the state unless prohibited by rule of the State Credit Union Board;

directing codification; and declaring an emergency.

SB 192 — By Kilpatrick of the Senate and Joiner of the House.

An Act relating to schools; amending 70 O.S. 1971, Section 7-101, as last amended by Section 1, Chapter 73, O.S.L. 1975 (70 O.S. Supp. 1976, Section 7-101); providing for procedures for approval of annexation of school districts, or parts thereof, by annexation election when boards of education of affected districts concur in holding the election; providing that when the proposed area to be annexed comprises certain percentage of total area, no election shall be held; providing procedures for appeal; providing procedures for annexation of certain percentage of independent school districts in certain cities or towns without approval of Board of Education of school district in which area to be annexed is located; providing effective date; and declaring an emergency.

SB 193 — By Keating.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 6-101, as last amended by Section 1, Chapter 359, O.S.L. 1975, 22.2, as last amended by Section 11, Chapter 241, O.S.L. 1976, 22.22, 22.30 1, Section 2, Chapter 169, O.S.L. 1975, 23.12 and 23.14 (47 O.S. Supp. 1976, Sections 6-101, 22.2 and 22.30 1-1), and 63 O.S. 1971, Sections 804.4 and 804.9; providing for certain fees, apportionment of certain monies, motor license agents and their compensation, certain service charges, vehicle registration, certificates of title, transfer of vehicle ownership and duplicate registration and title certificates; modifying compensation of motor license agents; repealing Section 2, Chapter 396, O.S.L. 1967; setting an effective date; and declaring an emergency.

SB 194 — By Pierce.

An Act relating to professions and occupations; insuring medical treatment for certain prematurely born infants; direct-

ing codification; and declaring an emergency.

SB 195 — By Boatner.

An Act relating to schools; amending 70 O.S. 1971, Section 17-105, as last amended by Section 1, Chapter 252, O.S.L. 1976 (70 O.S. Supp. 1976, Section 17-105); providing for membership in the Teachers' Retirement System; prescribing conditions for eligibility for benefits; providing formula to calculate the monthly retirement allowance of certain members with modification; authorizing the making of certain back contributions to the retirement system with prohibitions; allowing teachers employed in certain programs to receive credit in the retirement system and prescribing certain criteria; providing for the calculation of minimum retirement benefits of certain members; providing for disability retirement; providing for termination of membership; providing for retirement options; providing for contributing to and matching of contributions to the retirement system; and providing an effective date.

SB 196 — By Boatner.

An Act relating to cities and towns; permitting policeman to apply service as sheriff or deputy sheriff for credit towards service pension; and directing codification.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 185 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

SB 186 — Appropriations and Budget.

SB 187 — Environmental and Natural Resources.

HB 1022 — Criminal Jurisprudence.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for

consideration Engrossed HBs 1062 and 1157.

HB 1062 — By Conaghan of the House and Grantham of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.5b, as amended by Section 1, Chapter 264, O.S.L. 1976 (47 O.S. Supp. 1976, Section 22.5b), and 22.5m; defining certain terms; narrowing the definition of mobile home; providing for certain license fees and penalties; entitling religious corporations and societies, teachers of vocational agriculture and nonprofit organizations owning certain types of motor vehicles used for specified purposes to receive license tags for fees of One Dollar; entitling religious corporations and societies to receive license tags for a fee of One Dollar for wheeled house trailers and mobile homes used for religious purposes; and providing an effective date.

HB 1157 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

(Corporation Commission — Appropriation — Emergency.)

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 60 by Keating and Johnson of the Senate and Hastings of the House were read and considered.

Senator Howard asked to be made a co-author of **SB 60**, which was the order.

Upon motion of Senator Keating, **SB 60**, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, **SB 60**, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 60 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—40.

Nay: Schuelein.—1.

Excused: Berrong, Crow, Funston, Holden, Lane, Shatwell and Watson.—7.

The bill passed.

SB 60 was referred for engrossment.

Senators Watson and Funston asked to be shown present, which was the order.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 11 and 125 and SJR 9 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 3 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 79, 82 and 84, as amended.

HOUSE AMENDMENTS

HAs to SB 79 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the Secretary of State and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees; limiting number of employees; limiting expenditures for salaries and wages; stating the number and compensation for authorized officials and employees; prohibiting expenditure of certain funds for certain fees and services; providing lapse dates; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 25, by deleting the figure "\$174,503.00" and substituting in lieu thereof the figure "\$176,854.00".

Amendment No. 4. Amend Page 1, Line 27, by deleting the figure "\$200,953.00" and substituting in lieu thereof the figure "\$203,304.00".

Amendment No. 5. Amend Page 2, Lines 7 and 8, by deleting the words and figures "One Hundred Forty-four Thousand One Hundred Eighty Dollars (\$144,180.00)" and substituting in lieu thereof the words and figures "One Hundred Forty-six Thousand Two Hundred Fourteen Dollars (\$146,214.00)".

Amendment No. 6. Amend Page 2, Line 9½, by adding new Sections 4 and 5 to read as follows:

"SECTION 4. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary

ranges only. The number of full-time-equivalent employees shall not exceed the number by job title authorized below:

JOB TITLE	NO. AUTH.	MIN.	MAX.
Secretary of State	1	\$18,500	\$18,500
Assistant Secretary of State	1	9,240	12,840
Administrative Aide	1	6,420	9,180
Supervisor	1	7,320	10,140
Stenographer-Chief Clerk	4	6,660	9,300
Account Clerk II	1	6,660	9,300
Typist Clerk II	4	6,360	8,880
Clerk II	1	6,060	8,160
Accountant I	1	7,320	10,140
Receptionist	1	6,360	8,880
Duplicating Equipment Operator I	1	6,960	9,720
	17		

SECTION 5. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and by renumbering the present "Section 4" to read "Section 6" and renumbering the succeeding Sections accordingly.

HOUSE AMENDMENTS

HAs to SB 82 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the

State Auditor and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; limiting number and compensation of employees; prohibiting expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 21 and 22, by deleting the words and figures "Ninety-seven Thousand Five Hundred Ninety Dollars (\$97,590.00)" and substituting in lieu thereof the words and figures "Ninety-seven Thousand Three Hundred Eighteen Dollars (\$97,318.00)".

Amendment No. 4. Amend Page 1, Lines 28 through 36, by deleting after the word "employees" all remaining language on these lines and substituting in lieu thereof the following language: ", effective July 1, 1977, shall be subject to and shall not exceed the number and amounts authorized below:

TITLE	NO. AUTH.	MAX. SALARY
State Auditor	1	\$18,500
Assistant State Auditor	1	15,840
Administrative Assistant	1	11,520
Staff Assistant I	1	11,160
Secretary I	1	9,480"

Amendment No. 5. Amend Page 2, Lines 2 through 6, by deleting all of the present "Section 3" and substituting in lieu thereof a new "Section 3" to read as follows:

"SECTION 3. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state em-

ployee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

HOUSE AMENDMENTS

HAs to SB 84 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Board of Equalization and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number and compensation of employees; prohibiting expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 22 and 23, by deleting the words and figures "Twenty-four Thousand Forty-seven Dollars (\$24,047.00)" and substituting in lieu thereof the words and figures "Twenty-three Thousand Seven Hundred Eighty-one Dollars (\$23,781.00)".

Amendment No. 4. Amend Page 1, Lines 29 through 36, by deleting after the word "employees" all remaining language in Section 2 and substituting in lieu thereof the following: ", effective July 1, 1977, shall be subject to and shall not exceed the number and amounts authorized below:

TITLE	NO. AUTH.	MAX. SALARY
Assistant Secretary	1	\$9,840
Stenographer- Clerk	$\frac{1}{2}$	9,180

Amendment No. 5. Amend Page 1, Line 36½, by adding a new "Section 3" to read as follows:

"SECTION 3. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and by renumbering present "Section 3" to read "Section 4" and renumbering succeeding Sections accordingly.

GENERAL ORDER

SB 54 by Grantham of the Senate and Elder of the House was read and considered.

Senator Cate moved to amend SB 54, Page 2, Line 3, by striking after the word "person" all remaining language on Line 3, which amendment was declared adopted.

Senator Dawson moved to amend SB 54, Page 2, Line 7, by striking the words "given to" and substituting the words "served personally on", which amendment was declared adopted.

Senator Dawson moved to amend SB 54, Page 2, Line 9, by striking after the word "notice," and before the word "some" on Line 11, all language and substituting the following: "to be served personally on", which amendment was declared adopted.

Senator Murphy moved to amend SB 54, Page 2, Lines 15 through 18, and Page 3, Line 1, by restoring the deleted language starting with the word "If" and ending with the words "be required."

Senator Cate moved to amend the Murphy amendment so that it would strike the

language "or consents in writing to the appointment of a conservator as herein provided" on Lines 17 and 18 of Page 2 and would restore the remaining language referred to in the Murphy amendment, which motion was declared adopted.

The Murphy amendment, as amended, was declared adopted.

Senator Berrong moved to amend SB 54, Page 3, Line 18, by substituting after the word "conservatorship" and before the word "Provided" on Page 4, a period for the semicolon and then striking all of the language on Lines 1 through 6 on Page 4 and adding the following language at the end of Line 18 on Page 3: "The conservator shall provide an adequate bond to assure his good-faith performance as conservator," which amendment was read but not acted upon.

Senator Grantham moved to amend SB 54, Page 4, Line 7, by striking the Emergency Section, which amendment was declared adopted.

Upon motion of Senator Grantham, SB 54, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 54, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 54 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lutan, McCune,

McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Berrong, Crow, Holden, Lane, Porter and Shatwell.—6.

The bill passed.

SB 54 was referred for engrossment.

DECLARATION OF VOTE

Senator Watson asked that the record show, had he been present in the Chamber at the time of third reading and final passage of SB 60, he would have voted "Aye", which was the order.

GENERAL ORDER

SB 150, previously considered, coauthored and amended on pages 146-147, was considered further.

Senator Martin asked that his amendment, which had been read but not acted upon, be withdrawn, which was the order.

Senator Stipe moved to amend SB 150, Page 1, Lines 4 and 5, by striking the words and figure "ten thousand (10,000)" and inserting the words and figure "fifty thousand (50,000)", which amendment was declared adopted.

Upon motion of Senator Stipe, SB 150, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 150, as coauthored and amended, was considered engrossed and placed upon third reading and final passage.

THIRD READING

SB 150 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—41.

Excused: Berrong, Crow, Holden, Lane, Porter, Shatwell and Young.—7.

The bill and emergency passed.

SB 150 was referred for engrossment.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, February 3, 1977, at 12:30 p.m., which motion prevailed.

Upon motion of Senator Luton, the Senate adjourned at 2:50 p.m. to meet Thursday, February 3, 1977, at 12:30 p.m.

Nineteenth Legislative Day

Thursday, February 3, 1977

Pursuant to adjournment, the Senate was called to order by Senator Lambert, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—41.

Excused: Butler, Crow, Holden, Keating, Lane, Smith and Wadley.—7.

Senator Lambert declared a quorum present.

The following prayer was offered by Reverend Douglass and incorporated into the Journal upon request of President Pro Tempore Howard.

Dear Heavenly Father, We stand before You confessing our needs. We admit the weaknesses and sins of our lives. We sense our failures in many ways. We confess our inability to be the parents, children, and citizens we ought to be.

Father, take the ugliness and sin from our lives. Make us clean and whole by Your grace. Help us to be forgiving be-

cause we are forgiven. Grant us Your wisdom for our folly. Empower us to live with graciousness toward those we meet because You have met us with Your grace. Fill our hearts with love as we remember that Your love for us was given when we could not earn it.

Father, fill us with the desire to be the parents, the friends, the leaders, and the examples we want to be and the power to be what we wish to be.

In the name of Christ we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Taliaferro introduced his mother, Mrs. Jim Taliaferro, and his sister, Mrs. Tommy Logan, to the members of the Senate.

Senator Luton, on behalf of Senator Lane, introduced W. T. Brinson, D.O., Idabel, and David King, medical student, Dewey, as Doctors of the Day.

Senator Cate introduced Peggy Lipke, R.N., Norman, as Nurse of the Day.

REQUESTS FOR LOBBY PERMITS

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

Mike Barlow, 811 N. Virginia, Suite 25, Oklahoma City, 73106, representing Oklahoma City Federation of Teachers, AFT, AFL-CIO.

Ed Dudley, P.O. Box 188, Madill, 73446, representing Oklahoma Railways Committee.

Retha Duggan, 4020 Lincoln Blvd., Suite 102, Oklahoma City, 73105, representing Oklahoma Society of Certified Public Accountants.

Hal T. Gibson, 212 Franklin Bldg., Tulsa, 74103, representing Oklahoma Independent Petroleum Association.

Gene H. Hemry, 1355 First National Center-W, Oklahoma City, 73102, representing American Council of Life Insurance.

William W. Phelps, P.O. Box 2819, Suite 718 ARB, Dallas, Texas, 75221, representing The Atlantic Richfield Company.

Edwin L. Ramey, 2121 E. 15th Street, Tulsa, 74104, representing AAA Automobile Club of Oklahoma, Inc.

Teresa Michelle Wright, 7000 N. Western, Oklahoma City, 73116, representing Communications Workers of America, Local 6016.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 122 — Business, Industry and Labor Relations.

DO PASS, as amended:

SB 34 — Education, Common, as coau-

thored by Funston of the Senate and Hood of the House.

SB 76 — Appropriations and Budget.

SB 78 — Appropriations and Budget.

SB 99 — Appropriations and Budget.

SB 100 — Appropriations and Budget.

SB 104 — Appropriations and Budget.

SB 106 — Appropriations and Budget.

CS for SB 135 — Public and Mental Health, as coauthored by Funston.

FIRST READING

The following were introduced and read the first time.

SB 197 — By York.

An Act relating to children; amending 10 O.S. 1971, Section 404; prescribing rules and procedures for adoption of standards and requirements of child care facilities; authorizing participation in federal day care services programs; providing for supervision of certain facilities by licensed facilities; and changing composition of certain advisory committees.

SB 198 — By York of the Senate and Monks of the House.

An Act relating to probate procedure; amending Section 1, Chapter 240, O.S.L. 1974, as amended by Section 1, Chapter 12, O.S.L. 1975 (58 O.S. Supp. 1976, Section 912); modifying procedure for termination of joint tenancy; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 188 — Agriculture.

SB 189 — Agriculture.

SB 190 — Agriculture.

SB 191 — Banks and Banking.

SB 192 — Education, Common.

SB 193 — Rules.

SB 194 — Public and Mental Health.

SB 195 — Education, Common and then to County, State and Federal Government.

SB 196 — Municipal Government and then to County, State and Federal Government.

HB 1062 — Revenue and Taxation and then to County, State and Federal Government.

HB 1157 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1113, 1145, 1154, 1161 and 1162.

HB 1113 — By Bengtson.

An Act relating to police officers; providing that a uniformed law enforcement officer in attendance at a public event shall have law enforcement officer powers although "off-duty" at the time; and providing for codification.

HB 1145 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Department of Charities and Corrections and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees of the Department; prohibiting use of certain funds for professional and technical fees; prohibiting utilization of federal funds; providing lapse date; providing severability; and declaring an emergency.

HB 1154 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Alcoholic Beverage Control Board and making an appropriation thereto; stating the purpose; providing for appointment,

duties and compensation of employees; designating director's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; limiting the number and compensation of authorized officials and employees; prohibiting expenditure of certain funds for certain fees and services; authorizing purchase of insurance on motor vehicles; authorizing purchase of passenger automobiles; providing for transfer of unappropriated funds to the General Revenue Fund with exceptions; providing lapse date; providing severability; and declaring an emergency.

HB 1161 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the State Mining Board and making an appropriation thereto; stating the purpose; providing lapse date; providing severability; and declaring an emergency.

HB 1162 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Chief Mine Inspector and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees within certain limitations; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 120 by Grantham of the Senate and Elder, et al, of the House was read and considered.

Upon motion of Senator Grantham, **SB 120** was advanced to engrossment.

By unanimous consent, upon request of

Senator Grantham, **SB 120** was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 120 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—41.

Excused: Butler, Crow, Holden, Keating, Lane, Smith and Wadley.—7.

The bill passed.

SB 120 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 54, 60 and 150 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 4 by Murphy of the Senate and Manning of the House was read and considered.

Upon motion of Senator Murphy, **SB 4** was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 4** was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 4 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—39.

Nay: Boatner and Wolfe.—2.

Excused: Butler, Crow, Holden, Keating, Lane, Smith and Wadley.—7.

The bill passed.

SB 4 was referred for engrossment.

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

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SB 155** as coauthored by Cleveland, Deatherage, Atkins, Craig, Henry, Johnson (Don) and Lawter.

The above numbered Bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed **SBs 83 and 117**, as amended.

HOUSE AMENDMENTS

HAs to SB 83 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Secretary of the State Election Board and making appropriations thereto; stating the purposes; fixing the salary of the Secretary of the State Election Board; providing for the employment and compensation of necessary personnel; limiting number and compensation of employees; making appropriations nonfiscal; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 34, by deleting the figure "\$276,823.00" and substituting in lieu thereof the figure "\$275,745.00".

Amendment No. 4. Amend Page 2, Line 3, by deleting the figure "\$658,401.00" and substituting in lieu thereof the figure "\$657,323.00".

Amendment No. 5. Amend Page 2, Line 21½, by adding a new Section 5 to read as follows:

"SECTION 5. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	NO.		
	AUTH.	MIN.	MAX.
Secretary State Election Board	1	\$24,500	\$25,700

Assistant Secretary	1	14,280	18,900
Training Officer	3	8,820	11,760
Administrative Assistant	1	9,240	12,360
Executive Secretary	1	8,400	11,220
Information Officer	1	8,820	11,760
Finance Officer	1	8,400	11,220
Supply Officer	2	8,400	11,220

and by renumbering the present "Section 5" to read "Section 6" and renumbering succeeding sections accordingly.

HOUSE AMENDMENTS

HAs to SB 117 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act making an appropriation from designated state funds to pay unpaid claims and warrants cancelled by statutes; providing lapse date; making provisions of this act severable; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, February 7, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Luton, the Senate adjourned at 1:05 p.m. to meet Monday, February 7, 1977, at 1:30 p.m.



Twentieth Legislative Day

Monday, February 7, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Raymond Perkins, Pastor, Western Hills Baptist Church, Oklahoma City, and incorporated into the Journal upon request of Senator Birdsong.

Dear Lord, as we convene this afternoon, we come to acknowledge the needs we feel this day.

Many things occupy each of our minds in the memories of the weekend visit home. For some, the unfinished tasks haunt their thoughts. Others experienced great joy in being with loved ones, and now bear the

pain of separation. Still others experience a heartache which has caused them to doubt and question their own abilities. All of us face, at times, the terrible temptation to be used of small groups for their own selfish purposes.

God, I pray that even right now You will heal each of us and help us to rest our minds in Thee. For we know that You have the power to deal wisely and lovingly with every concern on our hearts. We are grateful for this assurance, and we commit our every care to Thee. We know You are adequate. We know You love.

We ask that even as You give support to those we commit into Your hands, that You will grant us freedom as well from fear of those who try to manipulate us. We ask that You unshackle us from the burdens that test our strength. And this gift of grace, which gives us Your power and freedom, we accept with thanksgiving.

Our greatest need is the ability to order our day aright. With many colleagues, all wanting their needs to be met, we human beings often forget the gentleness of Jesus Who preferred others before Himself.

Grant that today, each of us — even if only for a moment — will follow the example of Your Son that we may be gentle with one another. May we deal with the issues which might divide us until they become the issues which unite us.

Help us to, first of all, prefer Your will, and only then that of our own. Give us patience to listen carefully to our brothers and sisters in the human family until we can discover their deep needs. Grant us the self-control to listen before we speak. Then as we speak, give us compassion for all the people of our great land.

Lord, the ease with which we slip into daily routines brings us often at the end of the day to a great impatience with ourselves. Our inability to complete everything we start often brings irritation, frustration, and at times anger. Grant us the wisdom to find today's highest priorities, that we may deal with them directly and with courage, and thus accomplish what You would have us do this day.

Now, our Lord, I pray that these men and women may see that even as they represent many people from many regions, each of us still belongs to You. Give us grace that, as they work, they may work together as Your people.

In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Terrill and Taliaferro introduced Dorothy Yarbro, R.N., Lawton, as Nurse of the Day.

Senator Shatwell introduced Rudolph J. Wolf, D.O., Skiatook, and Senator Grantham introduced Robert Blubough, Ponca City, medical student, as Doctors of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 158 — County, State and Federal Government.

DO PASS, as amended:

SB 10 — Criminal Jurisprudence, as coauthored by Cate of the Senate and Wiseman of the House.

CS for SB 61 — County, State and Federal Government.

SB 184 — County, State and Federal Government.

FIRST READING

The following were introduced and read the first time.

SB 199 — By Boatner.

An Act relating to cities and towns; providing for municipal elections for certain officials; fixing terms of office; making municipal elections uniform; directing codification; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 197 — Social Welfare.

SB 198 — Judiciary.

HB 1113 — Public Safety and Penal Affairs and then to Criminal Jurisprudence.

HB 1145 — Appropriations and Budget.

HB 1154 — Appropriations and Budget.

HB 1161 — Appropriations and Budget.

HB 1162 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1061, 1120 and 1167.

HB 1061 — By Dunn, et al, of the House and Taliaferro of the Senate.

An Act relating to public lands; amending 64 O.S. 1971, Section 52, as amended by

Section 2, Chapter 268, O.S.L. 1974 (64 O.S. Supp. 1976, Section 52); providing rules and regulations for the investment of permanent school funds and other educational funds in farm mortgages; raising the limits of farm loans; and prohibiting any requirement that a loan applicant make certain assertions regarding crop values.

HB 1120 — By Townsend, Monks and Miskelly.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 292.1, as last amended by Section 2, Chapter 337, O.S.L. 1975 (74 O.S. Supp. 1976, Section 292.1), which provides for positions, numbers and salaries of temporary and permanent employees of the House; and declaring an emergency.

HB 1167 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma State Regents for Higher Education and State Department of Health; providing for the continuation and reappropriation of certain appropriations previously made to same; providing for use of federal funds; stating purposes; providing that amounts appropriated be nonfiscal; providing for severability; and declaring an emergency.

The above numbered HBs were read for the first time.

MOTION TO RECONSIDER VOTE

Senator Keller asked for consideration of his motion to reconsider the vote whereby SJR 13 failed of passage, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Grantham, Green, Helm, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, Martin, Pierce, Stipe, Watson, Wolfe, York and Young.—20.

Nay: Berrong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Holden, Johnson, Luton, McDaniel, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann and Wadley.—27.

Excused: Porter.—1.

GENERAL ORDER

SB 76 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, **SB 76** was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **SB 76** was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 76 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Porter.—1.

The bill and emergency passed.

SB 76 was referred for engrossment.

GENERAL ORDER

SB 78 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 78 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 78 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 78 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Porter.—1.

The bill and emergency passed.

SB 78 was referred for engrossment.

GENERAL ORDER

SB 99 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 99 was advanced to engrossment.

By unanimous consent, upon motion of

Senator Crow, SB 99 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 99 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Porter.—1.

The bill and emergency passed.

SB 99 was referred for engrossment.

Senator Murphy presiding.

GENERAL ORDER

SB 135 by Watson, Terrill and Funston was read and considered.

Upon motion of Senator Watson, SB 135 was advanced to engrossment.

By unanimous consent, upon request of Senator Watson, SB 135 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 135 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Boatner, Dahl, Helm, Howell, Pierce and Schuelein.—6.

Excused: Porter.—1.

The bill passed.

SB 135 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 4 and 120 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 155 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 159 by Terrill, Holden, Stipe, McCune, Grantham, Berrong, Lane and Green of the Senate and Townsend of the House was read and considered.

Senators Smith and Watson asked to be made coauthors of SB 159, which was the order.

Senator Berrong moved to amend SB 159, Page 11, Line 2, by striking the words and figure "Thirty-five Dollars (\$35.00)" and inserting the words and figure "Thirty

Dollars (\$30.00)", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Capps, Cate, Crow, Dahl, Field, Funston, Giles, Grantham, Helm, Howard, Johnson, Keating, Keller, Lamb, Lane, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Vann, Wadley, Wolfe and York.—30.

Nay: Birdsong, Boatner, Clifton, Dawson, Green, Holden, Howell, Kilpatrick, Lambert, Luton, Murphy, Rozell, Smith, Terrill, Tinsley, Watson and Young.—17.

Excused: Porter.—1.

Senator Dawson moved to amend SB 159, Page 7, Line 4, by adding after the 2nd word "vehicle" and before the word "which" on Line 5 the following: "for which the original title has not been issued", which amendment was declared adopted.

Senator Johnson moved to amend SB 159, Page 11, Lines 9 and 10, by striking the words and figure "One Thousand Dollars (\$1,000.00)" and inserting the words and figure "Six Hundred Dollars (\$600.00)", which amendment was declared adopted.

Senators Pierce and Keating moved to amend SB 159, Page 21, Line 1½, by inserting the following new sections:

"SECTION 4. The Oklahoma Tax Commission shall promulgate and implement procedures to annually notify, from its offices in Oklahoma City, the owners of motor vehicles, boats and motors by mailing a renewal notice for registering and licensing said motor vehicles, boats and motors. Such notice shall contain the applicant's name, address, complete description of the vehicle, including serial number, the total fees and costs to register and all other necessary information. Such notice shall be mailed on or before November 15th each year or at any other date in

accordance with Section 6 hereof. The notice shall contain simple instructions as to the procedure for renewal upon presentation to a motor license agent or by return mail to the Oklahoma Tax Commission. The notice required by this section is intended as a convenience to the people of Oklahoma and mandates the Oklahoma Tax Commission to implement a simple procedure for obtaining motor vehicle licenses and registrations by mail.

"The failure to receive the notice shall not excuse the obligation to register or license motor vehicles. In the event of failure to receive notice, the applicant shall apply to the motor license agent with proof of ownership and shall be issued a license and a renewal registration.

"SECTION 5. The Oklahoma Tax Commission may extend the life of the motor vehicle license plates current at the operative date of this act, and shall issue hereafter a series of license plates for more than one-year periods. During each intervening year of the period for which a plate is issued, the Oklahoma Tax Commission shall issue a tab or other suitable device to be attached on the license plates evidencing a renewal registration for such year's duration to the same effect as if new license plates had been issued.

"SECTION 6. The Oklahoma Tax Commission shall promulgate and institute a procedure to stagger the expiration date of licenses and registrations.

"SECTION 7. Any law enacted prior to the effective date of this act in conflict herewith is hereby repealed to the extent of the conflict.

"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 the act.

"SECTION 9. This act shall become operative 90 days after the effective date hereof."

and renumbering subsequent sections.

Senator Luton moved to table the Pierce-Keating amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, York and Young.—37.

Nay: Green, Helm, Keating, Keller, McCune, Pierce, Watson and Wolfe.—8.

Excused: Porter, Smith and Wadley.—3.

Upon motion of Senator Terrill, SB 159, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 159, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 159 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel,

Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Nay: Helm.—1.

Excused: Porter.—1.

The bill and emergency passed.

SB 159 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Murphy presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Holden, advised and consented to the confirmation of GEORGE ARMSTRONG, Marlow, as a member of the War Veterans Commission to serve a one-year term ending July 1, 1977, and effective upon Senate confirmation. Mr. Armstrong succeeds himself.

The Senate, in executive session, and upon motion of Senator Berrong, advised and consented to the confirmation of OLEN BERRONG, Clinton, as a member of the Physician Manpower Training Commission to serve a 5-year term ending June 5, 1981, and effective upon Senate confirmation. Mr. Berrong succeeds himself.

The Senate, in executive session, and upon motion of Senator Clifton, advised and consented to the confirmation of DOYLE BURKE, Shawnee, as a member of the Oklahoma Wildlife Conservation

Commission to serve an 8-year term ending July 1, 1984, and effective upon Senate confirmation. Mr. Burke succeeds Jack Parrish.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of NANCY J. BURKE, Oklahoma City, as a member of the State Textbook Committee to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Ms. Burke succeeds Scott Wells.

The Senate, in executive session, and upon motion of Senator Birdsong, advised and consented to the confirmation of R. E. CARLTON, Oklahoma City, as a member of the Oklahoma Education Council to serve at the Governor's pleasure, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Terrill advised and consented to the confirmation of JACK CARTER, Lawton, as a member of the Tourism and Recreation Commission, to serve a 6-year term ending July 1, 1982, and effective upon Senate confirmation. Mr. Carter succeeds himself.

The Senate, in executive session, and upon motion of Senator Crow, advised and consented to the confirmation of JOSH DRAKE, JR., Mangum, as a member of the War Veterans Commission to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Drake succeeds himself.

The Senate, in executive session, and upon motion of Senator Lamb, advised and consented to the confirmation of JOHN GROENDYKE, Enid, as a member of the Wildlife Conservation Commission, District 8, to serve an unexpired 8-year term ending July 1, 1980, and effective upon Senate confirmation. Mr. Groendyke succeeds Dr. Milt Lehr, Alva.

The Senate, in executive session, and upon motion of Senator Grantham, advised and consented to the confirmation of KENNETH HOLMES, Ponca City, as a member of the Air Quality Control Board, to serve an unexpired 7-year term ending June 15, 1980, and effective upon Senate confirmation. Mr. Holmes succeeds Bill Thomas, Stillwater.

The Senate, in executive session, and upon motion of Senator Murphy, advised and consented to the confirmation of VERNON LANGLEY, Stillwater, as a member of the Police Pension and Retirement Board, District 6, to serve a 3-year term ending July 1, 1978, and effective upon Senate confirmation. Mr. Langley succeeds H. A. Driggs, Stillwater.

The Senate, in executive session, and upon motion of Senator Martin, advised and consented to the confirmation of E. L. (MIKE) MASSAD, Ardmore, as a member of the Carl Albert Memorial Commission, to serve a 5-year term ending June 17, 1981, and effective upon Senate confirmation. Mr. Massad succeeds himself.

The Senate, in executive session, and upon motion of Senator Cate, advised and consented to the confirmation of ALLEN MORAIN, Norman, as a member of the Oklahoma Alcoholic Beverage Control Board to serve a 7-year term ending June 23, 1983, and effective upon Senate confirmation. Mr. Morain succeeds Robert H. Croak of Midwest City.

The Senate, in executive session, and upon motion of Senator Young, advised and consented to the confirmation of COLEMAN NOLEN, Okemah, as a member of the War Veterans Commission to serve a 2-year term ending July 1, 1978, and effective upon Senate confirmation. Mr. Nolen succeeds himself.

The Senate, in executive session, and upon motion of Senator Capps, advised and

consented to the confirmation of BRYAN POTTER, Elk City, as a member of the Board of Pharmacy to serve a 5-year term ending June 30, 1981, and effective upon Senate confirmation. Mr. Potter succeeds himself.

The Senate, in executive session, and upon motion of Senator McDaniel, advised and consented to the confirmation of GARY REED, Ada, as a member of the State Nursing Home Board, to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Reed succeeds Robert Stephens, Anadarko.

The Senate, in executive session, and upon motion of Senator Butler, advised and consented to the confirmation of W. R. "DICK" STUBBS, Henryetta, as a member-at-large of the Oklahoma Tourism and Recreation Commission to serve an unexpired 6-year term ending July 1, 1978, and effective upon Senate confirmation. Mr. Stubbs succeeds Albert Furr.

The Senate, in executive session, and upon motion of Senator Giles, advised and consented to the confirmation of CARL WEST, Anadarko, as a member of the Western Plains Indians Arts and Crafts Commission to serve a 6-year term ending June 16, 1981, and effective upon Senate confirmation. Mr. West succeeds himself.

The Senate, in executive session, and upon motion of Senator Lamb, advised and consented to the confirmation of DR. OTHO WHITENECK, Enid, as a member of the State Board of Health to serve a 9-year term ending June 30, 1985, and effective upon Senate confirmation. Mr. Whiteneck succeeds himself.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of JIM WINGERT, Oklahoma City, as a member of the Police Pension and Retirement Board, to serve an unexpired 3-year term

ending July 1, 1977, and effective upon Senate confirmation. Mr. Wingert succeeds R. A. Boyd, McLoud.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, February 8, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 155.

The above numbered Enrolled Bill was referred to the Governor.

Upon motion of Senator Luton, the Senate adjourned at 3:00 p.m. to meet Tuesday, February 8, 1977, at 1:30 p.m.



Twenty-first Legislative Day

Tuesday, February 8, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Dawson and Keller.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Perkins and incorporated into the Journal upon request of Senator Birdsong.

Dear Heavenly Father, gathering from many rooms, we come to place before You the business we have planned for this afternoon.

We would not ask of Thee, O God, for greater light upon our pathways. Only, our Lord, teach us to obey what light we have already. Our eyes often betray us. They lead us to see only what we want. They

often close in rebellious sleep when we find ways contrary to our own. Grant that our eyes may be open to see the pathway You have opened before us.

Neither would we seek greater strength. Already You have bountifully given of Yourself. Help us, then, to yield with more sensitivity and commitment to the power You have made available to us. Grant that we shall discover the joy of living consistently with the will of God. We confess we belong to You. These posts of responsibility are not our own achievements but are trusts You have provided. May we use them not for glory to ourselves nor to any man, but to the Glory of the ways of God.

Further, we dare not seek greater truths to be made visible before us. We confess there is need for no great vision. Already You have shown us more truth than we now willingly accept. So we pray that circumstances might be so directed that we would willingly be conformed to Your great purposes for us.

You have promised to remain close to us, our Father. We ask that in this closeness You will give us grace to have hearts willing to listen to Your small still voice. We confess we seek too often our own ways. For this day, at least, we shall seek Your will in our deliberations.

And yet our greatest need, O God, is not for light, nor strength, nor even new

truths. Our greatest need is for increased trust in God and less trust in ourselves. We need hearts that will be satisfied and established in faith. We confess that our restlessness is simply the result of not being willing to rest in Thee. So grant, we ask, not only our daily bread but also the joys of walking by faith in Your Presence today.

In grateful love, we pray in the name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Murphy introduced Chris Friesen, medical student, Stillwater, and Senator McCune introduced Stanley K. Rogers, D.O., Oklahoma City, as Doctors of the Day.

Senator Young introduced Anita Ham, R.N., Depew, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 70 — Environmental and Natural Resources, as coauthored by Caldwell and Bernard of the House.

DO PASS, as amended:

SB 163 — Judiciary, as coauthored by Elder of the House.

FIRST READING

The following were introduced and read the first time.

SB 200 — By York of the Senate and Steward of the House.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 1436; providing procedure for overruling city planning commission actions under certain circumstances; providing an effective date; and declaring an emergency.

SB 201 — By Pierce.

An Act relating to motor vehicles; providing for intent of Legislature to initiate new five-year tag and monthly staggered registration and licensing through a mail order renewal plan; providing for all registrations and licensing which are administered by the Oklahoma Tax Commission or its motor license agents to be issued through a mail order system; providing that Oklahoma Tax Commission shall utilize certain procedures; providing certain guidelines for mail order system; providing certain procedures for five-year license tag and monthly staggered registration system; providing for county treasurer appointment as motor license agent; repealing 47 O.S. 1971, Sections 22.4, as amended by Section 2, Chapter 219, O.S.L. 1976, 22.13, 22.17, 22.18, 22.23, 22.26 and Section 3, Chapter 169, O.S.L. 1975 (47 O.S. Supp. 1976, Sections 22.4 and 22.30 1-2), which provide for certain rules regulating motor vehicle registration and licensing; directing codification; providing provisions for inconsistent laws; providing for severability; providing an effective date; and declaring an emergency.

SB 202 — By Howell.

An Act relating to banks and trust companies; prohibiting the establishment of branch offices by trust companies; defining branch office; and directing codification.

SB 203 — By Wolfe.

An Act relating to civil procedure; fixing manner of disbursal of certain bonds in civil actions; granting rights of enforcement to obligee; directing codification; repealing Section 1, Chapter 265, O.S.L. 1976

(12 O.S. Supp. 1976, Section 1276.1); and providing an effective date.

SB 204 — By Wolfe.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 727; providing interest on judgments of courts; specifying applicable rates; providing dates from which interest is earned; and providing for severability.

SJR 16 — By Boatner.

A Joint Resolution relating to assistance payments; requesting increases in payments under certain welfare programs; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 199 — Municipal Government.

HB 1061 — Agriculture and then to Rules.

HB 1120 — Rules.

HB 1167 — Appropriations and Budget.

MESSAGE FROM THE GOVERNOR

Advising approval by him, February 8, 1977, of Enrolled SB 155.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1192, 1202 and 1216.

HB 1192 — By Smith.

An Act relating to revenue and taxation; repealing 68 O.S. 1971, Sections 2481.1 through 2481.11, which relate to revaluation of taxable property.

HB 1202 — By Miskelly, et al, of the House and Dahl of the Senate.

(Pawnee Indian Veterans Historical Commission — Appropriation — Emergency).

HB 1216 — By Fried.

An Act relating to holidays; amending 25 O.S. 1971, Section 82.2, as amended by Section 1, Chapter 170, O.S.L. 1972 (25 O.S. Supp. 1976, Section 82.2); providing for certain holidays; and declaring an emergency.

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 61 by Grantham of the Senate and Conaghan and Kennedy of the House was read and considered.

Upon motion of Senator Grantham, **SB 61** was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 61** was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 61 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Watson and York.—33.

Nay: Berrong, Butler, Crow, Helm, Howard, Howell, Lane, Pierce, Schuelein, Stipe, Wolfe and Young.—12.

Excused: Dawson, Keller and Wadley.—3.

The bill passed.

SB 61 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 76, 78, 99, 135 and 159 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senators Dawson and Keller asked to be shown present, which was the order.

GENERAL ORDER

SB 34 by Howell and Funston of the Senate and Hood of the House was read and considered.

Senators Watson and Lamb asked to be made coauthors of SB 34, which was the order.

Senator Lambert moved to amend SB 34, Page 2, Line 18, by adding after the word "students" and before the word "when" the word "only", which amendment was declared adopted.

Senator Howell moved to amend SB 34, Page 3, Line 6, by adding after the word "recorded." the following: "Provided further, that any negotiated agreement between the board and representatives of employee groups shall be available for inspection by the public at the school board's administrative office for ten (10) days, excluding weekends and holidays, before said agreement is finalized by the board.", which amendment was declared adopted.

Senator Lamb moved to amend SB 34, Page 2, Line 10, by inserting after the word "hiring" and before the word "appointment" the word "dismissal," which amendment was withdrawn upon the unanimous consent request of Senator Lamb.

Senator Howell moved to amend SB 34

by striking the emergency section, which amendment was declared adopted.

Upon motion of Senator Howell, SB 34, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 34, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 34 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Howard, Johnson, Smith and Vann.—4.

Excused: Porter.—1.

The bill passed.

SB 34 was referred for engrossment.

Senator Cate presiding.

GENERAL ORDER

SB 106 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Boatner, SB 106 was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 106 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 106 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Porter.—1.

The bill and emergency passed.

SB 106 was referred for engrossment.

GENERAL ORDER

SB 100 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Birdsong asked to be made a co-author of SB 100, which was the order.

Senator Boatner moved to amend SB 100, Page 5, Line 11½, by adding a new line as follows:

“Construction of Waterways
Patrol Operations
facility — Lake
Texoma

\$18,000.00”,

and on Lines 4 and 12 by correcting the total to read “75,000.00”, which amendment was declared adopted.

Upon motion of Senator Crow, SB 100, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 100, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 100 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

The bill and emergency passed.

SB 100 was referred for engrossment.

GENERAL ORDER

SB 104 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 104 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 104 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 104 was read for the third time at length.

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

Aye: Birdsong, Butler, Cate, Clifton, Crow, Dahl, Field, Funston, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, York and Young.—30.

Nay: Berrong, Boatner, Capps, Dawson, Giles, Grantham, Green, Helm, Keating, Keller, Lamb, McCune, McDaniel, Pierce, Taliaferro, Watson and Wolfe —17.

Excused: Porter.—1.

The bill passed.

Senators Giles, McDaniel, Grantham and Dawson desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 13. Excused: 1.

The emergency passed.

SB 104 was referred for engrossment.

GENERAL ORDER

SB 184 by Howard of the Senate and Willis of the House was read and considered.

Upon motion of Senator Howard, SB 184 was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 184 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Howard asked unanimous consent, which was granted, to amend SB 184 by adding the emergency section, which amendment was declared adopted.

SB 184 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

The bill and emergency passed.

SB 184 was referred for engrossment.

GENERAL ORDER

SB 23 by Smith of the Senate and Nance of the House, previously considered on page 115, was considered further.

Senator Pierce moved to amend SB 23, Page 2, Line 3½, by adding the following:

“SECTION 2. The Oklahoma Tax Commission shall promulgate and implement procedures to annually notify, from its offices in Oklahoma City, the owners of motor vehicles, boats and motors by mailing a renewal notice for registering and licensing said motor vehicles, boats and motors. Such notice shall contain the applicant's name, address, complete description of the vehicle, including serial number, the total fees and costs to register

and all other necessary information. Such notice shall be mailed on or before November 15th each year or at any other date in accordance with Section 6 hereof. The notice shall contain simple instructions as to the procedure for renewal upon presentation to a motor license agent or by return mail to the Oklahoma Tax Commission. The notice required by this section is intended as a convenience to the people of Oklahoma and mandates the Oklahoma Tax Commission to implement a simple procedure for obtaining motor vehicle licenses and registrations by mail.

"The failure to receive the notice shall not excuse the obligation to register or license motor vehicles. In the event of failure to receive notice, the applicant shall apply to the motor license agent with proof of ownership and shall be issued a license and a renewal registration.

"SECTION 3. The Oklahoma Tax Commission may extend the life of the motor vehicle license plates current at the operative date of this act, and shall issue hereafter a series of license plates for more than one-year periods. During each intervening year of the period for which a plate is issued, the Oklahoma Tax Commission shall issue a tab or other suitable device to be attached on the license plates evidencing a renewal registration for such year's duration to the same effect as if new license plates had been issued.

"SECTION 4. The Oklahoma Tax Commission shall promulgate and institute a procedure to stagger the expiration date of licenses and registrations.

"SECTION 5. Any law enacted prior to the effective date of this act in conflict herewith is hereby repealed to the extent of the conflict.

"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 the act.

"SECTION 7. This act shall become operative 90 days after the effective date hereof."

Senator Lane moved to table the Pierce amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—37.

Nay: Green, Helm, Keating, Keller, McCune, Pierce, Watson and Wolfe.—8.

Excused: Funston, Porter and Smith.—3.

Upon motion of Senator Smith, SB 23 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 23 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Murphy presiding.

SB 23 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham,

Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—38.

Nay: Green, Helm, Keating, Keller, Lamb, McCune, Pierce, Watson and Wolfe.—9.

Excused: Porter.—1.

The bill and emergency passed.

SB 23 was referred for engrossment.

GENERAL ORDER

SB 158 by Cate was read and considered.

Senator Smith presiding.

Senator Dawson moved to amend SB 158, Page 3, Line 3, by adding after the word "properties" the following: "when in immediate pursuit of one suspected of a criminal violation on campus properties".

Senator Cate moved to table the Dawson amendment, which motion to table was declared adopted.

Upon motion of Senator Cate, SB 158 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, SB 158 was considered en-

grossed and placed on third reading and final passage.

THIRD READING

SB 158 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Dawson, Howell, Porter, Randle and Wolfe.—5.

Excused: Funston.—1.

The bill passed.

SB 158 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, February 9, 1977, at 1:30 p.m.

Upon motion of Senator Lane, the Senate adjourned at 3:25 p.m. to meet Wednesday, February 9, 1977, at 1:30 p.m.

Twenty-second Legislative Day

Wednesday, February 9, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Howell, Keller and Martin.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Perkins and incorporated into the Journal upon request of Senator Birdsong.

O Lord, teach us to number our days that we may apply our hearts unto wisdom. The time is so short — not a one of us knows how little time he has left. The days so swiftly pass us by. May we be found using our time wisely, our talents constructively, and our strength gently.

Break to us today the "bread of life." Our hearts are hungry as are the hearts of others elsewhere. Save us from the vain

vision that we can feed our souls on things. Protect us from that false notion that gathering comforts and accumulating wealth will satisfy the inner longing of our souls.

Save these, Thy servants, from the tyranny of the nonessential, from the weary round that saps strength, frays nerves, shortens lives, and adds nothing to their usefulness to Thee and this State. Help these men and women to give themselves to the important, and to recognize the trivial when they see it. Give them the courage to say "No" to everything that would make it more difficult to say "Yes" to Thee. For we pray in the Name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Rozell introduced Murray P. Engle, D.O., Wagoner, as Doctor of the Day.

Senator Luton introduced Joy Cayton, R.N., Muskogee, as Nurse of the Day.

Senator McCune introduced former Senator G. O. (Granny) Williams, Woodward, to the members of the Senate and Senator Grantham, on behalf of Senators Field, Dahl and himself, asked unanimous consent, which was granted, that

"Granny" be named an Honorary Democrat for this legislative day.

REQUESTS FOR LOBBY PERMITS

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

John P. Kyle, P.O. Box 14607, Oklahoma City, 73114, representing The Associated Motor Carriers of Oklahoma, Inc.

Gary E. Payne, 206 E. Court, Atoka, 74525, representing American Mutual Insurance Alliance and Oklahoma Retail Merchants Association.

Vince Robison, P.O. Box 14607, Oklahoma City, 73114, representing The Associated Motor Carriers of Oklahoma, Inc.

Wallace A. Taylor, P.O. Box 18731, 45 N.E. 52nd St., Oklahoma City, 73118, representing Oklahoma Pharmaceutical Association.

COMMITTEE REPORTS — SENATE RULES

Senator Terrill moved that the amendments to the Senate Rules shown on pages 74 and 149 of the Senate Journal be adopted, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Howell, Keller and Martin.—3.

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

COMMITTEE REPORTS

The following were reported by the com-

mittees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SJR 11 — Roads and Highways.

DO PASS, as amended:

SB 102 — Appropriations and Budget.

SB 105 — Appropriations and Budget.

HB 1071 — Roads and Highways, as co-authored by McDaniel of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 205 — By McDaniel.

An Act relating to schools; amending 70 O.S. 1971, Sections 4-101, as amended by Section 1, Chapter 155, O.S.L. 1972 (70 O.S. Supp. 1976, Section 4-101), 4-104 through 4-106, 4-108, 4-109 and 4-111; providing for county superintendents of schools and county school district clerks; authorizing appointment of deputies; specifying duties of county superintendent of schools and his deputies; authorizing State Board of Education to require assistance of county superintendent of schools; providing for compensation, expenses and reimbursement of travel expenses; providing for vacancy; changing these sections by abolishing office of county superintendent of schools and transferring his duties to county school district clerk; repealing 70 O.S. 1971, Sections 4-102, 4-103, 4-107 and 4-112, as amended by Section 27, Chapter 211, O.S.L. 1973 (70 O.S. Supp. 1976, Section 4-112); and setting an effective date.

SB 206 — By Funston of the Senate and Hammons of the House.

An Act relating to affairs of decedents, missing persons, minors, incapacitated persons and certain others and constituting the Uniform Probate Code; providing

for consolidation and revision of certain laws relating to wills, intestacy, administration and distribution of estates; prescribing court procedures; providing for giving validity to certain non-testamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect; providing for enforcement of testamentary and other trusts; providing a time of taking effect and providing for transition; and repealing inconsistent laws.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 200 — Municipal Government.

SB 201 — Rules.

SB 202 — Banks and Banking.

SB 203 — Judiciary.

SB 204 — Judiciary.

SJR 16 — Social Welfare.

HB 1192 — Revenue and Taxation.

HB 1202 — Appropriations and Budget.

HB 1216 — Business, Industry and Labor Relations.

Senator Wadley presiding.

SPECIAL INTRODUCTIONS

Senator Grantham asked unanimous consent, which was granted, that the rules be suspended and that privileges of the floor be granted to Mr. Charles F. Danley, Superintendent, and Mrs. Earl Summers, Assistant Superintendent, of the American Legion Children's Home at Ponca City for presentation of a Citation to the children's home; and that he be allowed to introduce the children seated in the Senate gallery.

Senator Luton presiding.

Senator Lane asked unanimous consent, which was granted, that representatives of the several youth organizations comprising the Oklahoma Vocational Association

and the Oklahoma Vocational Technical Education Council be granted privileges of the floor.

Citations of Congratulations were presented to:

Bobbi Hashagen, Oklahoma City, State Secretary of DECA by Senator Lambert;

Dee Sokolasky, Owasso, State President of FFA by Senator Shatwell;

Donna Shelton, Ponca City, State President of OHOSO by Senator Grantham;

Jim Harris, Bartlesville, State President of VICA by Senator Pierce;

Keith Nootbar, Shawnee, National Treasurer of VICA by Senator Clifton;

Debie Vincent, Eakly, State President of FHA by Senator Giles; and

Mark Province, Watonga, State President and National Secretary of FBLA by Senator Tinsley.

Senator Tinsley, after presenting a Citation of Congratulations to Mr. James Bode, Geary, former State President and current National President of Future Farmers of America, asked unanimous consent, which was granted, that James be permitted to address the Senate.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1101, 1102, 1227, 1230, 1233, 1247 and 1252.

HB 1101 — By Hammons, et al, of the House and Schuelein and Randle of the Senate.

An Act relating to prisons and reformatories; amending Section 24, Chapter 325, O.S.L. 1975, as amended by Section 3, Chapter 219, O.S.L. 1976 (57 O.S. Supp.

1976, Section 541); providing for an Industries Revolving Fund for the Department of Corrections; increasing monetary sources for the fund; modifying procedure for expenditure of the fund; providing for costs and prices of certain items; providing for certain wages; and providing effective date.

HB 1102 — By Hammons, et al, of the House and Schuelein and Randle of the Senate.

An Act relating to prisons and reformatories; amending Section 4, Chapter 163, O.S.L. 1976 (57 O.S. Supp. 1976, Section 542); providing for depositing income from prisoner employment contracts; fixing maximum charges for costs of incarceration; and providing an effective date.

HB 1227 — By Hooper, et al.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1287, as amended by Section 1, Chapter 111, O.S.L. 1976 (21 O.S. Supp. 1976, Section 1287); increasing penalties for crimes where certain weapons are used; prohibiting eligibility for parole contingent upon certain occurrences; and providing an effective date.

HB 1230 — By Cleveland.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 324.11, as amended by Section 1, Chapter 190, O.S.L. 1973 (74 O.S. Supp. 1976, Section 324.11); requiring building permits for certain buildings; establishing procedures for obtaining permits from State Fire Marshal; requiring that smoke detectors be installed in dwelling units designed for human habitation; and requiring State Fire Marshal to promulgate certain rules and regulations governing installation and maintenance of smoke detectors.

HE 1233 — By Ford.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2460; fixing duties and procedures for county assessor

in increasing valuation of certain property; specifying contents of notice of increase of certain assessments; providing complaint procedures for taxpayers; and providing an effective date.

HB 1247 — By Ford.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 131, as last amended by Section 1, Chapter 300, O.S.L. 1974 (19 O.S. Supp. 1976, Section 131); providing for election of county officers and terms of office; removing office of county surveyor from these provisions; providing for qualifications for candidacy for a county officer other than that held by him; providing for abolishment of office of county surveyor with exception; and directing codification.

HB 1252 — By Camp.

An Act relating to crimes and punishments; repealing 21 O.S. 1971, Section 63; providing that prison sentences for over one year expire between certain months; and declaring an emergency.

The above numbered HBs were read for the first time.

Senator Smith presiding.

GENERAL ORDER

SB 10 by Dawson and Cate of the Senate and Wiseman of the House was read and considered.

Senator Stipe moved to amend **SB 10**, Page 2, Line 1, by inserting after the word "continuous," and before the word "intravenous" the following: "not to exceed 5 minutes", which amendment was declared failed of adoption.

Senator Watson moved to amend **SB 10**, Page 2, Line 1, by striking the word "continuous" and substituting the word "uninterrupted", which amendment was declared failed of adoption.

Upon motion of Senator Dawson, SB 10 was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 10 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 10 was read for the third time at length.

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

Aye: Berrong, Cate, Crow, Dawson, Giles, Grantham, Holden, Howard, Keating, Kilpatrick, Lambert, Lane, Luton, McCune, Murphy, Porter, Randle, Rozell, Smith, Taliaferro, Terrill, Vann, Wolfe, York and Young.—25.

Nay: Birdsong, Boatner, Butler, Capps, Clifton, Dahl, Field, Funston, Green, Helm, Johnson, Keller, Lamb, McDaniel, Pierce, Schuelein, Shatwell, Stipe, Tinsley, Wadley and Watson.—21.

Excused: Howell and Martin.—2.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Lamb moved that the vote be reconsidered by which SB 10 passed.

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

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 23, 61, 100, 104, 106, 158 and 184 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

BILL WITHDRAWN — REREFERRED

Senator Smith asked unanimous consent, which was granted, that SB 46 be withdrawn from the Calendar and rereferred to the Committee on Revenue and Taxation.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, February 10, 1977, at 12:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 125 as coauthored by Henry and Sparkman of the House.

The above numbered Bill was referred for enrollment.

Upon motion of Senator Lane, the Senate adjourned at 4:30 p.m. to meet Thursday, February 10, 1977, at 12:30 p.m.



Twenty-third Legislative Day

Thursday, February 10, 1977

Pursuant to adjournment, the Senate was called to order by Senator Lambert, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Butler, Giles, Martin and Smith.—4.

Senator Lambert declared a quorum present.

The following prayer was offered by Dr. Perkins and incorporated into the Journal upon request of Senator Birdsong.

Our Heavenly Father, when we have prayed for guidance and You give it, let us not think it strange if it is not something that we have previously considered. For we know that Thy thoughts are not our thoughts and our way is not Thine.

Make us eager to know Thy will for Thy way of dealing with situations, rather than

seeking our own plans and asking Thee to bless them. Then, we know, we shall discover how much better is Thy way and how happy we become when we walk in it. Through Jesus Christ our Lord we pray. Amen.

The Journal for the last legislative day was declared approved.

FIRST READING

The following were introduced and read the first time.

SJR 17 — By Funston.

A Joint Resolution relating to patient's rights; setting forth and affirming the patient's bill of rights adopted by the American Hospital Association; requesting hospitals to post a copy of such rights; and requesting health professionals to observe and assist in the observance of such rights.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 205 — Education, Common and then to County, State and Federal Government.

SB 206 — Judiciary.

HB 1101 — Public Safety and Penal Affairs.

HB 1102 — Public Safety and Penal Affairs.

HB 1227 — Criminal Jurisprudence and then to County, State and Federal Government.

HB 1230 — Public Safety and Penal Affairs and then to Business, Industry and Labor Relations.

HB 1233 — Revenue and Taxation.

HB 1247 — County, State and Federal Government.

HB 1252 — Criminal Jurisprudence.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1056, 1103, 1104, 1105 and 1136.

HB 1056 — By Johnston of the House and Kilpatrick of the Senate.

An Act relating to state officers and employees; providing that a state employee shall have a right to see his own work record as kept by the appropriate state agency; prescribing penalty; providing for codification; and declaring an emergency.

HB 1103 — By Hammons, et al, of the House and Schuelein and Randle of the Senate.

An Act relating to prisons and reformatories; authorizing employment of certain prison inmates; establishing regulations of such employment; prohibiting certain acts by employed inmates; making certain provisions for earnings of employed inmates; providing exceptions; directing codification; and providing an effective date.

HB 1104 — By Hammons, et al, of the House and Schuelein and Randle of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 510, as last amended by Section 1, Chapter 155, O.S.L. 1974 (57 O.S. Supp. 1976, Section 510); providing for certain powers and duties of the Director of Corrections; delegating certain authority over prison

industries to the State Board of Corrections; defining terms; providing exceptions; and providing an effective date.

HB 1105 — By Hammons, et al, of the House and Schuelein and Randle of the Senate.

An Act relating to state government; amending 74 O.S. 1971, Section 123f; placing restrictions on the sale or distribution of convict-made goods; creating a State Prison Industries Board; establishing rules, procedures and duties; making the Director of the Department of Corrections Chairman of the State Prison Industries Board; designating certain duties and powers of the State Board of Corrections; directing codification; and providing an effective date.

HB 1136 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Physician Manpower Training Commission; making appropriations to the Commission and certain specified funds administered by the Commission; stating the purposes; providing for appointment, duties and compensation of employees; limiting Executive Director's salary; limiting number of employees; limiting expenditures for salaries and wages; designating the number and compensation of authorized officials and employees; providing lapse date; providing severability; and declaring an emergency.

The above numbered HBs were read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 34 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 125 was correctly enrolled and, after fourth reading, properly signed and or-

dered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 3 by Grantham of the Senate and Elder, et al, of the House was read and considered.

Senator Grantham moved to amend SB 3, Pages 4 and 5, by striking after the word "jurisdictional," on Line 15 of Page 4, all language through the word "that" on Line 1 of Page 5 and inserting the word "but", which amendment was declared adopted.

Senator Grantham moved to amend SB 3, Page 5, Line 8, by adding after the word "time" and before the word "extends" the following: "but not to exceed fifteen (15) days from the date of the decision to which the motion is directed," which amendment was declared adopted.

Senator Keller moved to amend SB 3, Page 5, Line 11, by striking the word "promptly" and inserting the following: "within twenty (20) days", which amendment was declared adopted.

Upon motion of Senator Grantham, SB 3, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 3, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Grantham asked unanimous consent to amend SB 3 on third reading, which was the order.

Senator Keller moved to amend SB 3, Page 2, Line 3, by reinserting after the word "the" and before the word "order" the word "final", which amendment was declared adopted.

SB 3 was read for the third time at length.

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

Aye: Berrong, Cate, Clifton, Field, Funston, Grantham, Green, Helm, Holden, Howard, Keating, Kilpatrick, Lambert, Luton, McCune, Murphy, Pierce, Randle, Rozell, Stipe, Wolfe and York.—22.

Nay: Birdsong, Boatner, Capps, Crow, Dahl, Dawson, Howell, Johnson, Keller, Lamb, Lane, McDaniel, Porter, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Wadley, Watson and Young.—21.

Excused: Butler, Giles, Martin, Smith and Vann.—5.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Grantham moved to reconsider the vote whereby SB 3 failed of passage.

GENERAL ORDER

SB 102 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Grantham asked to be made a coauthor of SB 102, which was the order.

Upon motion of Senator Crow, SB 102, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 102, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 102 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Porter.—1.

Excused: Butler, Giles, Martin, Smith and Vann.—5.

The bill and emergency passed.

SB 102 was referred for engrossment.

GENERAL ORDER

SB 105 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 105 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 105 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 105 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm,

Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Keller.—1.

Excused: Butler, Giles, Martin, Smith and Vann.—5.

The bill and emergency passed.

SB 105 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Lambert presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Grantham, advised and consented to the confirmation of WARREN L. JENSEN, Ponca City, as a member of the Board of Regents of Northern Oklahoma Colleges to serve a 5-year term ending June 30, 1981, and effective upon Senate confirmation. Mr. Jensen succeeds Dr. Edwin Fair.

The Senate, in executive session, and upon motion of Senator Grantham, advised and consented to the confirmation of W. M. McGEE, Ponca City, as a member of the Data Processing Technical Advisory Commission to serve a 5-year term ending July 1, 1981, and effective upon Senate confirmation. Mr. McGee succeeds Cormack Hearn, Midwest City.

The Senate, in executive session, and upon motion of Senator Lane, on the written request of Senator Giles, advised and consented to the confirmation of LOYN MARVEL, Anadarko, as a member of the Air Quality Control Board (Air Quality Council) to serve a 7-year term ending June 15, 1982, and effective upon Senate confirmation. Mr. Marvel succeeds himself.

The Senate, in executive session, and upon motion of Senator Porter, advised and consented to the confirmation of ANNABEL SAWYER, Oklahoma City, as a member of the Human Rights Commission to serve a 3-year term ending July 15, 1979, and effective upon Senate confirmation. Ms. Sawyer succeeds herself.

The Senate, in executive session, and upon motion of Senator Wadley, advised and consented to the confirmation of

JAMES SUMMERLIN, Claremore, as a member of the Board of Regents of Claremore Junior College to serve a 5-year term ending June 30, 1981, and effective upon Senate confirmation. Mr. Summerlin succeeds himself.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, February 14, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 125.

The above numbered Enrolled Bill was referred to the Governor.

Upon motion of Senator Lane, the Senate adjourned at 2:15 p.m. to meet Monday, February 14, 1977, at 1:30 p.m.



Twenty-fourth Legislative Day

Monday, February 14, 1977

Pursuant to adjournment, the Senate was called to order by Senator Wadley, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York —43.

Excused: Keating, Porter, Stipe, Wolfe and Young.—5.

Senator Wadley declared a quorum present.

The following prayer was offered by Reverend David E. Nyberg, Rector, St. James Episcopal Church, Oklahoma City, and incorporated into the Journal upon request of Senator York.

Almighty God, Ruler of the Universe and the light of mankind, we pause to acknowledge Your being at the beginning of this legislative week.

Pour Your spirit into the life of every Senator. Make their allegiance to the truth

absolute, and inform their concept of justice with divine mercy. Give to each an incisive intellectual capacity to see into the roots of the problems with which they deal, give them breadth of vision in the legislation they propose and support, and the causes they espouse.

Grant them discernment to see how the legislation they adopt will affect lives of people, and make them partners, O God, in Your glorious work of bringing a free people to Your heavenly throne, in Jesus Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senators Taliaferro and Terrill introduced Lois Holeman, R.N., and Jean Ford, student nurse, both of Lawton, as Nurses of the Day.

SPECIAL INTRODUCTION

Senator Wadley introduced Congressman Ted Risenhoover to the Senate and appointed Senators Dahl and Schuelein as a committee to escort Congressman Risenhoover to the President's desk, whereupon he addressed the Senate.

Following the remarks of Congressman Risenhoover, Senator Rozell asked unanimous consent, which was granted, that he

be granted privileges of the floor for this legislative day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 15 — Criminal Jurisprudence.

SB 199 — Municipal Government, as coauthored by Davis (Guy) of the House.

DO PASS, as amended:

SB 67 — Criminal Jurisprudence.

CS for SB 152 — Municipal Government.

SJR 12 — Social Welfare.

FIRST READING

The following were introduced and read the first time.

SB 207 — By Cate.

An Act relating to banks; defining terms; providing for extended facilities and procedure for approval or disapproval for extended service facilities; designating limitations of facilities; providing penalties; repealing 6 O.S. 1971, Section 415, as amended by Section 1, Chapter 132, O.S.L. 1971, and 6 O.S. 1971, Section 415, Subsection A, as amended by Section 11, Chapter 352, O.S.L. 1971; and providing an effective date.

SB 208 — By Grantham of the Senate and Elder of the House.

An Act relating to cities and towns; authorizing appeal to the Court of Criminal Appeals from final judgments, final orders, judgments and sentences in criminal matters appealed to district courts from municipal courts not of record; and directing codification.

SB 209 — By McCune.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 958.22; providing clarification of the maximum amount of temporary cash bond required in municipal courts not of record to assure the appearance in court of an accused; and declaring an emergency.

SJR 18 — By Howell of the Senate and Abbott of the House.

A Joint Resolution directing the Secretary of State refer to the people for their approval or rejection a proposed amendment to Section 5 of Article I of the Oklahoma Constitution; providing for the establishment and maintenance of public schools; providing certain criteria; removing certain construction that did not prohibit the establishment of separate schools; providing for ballot title; and directing filing.

SJR 19 — By Lamb.

A Joint Resolution authorizing E. F. Riffel and Floyd Riffel, owner and tenant of certain property, to bring suit against the State of Oklahoma to determine the amount of damage, if any, sustained by them by reason of the design, construction and maintenance of Highways No. 60, 64 and 81, immediately adjacent to the western side of their property located in the Southeast Quarter of Section 30, Township 25 North, Range 6 West, Indian Meridian, Grant County, Oklahoma; providing 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.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 17 — Professions and Occupations.

HB 1056 — County, State and Federal Government.

HB 1103 — Public Safety and Penal Affairs.

HB 1104 — Public Safety and Penal Affairs.

HB 1105 — Public Safety and Penal Affairs.

HB 1136 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCRs 1003 and 1005.

HCR 1003 — By Ford.

A Concurrent Resolution expressing legislative intent concerning time restrictions on increasing legislators' salaries; and directing distribution.

HCR 1005 — By Duckett and Hammons of the House and Lamb of the Senate.

A Concurrent Resolution designating April 15, 1977, as Free Enterprise Day in Oklahoma.

Consideration of the Resolutions was deferred for this legislative day.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 102 and 105 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 122 by Berrong and Grantham of the Senate and Floyd, et al, of the House was read and considered.

Senator Birdsong asked to be made a co-author of **SB 122**, which was the order.

Senator Berrong moved to amend **SB 122**, Article II, Page 13, Line 22, by striking after the word "within" and before the word "sixty" the words "the next" and on

Line 24 by inserting after the word "registration" and before the word "the" the words "within sixty (60) days of the effective date of such registration statement", which amendment was declared adopted.

Senator Berrong moved to amend **SB 122**, Article III, Page 4, Line 28, by striking after the word "within" the words "the next sixty (60) days" and inserting the words "sixty (60) days of the issuance of said license", which amendment was declared adopted.

Senator Berrong moved to amend **SB 122**, Article V, Page 2, Line 20, by adding after the word "made" and before the word "false" the word "any" and also adding after the word "misleading" and before the word "in" the word "statement", which amendment was declared adopted.

Upon motion of Senator Berrong, **SB 122**, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **SB 122**, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 122 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—36.

Nay: Crow, Helm, Howell, Keller, Lane, Murphy and Pierce.—7.

Excused: Keating, Porter, Stipe, Wolfe and Young.—5.

The bill passed.

SB 122 was referred for engrossment.

Senator Watson presiding.

MOTION TO RECONSIDER VOTE

Senator Grantham asked for consideration of his motion to reconsider the vote whereby SB 3 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—43.

Excused: Keating, Porter, Stipe, Wolfe and Young.—5.

BILL WITHDRAWN — REREFERRED

Senator Grantham asked unanimous consent, which was granted, that SB 3 be withdrawn from the Calendar and rereferred to the Committee on Judiciary.

BILL WITHDRAWN — REASSIGNED

Senator Lambert asked unanimous consent, which was granted, that SB 131 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on County, State and Federal Government.

GENERAL ORDER

SJR 11 by Dahl of the Senate and Johnson (Don) and Kennedy of the House was read and considered.

Upon motion of Senator Dahl, SJR 11 was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SJR 11 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 11 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—43.

Excused: Keating, Porter, Stipe, Wolfe and Young.—5.

The resolution passed.

SJR 11 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session

with Senator Watson presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of MRS. RICHARD B. DOUGLASS, Oklahoma City, as a member of the Arts and Humanities Council, to serve an unexpired 3-year term ending July 1, 1977, and effective upon Senate confirmation. Mrs. Douglass succeeds Stephen Dunlap, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Capps, advised and consented to the confirmation of JUANITA HODGES, Elk City, as a member of the State Board of Nursing Homes to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Ms. Hodges succeeds herself.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of CURT SCHWARTZ, Oklahoma City, as a member of the Arts and Humanities Council to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Schwartz succeeds Cora Price.

GENERAL ORDER

SB 70 by Murphy of the Senate and Caldwell and Bernard of the House was read and considered.

Upon motion of Senator Murphy, SB 70 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SB 70 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 70 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—43.

Excused: Keating, Porter, Stipe, Wolfe and Young.—5.

The bill passed.

SB 70 was referred for engrossment.

Senators Keating and Wolfe asked to be shown present, which was the order.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 4, as amended.

HOUSE AMENDMENTS

HAs to SCR 4 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 35, by adding after the “,” the following: “That in no case shall an individual be hired for the position of Wildlife Conservation Ranger without passage of a qualifying examination.”

GENERAL ORDER

SB 163 by Luton of the Senate and Elder of the House was read and considered.

Senator Dawson moved to amend SB 163, Page 2, Line 17, by striking all language after the word “arose” and before the period on Line 1 of Page 3 and substituting

"whether or not he still maintains residency here", which amendment was withdrawn upon the unanimous consent request of Senator Dawson.

Upon motion of Senator Luton, SB 163 was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 163 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 163 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm.

Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—41.

Nay: Crow, Howell and Randle.—3.

Excused: Field, Porter, Stipe and Young.—4.

The bill passed.

SB 163 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, February 15, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 2:45 p.m. to meet Tuesday, February 15, 1977, at 1:30 p.m.

Twenty-fifth Legislative Day

Tuesday, February 15, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Keller and Stipe.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Nyberg and incorporated into the Journal upon request of Senator York.

Oh God, who in the Holy Book of the Psalms has promised to teach Your Senators wisdom, turn an attentive ear to our prayer, look with benevolent eyes upon our problems, our difficulties, our conflicts, and help us to allow You to be the solution.

Open our minds to creative new approaches, to equitable compromises, to courageous defense of the fundamentals of

representative democracy, and to divine wisdom. Finally, O Lord, bring us to that union with You that will fulfill all our noblest human aspirations. All of which we ask through the mediation of Your Son Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Kilpatrick introduced Terry Nickels, D.O., Oklahoma City, as Doctor of the Day and Senators Terrill and Taliaferro introduced Fred Roloff, R.N., Lawton, as Nurse of the Day.

SPECIAL INTRODUCTION

Senator McDaniel introduced the former Senator from Ada, Congressman Wes Watkins, District 3, who briefly addressed the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1015 — Environmental and Natural Resources.

DO PASS, as amended:

SB 204 — Judiciary, as coauthored by Smith of the House.

CS for SJR 15 — Environmental and Natural Resources, as coauthored by Wadley of the Senate and Duke of the House.

FIRST READING

The following were introduced and read the first time.

SB 210 — By Luton.

An Act relating to professions and occupations; amending 59 O.S. 1971, Section 15.22; providing for issuance of permits for public accounting; providing for renewal of permits; specifying certain conditions for renewal; providing for disqualification; providing certain time limitations; specifying persons required to hold a permit; providing exceptions; and declaring an emergency.

SB 211 — By Young.

An Act relating to state government; amending Section 2, Chapter 64, O.S.L. 1972, as last amended by Section 1, Chapter 138, O.S.L. 1975, and Section 1, Chapter 52, O.S.L. 1976 (74 O.S. Supp. 1976, Sections 1701 and 1703); enabling certain employees to participate in tax-sheltered income deferment plans; creating a Board of Trustees; providing certain guidelines for the Board; providing for creation, duties and restrictions of trusts; providing Oklahoma Public Employees Retirement System with certain duties; and transferring appointment of certain appointments for certain purposes from the Board of Trustees to the Oklahoma Public Employees Retirement System.

SB 212 — By Dawson.

An Act relating to insurance; amending 36 O.S. 1971, Section 312.1, as last amended by Section 1, Chapter 34, O.S.L. 1975 (36 O.S. Supp. 1976, Section 312.1); providing for reports, appropriation and disbursement of fees and taxes collected on certain

insurance premiums; providing effective date; and declaring an emergency.

SB 213 — By Capps of the Senate and Weichel of the House.

An Act relating to motor vehicles; providing for establishment and enforcement of speed limits on public trust property; setting penalties; directing codification; and declaring an emergency.

SB 214 — By Dahl of the Senate and Townsend of the House.

An Act relating to game and fish; amending Section 5-203, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 5-203); modifying provisions for carrying shotguns or firearms while training certain dogs; providing for hunting with certain lights; setting certain time limitations; providing for hunting of predatory animals, under certain conditions; providing for the use of certain motor-driven conveyances; and providing penalties.

SB 215 — By Martin.

An Act relating to the Oklahoma Tourism and Recreation Department and making an appropriation thereto; authorizing use of funds for purchase of Turner Falls Park; making appropriation nonfiscal; and declaring an emergency.

SB 216 — By Murphy.

An Act relating to waters and water rights; amending 82 O.S. 1971, Section 861; creating the Grand River Dam Authority; specifying powers and limitations of such authority; enlarging territory included in such authority; and setting an effective date.

SB 217 — By Tinsley.

An Act relating to counties and county officers; providing for regulation of certain subdivisions, sanitary landfills, hazardous waste disposal sites and other waste disposal sites; specifying certain exemptions; defining subdivision; providing for adoption and amendment of certain

rules and regulations by the board of county commissioners; specifying procedure; providing for approval of certain plats; providing penalties; authorizing contracting and cooperation with certain other agencies, subdivisions, persons and firms; authorizing the assignment of functions to certain commissions; directing codification; and declaring an emergency.

SB 218 — By Tinsley.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 22.2, as last amended by Section 11, Chapter 241, O.S.L. 1976 (47 O.S. Supp. 1976, Section 22.2); providing for apportionment of certain license fees, taxes and penalties pursuant to certain provisions of the motor vehicle statutes; providing certain exceptions thereto; defining terms; changing certain uses of funds; and declaring an emergency.

SB 219 — By Rozell.

An Act relating to contracts; amending 15 O.S. 1971, Section 598.2; defining terms; modifying definition of cost to retailer; and setting an effective date.

SB 220 — By Howell.

An Act relating to statutes and reports; amending 75 O.S. 1971, Sections 306 and 318; providing for an action for declaratory judgment to determine validity or applicability of certain rules; providing for judicial review of certain final orders; and modifying provisions for venue.

SB 221 — By Martin.

An Act relating to the historical societies and associations; providing for an appropriation to the Oklahoma Historical Society for use of the Healdton Oil Museum; providing for the purpose; making the appropriation nonfiscal; and declaring an emergency.

SB 222 — By Field of the Senate and Converse of the House.

An Act relating to game and fish;

amending Section 5-401, Chapter 17, O.S.L. 1974, as amended by Section 6, Chapter 238, O.S.L. 1975 (29 O.S. Supp. 1976, Section 5-401); providing for open seasons, bag limits, catch limits, possession limits and territorial limits on protected game; authorizing Commission to assess certain handling fees; and declaring an emergency.

SB 223 — By Field of the Senate and Converse of the House.

An Act relating to game and fish; amending Section 6-303, Chapter 17, O.S.L. 1974, as amended by Section 1, Chapter 43, O.S.L. 1975 (29 O.S. Supp. 1976, Section 6-303); providing for the taking of nongame fish; and authorizing Oklahoma Wildlife Conservation Commission to determine permissible net size.

SB 224 — By Boatner.

An Act relating to property; amending 60 O.S. 1971, Section 331; modifying manner of acquisition of property; prohibiting acquisition of title to real property by adverse possession; providing for interest in real property acquired by adverse possession prior to the effective date of this act; directing codification; repealing 60 O.S. 1971, Sections 332 and 333; and providing effective date.

SB 225 — By Lane.

An Act relating to intoxicating liquors; amending 37 O.S. 1971, Section 537; prohibiting certain acts relating to intoxicating liquors; specifying certain rules and regulations regarding intoxicating liquors; and further restricting package store hours.

SB 226 — By Funston and Watson.

An Act relating to revenue and taxation; implementing and vitalizing Section 12a of Article X of the Constitution of the State of Oklahoma, relating to common school taxes on the property of public service corporations; declaring legislative intent; creating the Oklahoma Common School

Fund; providing for distribution of the monies of such fund by legislative appropriation; directing the county treasurers to transmit for deposit in the Oklahoma Common School Fund certain taxes collected for the maintenance of common schools upon such property of certain public service corporations; providing an effective date; and declaring an emergency.

SB 227 — By Kilpatrick of the Senate and Floyd of the House.

An Act relating to property; subjecting specified public trust property to ad valorem taxation; directing codification; and setting an effective date.

SB 228 — By Cate.

An Act relating to a state building; assigning specified building to Oklahoma War Veterans Commission; directing codification; and declaring an emergency.

SJR 20 — By Howell of the Senate and Abbott of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the repeal of Section 11 of Article XXIII of the Oklahoma Constitution, which defines certain terms; providing ballot title; and directing filing.

SJR 21 — By Luton and Clifton.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article X of the Oklahoma Constitution; providing a maximum of indebtedness in any one year any county, city, town, school district or other political corporation or subdivision may incur; providing a ballot title; and ordering the question submitted to the people at the next statewide general election.

SJR 22 — By Keating.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article V of the Oklahoma Con-

stitution by adding a new section, to be designated as Section 17A; limiting the number of terms in office State Senators and Representatives may serve; providing for a ballot title; and directing filing.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 207 — Banks and Banking and then to County, State and Federal Government.

SB 208 — Criminal Jurisprudence.

SB 209 — Municipal Government.

SJR 18 — Constitutional Revision and Regulatory Services and then to Education, Common.

SJR 19 — Judiciary and then to Roads and Highways.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1048, 1124, 1245 and 1270** and **HJR 1006**.

HB 1048 — By Matheson, et al, of the House and Smith of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 180.64 A, Section 180.65, as amended by Section 2, Chapter 292, O.S.L. 1976 (19 O.S. Supp. 1976, Section 180.65); providing for county officers' deputies and other help; setting restrictions on salaries; providing rates of compensation; and declaring an emergency.

HB 1124 — By Townsend.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 11-202, as last amended by Section 1, Chapter 110, O.S.L. 1974 (47 O.S. Supp. 1976, Section 11-202), 11-205, 11-301, 11-306, 11-311 and 11-501; limiting colors used on traffic control signals to green, red and yellow and providing an exception for special pedestrian signals; prescribing permissible traffic and pedestrian movements when facing

green light or green arrow and requiring traffic to yield to pedestrians in crosswalk and other traffic lawfully using intersection; providing for yellow signal and prescribing permissible traffic and pedestrian movements; providing for red signal and prescribing permissible traffic and pedestrian movements; permitting right and left turns on red after stop at certain locations unless prohibited by certain signs; providing for lane directional control signals; designating certain placements and meanings of such signals; requiring obedience to pedestrian-actuated school crossing signals by vehicles and pedestrians; prohibiting driving on the left side of roadway under certain circumstances and providing certain exceptions thereto; providing rules when highway is divided into two or more roadways by certain spaces or barriers; requiring pedestrian obedience to traffic control devices and police officers; directing codification; and declaring an emergency.

HB 1245 — By Abbott and Duke.

An Act relating to schools; amending 70 O.S. 1971, Section 14-108, as amended by Section 1, Chapter 134, O.S.L. 1975 (70 O.S. Supp. 1976, Section 14-108); providing for area vocational-technical school districts; setting boundaries; providing for organization and operations; providing levy elections; providing for estimate of needs; providing for accreditation; and providing limitations on nondistrict areas.

HB 1270 — By Ford, et al, of the House and Watson of the Senate.

An Act relating to schools; amending 70 O.S. 1971, Section 628.13; providing for review of admission standards for provisional admission of certain adult students to certain educational institutions; providing for establishment of program to allow certain high school students to attend certain institutions of higher education; and specifying criteria for participation in said program.

HJR 1006 — By Sparkman, et al, of the House and Boatner of the Senate.

A Joint Resolution relating to assistance payments; requesting increases in payments under certain welfare programs; and declaring an emergency.

The above numbered HBs and HJR were read for the first time.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1006.

HCR 1006 — By Willis, et al, of the House and Howard, Lane and Pierce of the Senate.

A Concurrent Resolution relating to the Oklahoma Hi-Y Youth Legislature; authorizing use of the Chambers of the House of Representatives and of the Senate for specified dates in 1977; and directing that duly authenticated copies of this resolution be forwarded to certain officials of the Young Men's Christian Association.

Consideration of the Resolution was deferred for this Legislative day.

PENDING SENATE ACTION — RESOLUTION

HCR 1003, introduced on page 201, was called up for consideration.

Senator Lane asked to be made Senate author of HCR 1003, which was the order.

HCR 1003, as coauthored, was read at length, adopted upon motion of Senator Lane, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SJR 12 by Porter and Birdsong was read and considered.

Senator Boatner asked to be made a co-author of SJR 12, which was the order.

Upon motion of Senator Porter, SJR 12, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Porter, SJR 12, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 12 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Keller and Stipe.—2.

The resolution and emergency passed.

SJR 12 was referred for engrossment.

Senator Lambert presiding.

GENERAL ORDER

SB 199 by Boatner of the Senate and Davis (Guy) of the House was read and considered.

Upon motion of Senator Boatner, SB 199 was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 199 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 199 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Keller and Stipe.—2.

The bill and emergency passed.

SB 199 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 70, 122 and 163 and SJR 11 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 75, as amended and SB 150, as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 75 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Oklahoma State Legislative Council; making an appro-

priation thereto; stating the purpose; providing for appointment, duties and compensation of employees; authorizing the payment of state assessment for the Southwest Regional Energy Council; making appropriation nonfiscal; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

HOUSE AMENDMENTS

HAs to SB 150 were read as follows and consideration deferred.

Authors: Add the following coauthors: PETERSON, McCaleb, COTNER, JOHNSON (Don), THOMPSON (Don) and BENNETT of the House.

Amendment No. 1. Amend Page 1, Line 20, by inserting the words ", regardless of population," after the word "county".

GENERAL ORDER

SB 15 by Keating was read and considered.

Senator Keating, citing Rule 8(d), asked unanimous consent, which was granted, that Representative Twidwell be named House author of SB 15.

Senator Keating asked unanimous consent that further consideration of SB 15 be deferred temporarily, which was the order.

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

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Lambert presiding.

GENERAL ORDER

SB 15 was considered further.

Senator Keating moved to amend SB 15, Page 1, Line 4, by striking the words "or attempts to shoot at", which amendment was declared adopted.

Senator Dahl moved to amend SB 15, Page 2, Line 1, by deleting after the word "firearm" and before the word "with" on Line 2 the words "airgun or other means whatever", which amendment was declared adopted.

Senators Wolfe and Keating moved to amend SB 15, Page 1, Line 4, by striking after the word "shoots" and before the word "or" the words "shoots at", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Kilpatrick, Lane, Martin, Pierce, Porter, Randle, Schuelein, Smith, Wadley, Wolfe and York.—25.

Nay: Birdsong, Boatner, Butler, Capps, Dahl, Howell, Johnson, Keller, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Watson and Young.—22.

Excused: Stipe.—1.

Upon motion of Senator Keating, SB 15, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 15, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 15 was read for the third time at length.

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

Aye: Berrong, Capps, Clifton, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Shatwell, Smith, Taliaferro, Vann, Wadley, Watson, Wolfe and York.—32.

Nay: Birdsong, Boatner, Butler, Cate, Dawson, Funston, Howell, Johnson, Porter, Randle, Rozell, Terrill, Tinsley and Young.—14.

Excused: Crow and Stipe.—2.

The bill and emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Funston moved that the vote be reconsidered by which SB 15 passed.

Senator Wadley presiding.

SPECIAL COMMITTEE REPORT

Senator Terrill submitted Part II of the final report and recommendations of the Special Committee on Utility Service Companies pursuant to **SJR 70** of the 35th Legislature and moved that same be accepted by the Senate, which motion was declared adopted.

MOTION TO RECONSIDER VOTE

Senator Lamb asked for consideration of his motion to reconsider the vote by which SB 10 passed.

Senator Cate moved to table the Lamb motion to reconsider, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Cate, Crow, Dawson, Field, Giles, Grantham, Howard, Kilpatrick, Lambert, Lane, Porter, Randle, Smith, Taliaferro, Terrill, Vann, York and Young.—19.

Nay: Birdsong, Boatner, Butler, Capps, Clifton, Dahl, Funston, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Shatwell, Tinsley, Wadley, Watson and Wolfe.—27.

Excused: Rozell and Stipe.—2.

Senator Lamb pressed his motion to reconsider the vote by which **SB 10** passed, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Dahl, Funston, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Shatwell, Tinsley, Wadley, Watson and Wolfe.—27.

Nay: Berrong, Cate, Crow, Dawson, Field, Giles, Grantham, Howard, Kilpatrick, Lambert, Lane, Porter, Randle, Rozell, Smith, Taliaferro, Terrill, Vann, York and Young.—20.

Excused: Stipe.—1.

SB 10 was thereby placed on third reading on the Senate Calendar.

GENERAL ORDER

SB 152 by Grantham of the Senate and Elder of the House was read and considered.

Senator Murphy moved to amend **SB 152**, Page 4, Line 4, by changing the words and

figures "thirty (30)" to read "forty-five (45)", which amendment was declared adopted.

Upon motion of Senator Grantham, **SB 152**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **SB 152**, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 152 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Keller, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Smith, Vann,

Wadley, Watson, Wolfe, York and Young.—34.

Nay: Boatner, Crow, Dawson, Holden, Johnson, Kilpatrick, Lane, Randle, Rozell, Taliaferro, Terrill and Tinsley.—12.

Excused: Keating and Stipe.—2.

The bill passed.

SB 152 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, February 16, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE GOVERNOR

Advising approval by him, February 15, 1977, of Enrolled **SB 125**.

Upon motion of Senator Lane, the Senate adjourned at 3:50 p.m. to meet Wednesday, February 16, 1977, at 1:30 p.m.



Twenty-sixth Legislative Day

Wednesday, February 16, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Excused: Keating, Porter, Shatwell, Stipe and Wolfe.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Nyberg and incorporated into the Journal upon request of Senator York.

Almighty Father, who has commanded us to pray, lifting up holy hands without anger or quarreling, we lift our hands and hearts to You. Be present among us now, and throughout this session. Give us evenness of temper when differences give rise to sharp debate and widely divergent views.

Give us keen intellects to find the

ingredients for solutions to knotty problems. Pour upon us a divine patience to see every matter through to its proper resolution, without yielding to discouragement and frustration over delays that encumber the way. Let Your Senators listen to those who seek their ear, but to keep your Son, Jesus Christ, in whose name we pray, as their ultimate counselor and guide, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Capps introduced Clare Siefken and Peggy Morgan, R.N.s, both of Shattuck, and Senator Lambert introduced Suzette Northcutt, R.N., Oklahoma City, as Nurses of the Day.

Senator Green introduced Hans Fichtenberg, D.O., Tulsa, as Doctor of the Day.

REQUESTS FOR LOBBY PERMITS

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

Ben Claiborne, 3829 Classen Blvd., Suite 200, P.O. Box 18244, Oklahoma City, 73118, representing Oklahoma Independent Insurance Agents, Inc.

G. Dan Rambo, 205 East Main, Norman, 73069, representing Oklahoma Collection

Associates; DeHart and Broide, Inc.; Oklahoma Federation of the Blind and 3M Company, 3M Center, Safety Systems Division.

Floyd Spiva, Jr., 4026 N.W. 10th Street, Oklahoma City, representing Oklahoma Association of Denturists, Inc.

Hal S. Whitten, 1030 Hightower Bldg., Oklahoma City, 73102, representing Guardian Foundation.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 189 — Agriculture.

SB 190 — Agriculture.

SJR 19 — Judiciary, as coauthored by Grantham of the Senate and Milacek of the House, and be referred to Committee on Roads and Highways by previous order.

DO PASS, as amended:

SB 166 — Wildlife, as coauthored by Dahl, Johnson and Taliaferro of the Senate and Cullison of the House.

SB 192 — Education, Common.

HB 1048 — Revenue and Taxation.

FIRST READING

The following were introduced and read the first time.

SB 229 — By Schuelein of the Senate and Sparkman of the House.

An Act relating to public health and safety; requiring cities and towns to utilize instate water testing laboratories in certain cases; granting duties to State Commissioner of Health; requiring retesting in certain circumstances; directing codification; and providing an effective date.

SB 230 — By Wadley.

An Act relating to soldiers and sailors; amending 72 O.S. 1971, Section 67.13a, as amended by Section 1, Chapter 304, O.S.L. 1975 (72 O.S. Supp. 1976, Section 67.13a); modifying definition of war veterans; and declaring an emergency.

SB 231 — By Luton.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 215.14, as last amended by Section 4, Chapter 268, O.S.L. 1976, and 215.15, as amended by Section 4, Chapter 232, O.S.L. 1974 (19 O.S. Supp. 1976, Sections 215.14 and 215.15); providing for employment and salaries of district attorneys and certain other employees; providing for increases in certain salaries; providing certain guidelines as to retirement of such employees; providing funding for the act; providing certain requirements for employment of other officers; providing severability; and declaring an emergency.

SB 232 — By Luton, Howard and Lane.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 292, as last amended by Section 1, Chapter 337, O.S.L. 1975 (74 O.S. Supp. 1976, Section 292), which provide for positions, numbers and salaries of temporary and permanent employees of the Senate; making an appropriation and stating the purpose; and declaring an emergency.

SB 233 — By Field.

An Act relating to natural gas; prescribing certain conditions, restrictions and procedures for termination of certain rights of natural gas lessees; directing codification; and setting an effective date.

SB 234 — By Capps and Crow.

An Act relating to corporations; amending 18 O.S. 1971, Sections 951 and 952; prohibiting farming or ranching business corporations with certain exceptions; requiring certification of compliance; providing for revocation of licenses and vacation of

franchises; and excluding applicability to certain corporations.

SB 235 — By Capps.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2457, as amended by Section 1, Chapter 129, O.S.L. 1976 (68 O.S. Supp. 1976, Section 2457); providing for county boards of equalization; modifying qualifications of membership; providing for county excise boards; prohibiting certain acts; and providing penalties.

SB 236 — By Murphy.

An Act relating to state government; providing short title; defining certain terms; creating a State Building Energy Conservation Commission; providing for membership, qualifications, terms of office, meetings, compensation and administration; specifying the Commission's duties; providing for certain codes; providing for the issuance of certain permits under certain conditions; providing for certain hearings and administrative procedures; providing for legal representation; directing codification; and providing an effective date.

SB 237 — By Murphy and Howell of the Senate and Abbott of the House.

An Act relating to state government; amending Section 3, Chapter 22, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3803); defining terms; providing for powers and duties of the Oklahoma Education Council; applying certain new provisions to govern the Council; increasing the Council's duties; and directing codification.

SB 238 — By Lamb.

An Act relating to courts; amending 20 O.S. 1971, Section 1102A, as amended by Section 1, Chapter 247, O.S.L. 1974 (20 O.S. Supp. 1976, Section 1102A); providing disability retirement benefits for certain judges and justices; providing benefits for surviving spouse under certain circumstances and stating amounts payable and

time payments begin; providing for disqualification for survivor benefits under certain conditions; adding retirement credit for certain periods of military service for war veterans and stating conditions; and declaring an emergency.

SB 239 — By Martin of the Senate and Duke of the House.

An Act relating to higher education; authorizing and directing the Oklahoma State Regents for Higher Education to make higher education services available to the people of the Ardmore area; and declaring an emergency.

SB 240 — By Funston.

An Act relating to mental health; declaring legislative intent; amending 43A O.S. 1971, Sections 3, 54, as amended by Section 1, Chapter 355, O.S.L. 1975, and 55, as last amended by Section 2, Chapter 355, O.S.L. 1975 (43A O.S. Supp. 1976, Sections 54 and 55); expanding definitions; modifying proceedings conducted by a sanity commission; modifying provisions for an attorney; modifying provisions for emergency detention of certain persons; modifying procedure for determination of whether a person requires certain treatment; changing requirements for certain petition; expanding certain notice provisions; modifying certain time limitations; modifying certain court orders; directing codification; and declaring an emergency.

SB 241 — By Cate.

An Act relating to fees; amending 28 O.S. 1971, Section 86; providing fees to be paid to jurors for their services; increasing juror's fees; and declaring an emergency.

SB 242 — By Cate.

An Act relating to jurors; providing penalties for discharging an employee from his employment that is required to serve on a jury panel; providing penalties; providing a civil remedy for employees discharged from his employment for serv-

ing on a jury panel; directing codification; and declaring an emergency.

SB 243 — By Luton.

An Act relating to motor vehicles; providing for issuance and possession of temporary permits which function in lieu of registration under certain conditions; imposing certain time limitations; providing for costs and disposition of fees; specifying certain restrictions; providing for the Tax Commission's adoption of certain rules and regulations; directing codification; and providing an effective date.

SB 244 — By Helm.

An Act relating to schools; defining terms; prescribing certain duties of each school board; declaring academic tests confidential; setting requirements concerning administration of personality or adjustment tests; fixing minimum contents of pupil records; declaring pupil records confidential and limiting their availability; providing for disputes concerning accuracy of pupil records; prohibiting certain acts; setting penalties; directing codification; and setting an effective date.

SB 245 — By Lambert.

An Act relating to professions and occupations; amending 59 O.S. 1971, Section 1315; prohibiting certain persons or classes from being bail bondsmen or runners; and including new class of persons in provisions.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 210 — Professions and Occupations.

SB 211 — County, State and Federal Government.

SB 212 — Insurance.

SB 213 — Public Safety and Penal Affairs.

SB 214 — Wildlife.

SB 215 — Appropriations and Budget.

SB 216 — County, State and Federal Government.

SB 217 — Public and Mental Health.

SB 218 — County, State and Federal Government.

SB 219 — Business, Industry and Labor Relations and then to Rules.

SB 220 — Judiciary.

SB 221 — Appropriations and Budget.

SB 222 — Wildlife.

SB 223 — Wildlife.

SB 224 — Judiciary.

SB 225 — County, State and Federal Government.

SB 226 — Constitutional Revision and Regulatory Services.

SB 227 — Revenue and Taxation.

SB 228 — County, State and Federal Government.

SJR 20 — Constitutional Revision and Regulatory Services.

SJR 21 — Revenue and Taxation and then to Constitutional Revision and Regulatory Services.

SJR 22 — Rules and then to County, State and Federal Government.

HB 1048 — Revenue and Taxation.

HB 1124 — Public Safety and Penal Affairs.

HB 1245 — Education, Common.

HB 1270 — Education, Higher.

HJR 1006 — Social Welfare.

GENERAL ORDER

SB 87 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, **SB 87** was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **SB 87**, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 87 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Nay: Helm, Keller, McCune and Pierce.—4.

Excused: Keating, Porter, Shatwell, Stipe and Wolfe.—5.

The bill and emergency passed.

SB 87 was referred for engrossment.

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

GENERAL ORDER

SJR 15 by Martin and Wadley of the Senate and Duke of the House was read and considered.

Senator Wadley asked that his name be removed as a coauthor of SJR 15, which was the order.

Upon motion of Senator Martin, SJR 15 was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, SJR 15 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 15 was read for the third time at length.

On the question of passage of the resolu-

tion and emergency, the roll call resulted as follows:

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, McDaniel, Martin, Murphy, Pierce, Schuelein, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe and York.—32.

Nay: Berrong, Dahl, Dawson, Field, Lane, Luton, McCune, Randle, Rozell, Smith, Tinsley and Young.—12.

Excused: Keating, Porter, Shatwell and Stipe.—4.

The resolution and emergency passed.

SJR 15 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 152 and 199 and SJR 12 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator Crow presiding.

PENDING SENATE ACTION — RESOLUTIONS

HCR 1006, introduced on page 209, was called up for consideration.

HCR 1006 was read at length, adopted upon motion of Senator Lane, properly signed and ordered returned to the Honorable House.

HCR 1005, introduced on page 201, was called up for consideration.

HCR 1005 was read at length, adopted upon motion of Senator Lamb, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 138 as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 138 were read as follows.

Authors: Add the following coauthors: STEPHENSON, TOWNSEND, CLEVELAND, HOLADAY, NANCE, WILLIS, THOMPSON (Don), HOOPER, CUNNINGHAM, ROBINSON, DUCKETT, JOHNSON (Don), JOHNSTON and McCaleb of the House.

(At the direction of the President Pro Tempore, HAs to SB 138 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

PENDING CONSIDERATION OF HAS

Senator Smith moved that HAs to SB 138 be rejected and a conference be requested, directing the Senate Conferees to provide on Page 14, Lines 26, 27, 28 and 29 the following language: "From and after June 30, 1978, no monies shall be expended by any statutory agency or entity created by Executive Order other than pursuant to legislative appropriation."

Senator Holden moved to table the Smith motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Crow, Dawson, Holden, Howard, Lambert, Lane, Murphy and Tinsley.—8.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Howell, Johnson, Keller, Kilpatrick, Lamb, Lu-

ton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—36.

Excused: Keating, Porter, Shatwell and Stipe.—4.

Senator Smith pressed his motion, which motion was declared adopted, President Pro Tempore Howard appointing as Senate conferees the following: Senators Holden, Lambert and Crow.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Crow presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Howell, advised and consented to the confirmation of DR. MAURICE NICKELL, Midwest City, as a member of the Board of Regents of Oscar Rose Junior College to serve an unexpired 7-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Nickell succeeds Joe B. Barnes.

The Senate, in executive session, and upon motion of Senator Crow advised and consented to the confirmation of GUY SOUTHALL, Altus, as a member of the Western Oklahoma State College Board of Regents to serve a 7-year term ending March 24, 1983, and effective upon Senate confirmation. Mr. Southall succeeds Darill Laverett, Altus.

The Senate, in executive session, and upon motion of Senator Boatner, advised

and consented to the confirmation of GARLAND WASHINGTON, Caddo, as a member of the Board of Regents of Murray State College to serve a 7-year term ending June 1, 1983, and effective upon Senate confirmation. Mr. Washington succeeds himself.

The Senate, in executive session, and upon motion of Senator Howell, advised and consented to the confirmation of TONEY M. WEBBER, Midwest City, as a member of the Board of Regents of Oscar Rose Junior College to serve a 7-year term ending July 1, 1983, and effective upon Senate confirmation. Mr. Webber succeeds himself.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, February 17, 1977, at 11:30 a.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising passage of and returning En-

grossed SB 123, as coauthored by Camp of the House.

The above numbered Bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 138, and naming House Conferees as follows: Elder, Miskelly and Frates.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1003.

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

Upon motion of Senator Lane, the Senate adjourned at 3:10 p.m. to meet Thursday, February 17, 1977, at 11:30 a.m.



Twenty-seventh Legislative Day

Thursday, February 17, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Capps, Funston, Keating, Porter, Shatwell and Smith.—6.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Nyberg and incorporated into the Journal upon request of Senator York.

Lord God, Your claim over us is unlimited and unconditioned. Our pilgrimage to You is a journey into reality. Be our guide in this life, and more particularly the guide of every Senator in this session. More and more inform the contingent world of our affairs with the reality of eternity. Let Oklahoma legislation sustain a ferment that will dissolve evil, encourage and reward truth and honesty, equity and justice, and the solidarity of mankind.

Let public happiness be founded on private virtue, that You may indeed sum up all things — the things in heaven and the things in earth — in Christ the Saviour in whose Name we plead, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Luton, on behalf of Senator Smith, introduced John Polston, D.O., Jenks, as Doctor of the Day, and Senator Field introduced Karen Fields, R.N., and Lois Bradbury, R.N., both of Woodward, as Nurses of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 194 — Public and Mental Health, as coauthored by Martin and Helm of the Senate and Rogers of the House.

DO PASS, as amended:

SB 98 — Appropriations and Budget.
SB 103 — Appropriations and Budget.
SB 113 — Appropriations and Budget.
SB 115 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 246 — By Rozell.

An Act relating to public utilities; defining terms; establishing the Oklahoma Public Utilities Commission; stating qualifications and terms of office of members; providing for first commission; providing for vacancies; requiring oath; providing for removal; providing for election of members from districts; describing districts; providing for organization; requiring a quorum of members; transferring certain powers, duties and responsibilities of Corporation Commission; providing for office space and expenses and employment of necessary staff; directing codification; setting an effective date; and declaring an emergency.

SB 247 — By Stipe and Smith.

An Act relating to professions and occupations; providing for welding observers and weld-testing facilities; providing short title; specifying legislative purpose; defining terms; specifying duties of a welding observer; requiring certain qualifications of applicants for certification as a welding observer; providing for the issuance, suspension, nonrenewal, revocation, renewal and reinstatement of welding observer certificates; providing certain principles for the conduct of welding observers; creating a board of welding advisors; specifying terms, qualifications, removal, meetings, quorum, compensation and duties of members; providing for certain piping codes; specifying certain duties of the Commissioner of Labor; prescribing certain fees; creating a revolving fund; providing certain penalties; directing codification; and providing an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 229 — Public and Mental Health.

SB 230 — Social Welfare.

SB 231 — Criminal Jurisprudence.

SB 232 — Rules.

SB 233 — Oil and Gas.

SB 234 — Agriculture.

SB 235 — Revenue and Taxation.

SB 236 — Business, Industry and Labor Relations.

SB 237 — Education, Higher.

SB 238 — Judiciary.

SB 239 — Education, Higher.

SB 240 — Public and Mental Health.

SB 241 — Judiciary.

SB 242 — Judiciary.

SB 243 — Revenue and Taxation and then to County, State and Federal Government.

SB 244 — Education, Common.

SB 245 — Criminal Jurisprudence.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1017, 1159, 1262 and 1286.

HB 1017 — By Cleveland.

An Act relating to the public health and safety; defining terms; creating an Emergency Telephone Communication System; providing for a single emergency telephone number; providing for planning and coordinating the system by the Department of Public Safety; providing for implementation and funding by local public agencies and public safety agencies; providing for codification; and declaring an emergency.

HB 1159 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Department of Labor and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees; designating the maximum salary of the Commissioner of Labor; limiting number of employees and

expenditures for salaries and wages; providing additional nongermane duties and compensation for the performance thereof for the Commissioner of Labor; designating the number and compensation of authorized officials and employees; prohibiting the expenditure of certain monies for certain fees and services; amending 74 O.S. 1971, Section 803, as last amended by Section 1, Chapter 36, O.S.L. 1976 (74 O.S. Supp. 1976, Section 803), which relates to the unclassified service of the state, specifying that employees of the Department of Labor shall be in the classified service of the state; providing lapse date; providing effective date; and providing severability.

HB 1262 — By Ford and Lancaster.

An Act relating to elections; amending Section 13-103, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 13-103); providing for conduct of municipal elections and composition of precinct election board; removing requirement that certain precincts be open for elections; and declaring an emergency.

HB 1286 — By Davis (Don) of the House and Howell of the Senate.

An Act relating to insurance; amending 36 O.S. 1971, Section 1703; providing for deposit of cash funds by insurers in certain types of institutions; defining assets eligible for deposit; directing codification; repealing 36 O.S. 1971, Section 1620; and declaring an emergency.

The above numbered HBs were read for the first time.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCRs 1005 and 1006.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

SJR 15 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 123 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 141, as amended.

HOUSE AMENDMENTS

HAs to SB 141 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 16, by deleting the word "a" before the word "court-ordered" and Line 17 by changing the word "payment" to "payments" and striking the phrase ", as well as suit money," and substituting in lieu thereof "and court-ordered payments of suit monies" and Line 20 by striking the word "support".

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, February 21, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 123.

The above numbered Enrolled Bill was referred to the Governor.

Upon motion of Senator Lane, the Senate adjourned at 11:45 p.m. to meet Monday, February 21, 1977, at 1:30 p.m.



Twenty-eighth Legislative Day

Monday, February 21, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Butler, Crow, Field and Porter.—4.

Senator Luton declared a quorum present.

The prayer was offered by Senator Watson.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senators Taliaferro and Terrill introduced Thelma Kirkpatrick, R.N., and Beverly Dryer, student nurse, both of Lawton, as Nurses of the Day.

Senator Pierce introduced Richard

Tayrien, medical student, Bartlesville, and Senator Rozell introduced Donald J. Worth, D.O., Tahlequah, as Doctors of the Day.

Senator Holden introduced his daughter and son-in-law, Debbie and Keith Gaines, Stillwater, to the members of the Senate..

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 29 — County, State and Federal Government, as coauthored by Vann, Taliaferro and Luton.

SB 63 — County, State and Federal Government.

SB 126 — County, State and Federal Government.

SB 172 — Professions and Occupations.

SB 173 — Professions and Occupations.

SJR 4 — Constitutional Revision and Regulatory Services and be referred to Committee on County, State and Federal Government by previous order.

DO PASS, as amended:

SB 121 — Social Welfare.

CS for SB 144 — County, State and Federal Government, as coauthored by Vann.

SB 180 — Public Safety and Penal Affairs, as coauthored by Watson.

SB 181 — Professions and Occupations, as coauthored by Dawson.

SJR 5 — Constitutional Revision and Regulatory Services, as coauthored by Hood of the House and be referred to Committee on County, State and Federal Government by previous order.

SJR 10 — Constitutional Revision and Regulatory Services, and be referred to Committee on County, State and Federal Government by previous order.

FIRST READING

The following were introduced and read the first time.

SB 248 — By Funston and Berrong of the Senate and Floyd, Riggs, Fried and Morgan of the House.

An Act relating to workers' compensation; amending 20 O.S. 1971, Sections 91.1 and 91.2, 85 O.S. 1971, Sections 1, 2, as last amended by Section 1, Chapter 103, O.S.L. 1974, 2b, 3, 3.1, 4, 11, 13, 22, as last amended by Section 1, Chapter 371, O.S.L. 1975, 23, 24, 25, 26, 27, 27.1, 28, 30, 41, 42, 43, 44, as amended by Section 2, Chapter 371, O.S.L. 1975, 48, 61, 63, 64, as amended by Section 1, Chapter 74, O.S.L. 1974, 65.3, 81, 84, 85, 93, 94, 95, 101, 102, 103, 104, 107, 122, 171, as amended by Section 3, Chapter 371, O.S.L. 1975, 172, 173, as last amended by Section 5, Chapter 235, O.S.L. 1973, 174 and 175 (85 O.S. Supp. 1976, Sections 2, 22, 44, 64, 171 and 173); providing for jurisdiction and dockets of state courts; providing short title; providing for compensation to injured workers under certain circumstances; specifying who shall provide workers' compensation; defining terms; specifying procedures for claimant and employer to follow under Workers' Compensation Act; establishing court procedures; providing for administrator, his appointment, term, salary, powers and duties; creating positions of service officers and their powers and duties; provid-

ing applicability to workers injured outside the state; providing notice procedures for employee and employer; providing penalty for discharge of employee filing claim; providing for payment of compensation benefits; establishing certain criteria for compensation coverage; changing limit on number of days to pass before disability allowed; providing certain procedures relating to medical treatment and testimony; establishing availability of rehabilitation and job placement services; providing for determination of permanent disability; establishing schedule of compensation; providing procedures for compensation to nonresident aliens; providing procedures for agreement between parties on claims; providing for burden of proof and presumptions in processing claim; providing for taxing of court costs; providing for computation of certain types of awards; providing penalty for failure to pay compensation under certain circumstances; placing limitation on time of right to claim compensation; providing for election of remedies under certain circumstances; specifying exemptions applicable to compensation paid; providing procedures for securing compensation to employees and providing penalty for failure to do so; providing general requirements and procedures for policies of insurance; providing for witness fees; providing for continuing jurisdiction under certain circumstances; requiring report to governor and legislature; prohibiting dual representation; providing for collection of certain fees; creating the administrator of workers' compensation fund; requiring keeping of certain records by employer and specifying penalty for failure to comply and to supply information to administrator and confidentiality; instructing Commissioner of Labor to aid administrator when requested; providing for abrogation of actions and making exceptions; providing special definition for physically impaired person; providing for compensation for additional permanent

disability under certain circumstances; creating a special indemnity fund and providing procedure in relation thereto; creating a Workers' Compensation Administration Fund and providing procedures in relation thereto; requiring certain political subdivisions to provide sufficient funds for use and purpose of the special indemnity fund; requiring verification of certain matters filed with the administrator; providing for prosecution of violations of Workers' Compensation Act; prohibiting certain waivers; abolishing the State Industrial Court and transferring funds, property, records, personnel and outstanding obligations and encumbrances; repealing 85 O.S. 1971, Sections 2, as amended by Section 1, Chapter 94, O.S.L. 1974, 3.2, 3.3, 24, 29, 50, as amended by Section 1, Chapter 108, O.S.L. 1974, 62, 65.4, 67.2, 67.3, 69.1, 69.2, 69.3, 73, as amended by Section 4, Chapter 307, O.S.L. 1974, 74, 75, 76, 77, 78, 79, 82, 83, 86, 87, 88, 90, 91, Section 6, Chapter 235, O.S.L. 1973, 105 and 108 (85 O.S. Supp. 1976, Sections 50, 73 and 96); directing codification; providing effective date; and providing for severability.

SB 249 — By Howell.

An Act relating to schools; amending 70 O.S. 1971, Section 6-103, as amended by Section 1, Chapter 184, O.S.L. 1975 (70 O.S. Supp. 1976, Section 6-103); modifying procedure for teacher dismissal, and nonre-employment; defining certain terms; specifying scope and exemptions; providing evaluation procedure; providing procedure for initial admonishment and correction of certain conduct; authorizing temporary suspension of a teacher, under certain conditions; specifying certain notice requirements; providing for determination of a teacher's dismissal or nonre-employment by the local Board of Education or a hearing panel, under certain conditions; providing for a hearing officer list; providing for designation of certain individuals on such list; providing for selection of a hearing panel; specifying

hearing procedure; providing for compensation; providing for a written report; authorizing appeal under certain conditions; directing codification; repealing 70 O.S. 1971, Sections 6-120 and 6-122, as last amended by Section 1, Chapter 244, O.S.L. 1974 (70 O.S. Supp. 1976, Section 6-122); and declaring an emergency.

SB 250 — By Grantham of the Senate and Elder and Conaghan of the House.

An Act relating to children; authorizing the Department of Institutions, Social and Rehabilitative Services to administer a statewide service of child support collection, parent location and paternity determination assistance in participation with certain programs established by federal law; authorizing the Department to accept, transfer and expend funds made available by the federal government, the State of Oklahoma and from public or private sources; authorizing the Department to make contracts and agreements, initiate certain legal actions, accept assignments, assist in judicial determination of paternity and location of absent parents, collect and distribute child support moneys and make charges for services; providing for depositing moneys in the appropriate fund in the State Treasury and making expenditures thereof; providing for severability; and declaring an emergency.

SB 251 — By Stipe.

An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees; stating legislative findings; stating purpose; prohibiting certain acts by employees and providing penalties for violations; defining terms; creating the Public Employee Relations Commission and providing for membership, appointment, compensation, powers and duties; granting public employees certain rights concerning employee organizations; limiting scope of this act, providing procedures for resolving questions of

designation of appropriate unit; providing for recognition of certain employee organizations; authorizing public employers to establish certain negotiations procedures; providing for memorandum agreements; providing procedures to resolve certain disputes; specifying certain prohibited practices and providing procedures to resolve controversies over such practices; providing for severability; and providing effective date.

SB 252 — By York.

An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 941 and 942; providing for county parking lots; additionally providing for county parking structures and facilities; and declaring an emergency.

SB 253 — By Stipe.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 390; and modifying manner of compliance to a subpoena.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 246 — County, State and Federal Government and then to Rules.

SB 247 — Professions and Occupations.

HB 1017 — County, State and Federal Government.

HB 1159 — Appropriations and Budget.

HB 1262 — Municipal Government and then to County, State and Federal Government.

HB 1286 — Insurance.

BILL WITHDRAWN — REREFERRED

Senator Dahl asked unanimous consent, which was granted, that SB 190 be withdrawn from the Calendar and rereferred to the committee on Agriculture.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 87 was correctly engrossed, properly

signed and ordered transmitted to the Honorable House for consideration.

Senator Murphy presiding.

GENERAL ORDER

SB 166 by Rozell, Dahl, Johnson and Taliaferro of the Senate and Cullison of the House was read and considered.

Senator Dawson moved to amend SB 166, Page 2, Line 3, by striking all new language on Lines 3 through 7, restoring the language in brackets and then substituting the word "shall" for the word "must" on Line 6.

Senator Stipe asked unanimous consent that SB 166 be referred to the committee on Agriculture, to which request objection was heard.

Senator Stipe moved that SB 166 be referred to the committee on Agriculture, which motion was withdrawn upon the unanimous consent request of Senator Stipe.

Senator Dawson moved to amend SB 166, Page 3, Line 16, by adding after the word "Section" and before the word "shall" the following: "or of making a false statement or giving any false information in order to acquire any license or permit, pursuant to the provisions of this Section".

Senator Dawson asked unanimous consent, which was granted, that both amendments be considered and debated together.

Senator Boatner raised a point of order, stating that the debate was not germane to either Dawson amendment, which point of order the Chair sustained.

Senator Dawson moved that his first amendment be adopted, which motion was declared adopted.

Senator Dawson moved that his second

amendment be adopted, which motion was declared adopted.

Senator Dawson moved to amend SB 166, Page 3, Line 16, by substituting for the words "punished by payment of a fine" on Lines 16 and 17 the words "punishable by a fine", which amendment was declared adopted.

Upon motion of Senator Rozell, SB 166, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, SB 166, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 166 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Butler, Crow, Field and Porter.—4.

The bill passed.

SB 166 was referred for engrossment.

GENERAL ORDER

SB 67 by Keating was read and considered.

Senator Keating, citing Rule 8(d), asked

unanimous consent that Representative Twidwell be added as House author of SB 67, which was the order.

Senator Howell moved to amend SB 67, Page 1, Line 5, by adding after the word "endorsed" and before the word "as" the words "on the criminal information", which amendment was declared adopted.

Senator Cate moved to amend SB 67, Page 2, Line 3, by inserting after the word "any" and before the word "witness" the word "such", which amendment was declared adopted.

Upon motion of Senator Keating, SB 67, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 67, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 67 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Crow, Field, Howard and Porter.—5.

The bill passed.

SB 67 was referred for engrossment.

Senator Watson presiding.

GENERAL ORDER

HB 1048 by Matheson, et al, of the House and Smith of the Senate was read and considered.

Senators Grantham, Capps, Schuelein and Dawson asked to be made coauthors of HB 1048, which was the order.

Upon motion of Senator Smith, HB 1048, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1048, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1048 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Butler, Crow, Field and Porter.—4.

The bill and emergency passed.

HB 1048 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 150 were called up for consideration.

Senators Grantham and Tinsley asked to be made coauthors of SB 150, which was the order.

Upon motion of Senator Stipe, the Senate concurred in HAs to SB 150.

SB 150, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Butler, Crow, Field and Porter.—4.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Watson presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Berrong, advised

and consented to the confirmation of LAWRENCE HART, Clinton, as a member of the Human Rights Commission to serve a 3-year term ending July 15, 1979, and effective upon Senate confirmation. Mr. Hart succeeds Gary Baer, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Lambert, advised and consented to the confirmation of LENA ALICE PROPPS, Oklahoma City, as a member (operator administrator) of the State Nursing Home Board, to serve a 3-year term ending July 1, 1978, and effective upon Senate confirmation. Ms. Propps succeeds Syble Scott, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Howell, advised and consented to the confirmation of SEAY SANDERS, Midwest City, as a member of the Board of Education to serve a term of 6 years ending April 1, 1982, and effective upon Senate confirmation. Mr. Sanders succeeds R. E. Carlton.

The Senate, in executive session, and upon motion of Senator Holden, advised and consented to the confirmation of MELVIN SINGLETERRY, Duncan, as a member (District Attorney) of the Oklahoma State Bureau of Investigation Commission, to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Stipe, advised and

consented to the confirmation of WILLIAM H. SKEITH, McAlester, as a member of the Air Quality Council to serve an unexpired 7-year term ending June 15, 1981, and effective upon Senate confirmation. Mr. Skeith succeeds himself.

The Senate, in executive session, and upon motion of Senator Stipe, advised and consented to the confirmation of CHARLES WINGO, McAlester, as a member of the State Police Pension and Retirement Board, District 3, to serve a 3-year term ending July 1, 1978, and effective upon Senate confirmation. Mr. Wingo succeeds himself.

The Senate, in executive session, and upon motion of Senator Clifton, advised and consented to the confirmation of DR. ROBERT ZUMWALT, Tecumseh, as a member of the State Nursing Home Board to serve a 3-year term ending July 1, 1977, and effective upon Senate confirmation. This is an original appointment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, February 22, 1977, at 1:30 p.m.

BILL RELEASED

SB 15 was referred for engrossment.

Upon motion of Senator Lane, the Senate adjourned at 3:00 p.m. to meet Tuesday, February 22, 1977 at 1:30 p.m.



Twenty-ninth Legislative Day

Tuesday, February 22, 1977

Pursuant to adjournment, the Senate was called to order by Senator Crow, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

Senator Crow declared a quorum present.

The following prayer was offered by Larry Jones, Evangelist, Larry Jones Evangelistic Association, Oklahoma City, and incorporated into the Journal upon request of Senator Young.

Father, we want to express our thanks for these who are willing to serve their cities, communities, and state through the legislative process.

We pray for the problems we face in this hour. Our fields need moisture, many of our senior citizens need more than words, our unemployed need jobs, and others are

saying "Just give us a fair shake." Lord, these are only a few of our problems.

Could it be that the majority of our problems stem from our trusting the arm of flesh more than the arm of the Lord? We may not realize that we cannot legislate rain. We also may forget what is right—may be best for all—but not the very best for a select few.

Help us to realize in this hour that our limitations are Your opportunities to prove Your grace, mercy and power once again. Thank You for Your faithfulness. In Christ's name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Johnson introduced Thomas R. Pickard, D.O., Poteau, and Senator Green introduced Joe Perks, medical student, Tulsa, as Doctors of the Day.

Senator Field introduced Letha Billings, R.N., Woodward, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 237 — Education, Higher.

FIRST READING

The following were introduced and read the first time.

SB 254 — By Johnson of the Senate and Matheson of the House.

An Act relating to state government; transferring powers, duties and property concerning the Uniform Crime Reporting System from the Oklahoma State Bureau of Investigation to the Oklahoma Crime Commission; specifying certain powers and duties of Oklahoma Crime Commission; requiring law enforcement agencies to submit quarterly reports; directing codification; repealing Section 10, Chapter 259, O.S.L. 1976 (74 O.S. Supp. 1976, Section 150.10); setting an effective date; and declaring an emergency.

SB 255 — By Holden and Howard of the Senate and Morgan of the House.

An Act relating to insurance; creating the Oklahoma Property and Casualty Insurance Guaranty Association; providing for short title; stating purpose and scope; defining terms; providing for board of directors; providing for powers and duties of Association; providing for powers and duties of Commissioner of Insurance under this act; specifying effect of paid claims; prohibiting duplication of recovery; encouraging prevention of insolvencies; providing for timely filing of claims; prohibiting advertising; providing for examination of Association; exempting Association from state tax; providing for assessment in rates; providing for immunity of Association; providing for liberal interpretation; directing codification; providing for severability; and declaring an emergency.

SB 256 — By Porter.

An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 138.1, 138.2 and 138.4, as amended by Sec-

tion 1, Chapter 102, O.S.L. 1974 (19 O.S. Supp. 1976, Section 138.4); creating office of public defender in certain counties; imposing duties on board of county commissioners; providing for qualifications; transferring power of appointment from district judges to Governor with advice and consent of Senate; providing term of office; deleting certain requirements; fixing salary levels; and providing an effective date.

SB 257 — By Porter.

An Act relating to children; requiring an annual review of financial resources of children housed in certain institutions; directing the setting of guidelines for support payments from parents and guardians of such children; directing codification; and setting an effective date.

SB 258 — By Stipe.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 95; providing limitations for certain civil actions; changing certain limitations; and providing an effective date.

SB 259 — By Keller.

An Act relating to labor; fixing disqualification for benefits under unemployment compensation laws for certain persons; directing codification; and providing an effective date.

SB 260 — By Stipe.

An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees; stating legislative findings; stating purpose; prohibiting certain acts by employees and providing penalties for violations; defining terms; creating the Public Employee Relations Commission and providing for membership, appointment, compensation, powers and duties; granting public employees certain rights concerning employee organizations; limiting scope of this act; providing procedures for resolving questions of

designation of appropriate unit; providing for recognition of certain employee organizations; authorizing public employers to establish certain negotiations procedures; providing for memorandum agreements; providing procedures to resolve certain disputes; specifying certain prohibited practices and providing procedures to resolve controversies over such practices; providing for severability; and providing effective date.

SB 261 — By Stipe of the Senate and Nance of the House.

An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees; stating legislative findings; stating purpose; prohibiting certain acts by employees and providing penalties for violations; defining terms; creating the Public Employee Relations Commission and providing for membership, appointment, compensation, powers and duties; granting public employees certain rights concerning employee organizations; limiting scope of this act; providing procedures for resolving questions of designation of appropriate unit; providing for recognition of certain employee organizations; authorizing public employers to establish certain negotiations procedures; providing for memorandum agreements; providing procedures to resolve certain disputes; specifying certain prohibited practices and providing procedures to resolve controversies over such practices; providing for severability; and providing effective date.

SB 262 — By Smith.

An Act relating to special assessments; amending 11 O.S. 1971, Sections 106, 131, 172, 270.25, 279, 330.11 and 1035, and 19 O.S. 1971, Sections 882, 890, 901.20, 1063 and 1070; providing for levy and collection of special assessments; changing the times of certification of certain special assessments to county treasurer; adding requirements concerning notice be given to

owner of assessed property; and declaring an emergency.

SB 263 — By McCune.

An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 199.1 and 803; and modifying certain definitions.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 248 — Business, Industry and Labor Relations.

SB 249 — Education, Common.

SB 250 — Social Welfare.

SB 251 — County, State and Federal Government.

SB 252 — County, State and Federal Government.

SB 253 — Judiciary.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when SB 227 is reported out of the committee on Revenue and Taxation it be referred to the committee on County, State and Federal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1128, 1131, 1133, 1151 and 1182.

HB 1128 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Court of Criminal Appeals and making an appropriation thereto; stating the purpose; authorizing cooperation with federal agencies; providing for appointment, duties, compensation and number of employees within certain limitations; authorizing use of all funds appropriated for

federal matching purposes; providing lapse date; providing severability; and declaring an emergency.

HB 1131 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to courts; making appropriations to the Office of District Courts and stating the purposes; prescribing limits on numbers of employees within certain categories and salary limits; authorizing use of all funds appropriated for federal matching purposes; amending Section 1, Chapter 299, O.S.L. 1974, as last amended by Section 4, Chapter 269, O.S.L. 1976 (20 O.S. Supp. 1976, Section 106.9), pertaining to salaries of court reporters; providing lapse date; providing severability; and declaring an emergency.

HB 1133 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the State Supreme Court and the Court of Appeals and making appropriations thereto; stating the purposes; providing for the appointment, duties and compensation and number of employees with certain limitations; authorizing cooperation with federal agencies; making appropriations for the expenses of the Court on the Judiciary and the Judicial Nominating Commission; prohibiting the transfer of certain funds; appropriating funds to the State Judicial Retirement Fund and directing transfer of certain funds; providing lapse date; providing severability; and declaring an emergency.

HB 1151 — By Miskelly, Davis (Don) and Thompson (Mick) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Department of Veterans Affairs, the Oklahoma Veterans Center, Ardmore, Oklahoma, the Oklahoma Veterans Center, Sulphur, Oklahoma, the Oklahoma Veterans Center, Clinton, Oklahoma, the Oklahoma

Veterans Center, Tahleah, Oklahoma, and the Oklahoma War Veterans Commission and making appropriations thereto; stating the purposes; providing for the transfer of funds; appropriating funds for contracting with the Department of Mental Health for services rendered veterans; providing for the appointment, duties and compensation of employees; providing salary ranges for the Director of the Department of Veterans Affairs and the Managers of the Veterans Centers; limiting the number of full-time-equivalent employees; specifying the number and compensation of authorized officials and employees; limiting expenditures for salaries and wages; prescribing methods of aiding destitute minor dependents; providing lapse date; providing severability; and declaring an emergency.

HB 1182 — By Johnston.

An Act relating to corporations; amending 18 O.S. 1971, Section 1.19; stating general powers of domestic corporations; allowing domestic corporation to become general or limited partner; validating certain partnerships; and directing codification.

The above numbered HBs were read for the first time.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day.

SR 4 — By Porter.

A Resolution relating to a study and investigation of discriminatory employment practices of state agencies; creating a special committee to conduct the study and investigation; defining purpose, authority and duties; authorizing employment and compensation of necessary personnel; providing for travel and expenses allowance for committee members and staff; providing for service of process and

witness fees; and requiring a report of findings and recommendations.

PENDING CONSIDERATION OF HAS

HAs to SCR 4 were called up for consideration.

Upon motion of Senator Boatner, the Senate concurred in HAs to SCR 4.

SCR 4, as amended, was read at length, adopted upon motion of Senator Boatner and ordered referred for enrollment.

GENERAL ORDER

SB 192 by Kilpatrick of the Senate and Joiner of the House was read and considered.

Upon motion of Senator Kilpatrick, SB 192 was advanced to engrossment.

By unanimous consent, upon request of Senator Kilpatrick, SB 192 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 192 was read for the third time at length.

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

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lane, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe and Young.—36.

Nay: Birdsong, Crow, Helm, Howell, Keller, Lambert, Luton, McCune, Murphy, Smith, Watson and York.—12.

The bill and emergency passed.

SB 192 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 15, 67 and 166 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1048 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SB 150 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 94 and 95 each as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 94 were read as follows and consideration deferred.

Authors: Add the following coauthor: WHORTON of the House.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the J. M. Davis Memorial Commission and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees and fixing the salary of the business manager; limiting the number of employees; limiting expenditures for salaries and wages; designating the number and compensation of authorized officials and employees; prohibiting expenditure of certain monies

for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 22 and 23, by deleting the words and figures "One Hundred Twenty-six Thousand Four Hundred Dollars (\$126,400.00)" and inserting in lieu thereof the words and figures "One Hundred Twenty-seven Thousand Four Hundred Eighty Dollars (\$127,480.00)".

Amendment No. 4. Amend Page 1, Line 36 and Page 2, Line 1, by deleting the words and figures "Ninety Thousand Four Hundred Forty-five Dollars (\$90,445.00)" and inserting in lieu thereof the words and figures "Ninety-one Thousand Four Hundred Thirty-five Dollars (\$91,435.00)".

Amendment No. 5. Amend Page 2, Line 2½ by adding new Sections 3 and 4 to read as follows:

"SECTION 3. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below:

JOB TITLE	NO.		
	AUTH.	MIN.	MAX.
Business Manager	1	\$11,760	\$11,760
Research Analyst II	2	11,220	15,420
Maintenance Worker	1	6,360	8,880
Stenographer Clerk II	1	6,660	10,620
Typist Clerk II	2	6,060	8,520
Clerk I	2	6,060	7,800
Custodial Worker	<u>1</u>	6,060	7,800
	10		

SECTION 4. The expenditure of monies from the appropriation made in this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and, by renumbering "SECTION 3" to read "SECTION 5" and renumbering succeeding sections accordingly.

HOUSE AMENDMENTS

HAs to SB 95 were read as follows and consideration deferred.

Authors: Add the following coauthor: WHORTON of the House.

Amendment No. 1. Restore Title to read as follows:

"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; designating the manager's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; designating the number and compensation of authorized officials and employees; prohibiting expenditure of certain monies for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 22 and 23, by deleting the words and figures "One Hundred Twelve Thousand Two Hundred Forty-seven Dollars (\$112,247.00)" and substituting in lieu thereof the words and figures "One Hundred Thirteen Thousand Three Hundred Forty-three Dollars (\$113,343.00)".

Amendment No. 4. Amend Page 2, Line 2, by deleting the words and figures "Eighty-five Thousand Seven Hundred Ninety Dollars (\$85,790.00)" and substituting in lieu thereof the words and figures "Eighty-six Thousand Four Hundred Thirty Dollars (\$86,430.00)".

Amendment No. 5. Amend Page 2, Line 3½, by adding new Sections 3 and 4 to read as follows:

"SECTION 3. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	MERIT SYSTEM NO.			
	GRADE	AUTH.	MIN.	MAX.
Manager Educational Planner	U	1	\$13,260	\$13,260
Coordinator	U	1	13,440	17,640
Historical Museum Curator	24	1	10,140	13,440
Custodial Supervisor	17	1	7,440	9,720
Custodial Worker I	12	1	6,060	7,800
Custodial Worker II	13	1	6,300	8,160
Maintenance Repairman II	20	1	8,520	11,160
Typist Clerk II	15	2	6,840	8,880
Clerk I	13	<u>1</u>	6,300	8,160
		10		

SECTION 4. The expenditure of monies from the appropriation made in this act for the payment of non-payroll professional

and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and by renumbering present "Section 3" to read "Section 5" and renumbering succeeding Sections accordingly.

GENERAL ORDER

SB 194 by Pierce, Martin and Helm of the Senate and Rogers of the House was read and considered.

Senators Watson, Lamb and Keating asked to be made coauthors of SB 194, which was the order.

Senator Howell moved to amend SB 194, Page 1, Line 4, by striking after the word "born" the word "spontaneously", which amendment was declared adopted.

Upon motion of Senator Pierce, SB 194, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Pierce, SB 194, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 194 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell,

Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

The bill and emergency passed.

SB 194 was referred for engrossment.

GENERAL ORDER

SB 29 by Boatner, Vann, Taliaferro and Luton was read and considered.

Senator Cate presiding.

Senator Holden asked to be made a co-author of SB 29, which was the order.

Senator Howell moved to amend SB 29, Page 2, Line 12, by inserting after the word "cemeteries" the following: "for the indigent", which amendment was withdrawn upon the unanimous consent request of Senator Howell.

Senator Dawson moved to amend SB 29, Page 2, Line 12, by substituting a comma for the period and adding the following thereafter: "provided that no proper request for the opening and closing of a grave shall be denied and a charge for the actual cost of such services shall be made, except as otherwise provided by 63 O.S. 1971, Section 92."

Senator Boatner moved to table the Dawson amendment, which motion to table was declared adopted.

Senator Dahl moved to amend SB 29, Page 2, Line 12, by adding after the word "cemeteries." the following: "The board of county commissioners shall levy and collect a reasonable sum for such opening and closing when the estate of the deceased is sufficient to pay such sum."

Senator Lamb moved to table the Dahl amendment, which motion to table was declared failed of adoption.

Senator Dahl pressed his motion to amend, which amendment was declared adopted.

Senator Berrong moved to amend SB 29, Page 2, Line 12, by adding after the word "cemeteries." the following:

"In event any charge is made by a publicly-owned cemetery or other cemetery within the county not owned and maintained by an individual or private organization for the burial of a person, then such cemeteries shall compensate the county commissioners up to the reasonable and fair value of the work performed by said county commissioners. Said service shall not be so provided except for indigent persons."

which amendment was declared adopted.

Senator Dawson moved to amend SB 29, Page 2, Line 12, by adding after the period the following: "Provided that no proper request for a grave opening shall be denied.", which amendment was withdrawn upon the unanimous consent request of Senator Dawson.

Senator Crow moved to amend SB 29, Page 2, Line 12½, by adding a new Section 2 as follows:

"Section 2. Any funds to be used to open or close graves in any county shall come from the county general fund.",

and by renumbering subsequent sections.

Senator Boatner moved to table the Crow amendment, which motion to table was declared adopted.

Upon motion of Senator Boatner, SB 29, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 29, as coauthored and

amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 29 was read for the third time at length.

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

Aye: Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Keating, Keller, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—34.

Nay: Berrong, Birdsong, Crow, Field, Helm, Kilpatrick, Lamb, Lambert, McCune, Randle and York.—11.

Excused: Johnson, Smith and Stipe —3.

The bill and emergency passed.

SB 29 was referred for engrossment.

RESOLUTION

Senator Dahl introduced the following Resolution:

SCR 6 — By Dahl.

A Concurrent Resolution recognizing National Future Farmers of America Week, February 19 to 26, 1977, in Oklahoma; and directing distribution.

Senator Wadley asked to be made a co-author of SCR 6, which was the order.

Senator Dahl asked unanimous consent that all other members of the Senate be made coauthors of SCR 6, which was the order.

SCR 6, as coauthored, was read at

length, adopted upon motion of Senator Dahl and ordered referred for engrossment.

GENERAL ORDER

SB 98 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 98 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 98 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 98 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Boatner, Crow, Pierce, Porter and Rozell.—5.

Excused: Capps, Johnson, Keller, Smith and Stipe.—5.

The bill and emergency passed.

SB 98 was referred for engrossment.

GENERAL ORDER

SB 115 by Crow and Randle of the Senate

and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 115 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 115 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 115 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Nay: Helm, McCune, Porter and Wolfe.—4.

Excused: Capps, Johnson, Keller and Smith.—4.

The bill and emergency passed.

SB 115 was referred for engrossment.

GENERAL ORDER

SB 103 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senators Field and Capps moved to amend SB 103, Page 4, Line 12, by striking after the word "Oklahoma" and before the figure "85,000.00" the word "Enid" and inserting the word "Woodward".

Senator Lamb moved to table the Field-Capps amendment, which motion to table failed on roll call as follows:

Aye: Berrong, Butler, Clifton, Dahl, Grantham, Green, Helm, Keating, Lamb, McCune, Pierce, Watson, Wolfe and Young.—14.

Nay: Birdsong, Boatner, Cate, Crow, Dawson, Field, Funston, Giles, Holden, Howard, Howell, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann and York.—30.

Excused: Capps, Johnson, Keller and Wadley.—4.

Senators Field and Capps pressed their motion to amend, which amendment was declared adopted.

Senator Keating moved to amend SB 103, Page 4, Lines 2 through 13, by striking Section 5 and renumbering subsequent sections, which amendment was declared adopted.

Upon motion of Senator Randle, SB 103, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 103, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 103 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field,

Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Capps, Crow, Johnson and Keller.—4.

The bill and emergency passed.

SB 103 was referred for engrossment.

GENERAL ORDER

SB 113 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senators Berrong and Field asked to be made coauthors of SB 113, which was the order.

Upon motion of Senator Randle, SB 113, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 113, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 113 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce,

Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Capps, Crow, Johnson and Keller.—4.

The bill and emergency passed.

SB 113 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 150.

The above numbered Enrolled Bill was referred to the Governor.

GENERAL ORDER

SB 121 by Grantham of the Senate and Holt, et al, of the House was read and considered.

Senator Lambert presiding.

Senator Stipe moved to amend SB 121, Page 4, Line 7, by adding the following: "The provisions of this act shall not apply to a parent who continuously supports said child or children.", which amendment was declared adopted.

Senator Terrill moved to amend SB 121, Page 2, Line 14, by striking after the word "murder" and before the word "in" the words "or manslaughter", which amendment was declared adopted.

Senator Terrill moved to amend SB 121, Page 3, Line 14, by striking after the word "murder" and before the word "in" the words "or manslaughter", which amendment was declared adopted.

Upon motion of Senator Grantham, SB 121, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 121, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 121 was read for the third time at length.

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

Aye: Berrong, Butler, Dahl, Giles, Grantham, Green, Holden, Howard, Lamb, Luton, Martin, Murphy, Rozell, Schuelein, Shatwell, Terrill, Tinsley, York and Young.—19.

Nay: Birdsong, Boatner, Cate, Clifton, Dawson, Field, Helm, Howell, Keating, Kilpatrick, Lambert, Lane, McCune, Mc-

Daniel, Pierce, Porter, Stipe, Taliaferro, Vann, Wadley, Watson and Wolfe.—22.

Excused: Capps, Crow, Funston, Johnson, Keller, Randle and Smith.—7.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Grantham moved to reconsider the vote by which SB 121 failed of passage.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, February 23, 1977, at 1:30 p.m.

Upon motion of Senator Lane, the Senate adjourned at 4:40 p.m. to meet Wednesday, February 23, 1977 at 1:30 p.m.

Thirtieth Legislative Day

Wednesday, February 23, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Funston, Johnson, Stipe, Taliaferro and Terrill.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Larry Jones, Evangelist, and incorporated into the Journal upon request of Senator Young.

Father, we thank You for the work that goes on in this room. We also express our thanks for those dedicated workers and aides who are beyond these walls. We are glad they work toward a better society.

There are many sounds bidding for their ears. There are many projects asking their

support. The voices of the world are so loud — speak softly so that we know it is You. Help these leaders to distinguish between the great and the mediocre.

Let each decision that is made be a seed for a better tomorrow, else our grandchildren might say "Didn't they know that we would reap what they sowed?"

Father, help us to realize that good decisions — though sometimes taking time — will harvest good results.

Thank You for helping us plan today for a better tomorrow. In Christ's Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Field introduced Martha Hale, R.N., Woodward, as Nurse of the Day.

Senator Dahl introduced Jim Graham, medical student, Marland, as Doctor of the Day and Senator Green announced that Michael Whitworth, D.O., Tulsa, was also serving as Doctor of the Day.

REQUESTS FOR LOBBY PERMITS

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

Don J. Harr, 4400 Lincoln Blvd., Suite 252, Oklahoma City, 73105, representing The Independent Bankers Association of Oklahoma.

Fred R. Merrifield, Rt. 5, Box 178, Enid, 73701, representing Oklahoma Railways Committee.

Jim L. Zimmerman, Rt. 2, Box 495, Harrah, 73045, representing United Transportation Union — Oklahoma.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 160 — Agriculture, as coauthored by Capps and Taliaferro, and be referred to Committee on Oil and Gas by previous order.

SB 175 — Professions and Occupations.

SB 223 — Wildlife.

HB 1061 — Agriculture, as coauthored by Capps, Field, Dahl, Vann, McDaniel and Giles of the Senate, and be referred to Committee on Rules by previous order.

DO PASS, as amended:

SB 214 — Wildlife.

SB 234 — Agriculture, as coauthored by Dahl, Taliaferro, Vann, Field and Giles.

FIRST READING

The following were introduced and read the first time.

SB 264 — By Luton, Howard, Lambert, Birdsong, Howell, Porter, Smith, Murphy and Randle.

An Act relating to motorboats and vessels; amending 63 O.S. 1971, Sections 804.4 and 804.9; providing for certificates

of title and registration of motorboats and vessels; providing for collection and apportionment of certain fees; changing right of certain tag agent to retain certain fees as compensation; and declaring an emergency.

SB 265 — By York, Birdsong and Porter.

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 6-101, as last amended by Section 1, Chapter 359, O.S.L. 1975, 22.22, 22.30 1, Section 2, Chapter 169, O.S.L. 1975 and 23.14 (47 O.S. Supp. 1976, Sections 6-101 and 22.30 1-1); providing for certain licenses and fees; authorizing appointment of motor license agents and specifying their powers, duties and compensation; providing additional compensation for motor license agents and subagents; providing for certain service charges; modifying compensation of motor license agents; repealing 47 O.S. 1971, Section 23.12 and Section 2, Chapter 396, O.S.L. 1967; and declaring an emergency.

SB 266 — By Cate.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1111; defining rape; expanding the definition of rape to include prevention of resistance by threats of present or future harm to victim or victim's relatives, by threats of present harm to others in victim's company and by administering liquor; and declaring an emergency.

SB 267 — By Randle.

An Act relating to revenue and taxation; providing for income averaging; specifying eligibility requirements; directing codification; and setting an effective date.

SB 268 — By Randle of the Senate and Atkins of the House.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-205, as amended by Section 1, Chapter 4, O.S.L. 1975 (63 O.S. Supp. 1976, Section 1-

205); providing for county, district and co-operative departments of health; requiring certain personnel to be employed as state employees; providing for certain public health services; and declaring an emergency.

SB 269 — By Randle.

An Act relating to officers; amending 51 O.S. 1971, Section 24; providing certain records of public officials, agencies and State of Oklahoma subdivisions be open to public inspection; providing manner of inspection; defining public records and agency, and excepting the legislative and judicial departments of government; providing procedures for appeals; and declaring an emergency.

SB 270 — By Randle.

An Act relating to insurance; providing for notice to insured before cancellation of motor vehicle insurance policy; directing codification; and declaring an emergency.

SB 271 — By Murphy.

An Act relating to water and water rights; amending Section 25, Chapter 253, O.S.L. 1972 (82 O.S. Supp. 1976, Section 1085.24); providing for purchase of investment certificates by the State Treasurer under certain circumstances; providing for conversion of certificates into cash under certain circumstances; providing for private sale to certain funds, departments or agencies; allowing certain expenditures; fixing certain rules governing certain advances; directing codification; and declaring an emergency.

UNANIMOUS CONSENT REQUEST

Senator Luton asked unanimous consent, which was granted, that when SBs 264 and 265 are read the second time they be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 254 — Public Safety and Penal Affairs.

SB 255 — Insurance.

SB 256 — Criminal Jurisprudence.

SB 257 — Social Welfare.

SB 258 — Judiciary.

SB 259 — Rules.

SB 260 — County, State and Federal Government.

SB 261 — County, State and Federal Government and then to Education, Common.

SB 262 — Revenue and Taxation.

SB 263 — Professions and Occupations.

HB 1128 — Appropriations and Budget.

HB 1131 — Appropriations and Budget.

HB 1133 — Appropriations and Budget.

HB 1151 — Appropriations and Budget.

HB 1182 — Business, Industry and Labor Relations.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1049, 1087, 1267, and 1275, and HJR 1019.

HB 1049 — By Matheson.

An Act relating to environmental control; requiring the screening of junkyards under certain conditions; providing penalty; repealing 69 O.S. 1971, Section 1256; and directing codification.

HB 1087 — By Hammons and Johnston of the House and Capps of the Senate.

An Act relating to public health and safety; providing for the Oklahoma Radiation Protection Act; providing short title; providing purpose; defining terms; designating authority to State Department of Health; providing for responsibilities and functions; establishing power to issue certain rules and regulations; establishing the Radiation Advisory Committee; providing for members, selection, removal, compensation, terms, service and quorum; providing for appointment and compensation of medical advisory committee; providing for certain powers of the

Governor; providing for administrative procedures and administrative review; providing procedures for impounding of materials; providing certain rules governing bonds of perpetual care trust funds; providing guidelines regulating the transportation of radioactive materials; providing certain powers for environmental surveillance and monitoring; prohibiting certain acts; providing penalties; repealing 63 O.S. 1971, Sections 1-1502 through 1-1505; and directing codification.

HB 1267 — By Caldwell, Brunton, Henry, Lancaster, Cowan and Peterson of the House and Johnson of the Senate.

An Act relating to the reclamation of orphan strip mine lands; providing short title; declaring policy; defining terms; prescribing panel composition, powers and duties; prescribing guidelines for statewide plan and for priority of reclamation; directing performance of specified duties by Commission, Oklahoma Conservation Commission and conservation districts; providing for a certain fund; providing for coal tax; and directing codification.

HB 1275 — By Rogers of the House and Wadley of the Senate.

An Act relating to motor vehicles; amending Section 1, Chapter 56, O.S.L. 1972 (47 O.S. Supp. 1976, Section 14-118); providing for movement of oversize and overweight vehicles; specifying certain powers and duties of the Transportation Commissioner and Commissioner of Public Safety; modifying provisions for towing of certain vehicles; and specifying certain exemptions.

HJR 1019 — By Townsend and Ervin.

A Joint Resolution relating to the State Regents for Higher Education; making an appropriation thereto; encouraging the Western History Collections of the University of Oklahoma Libraries to develop a congressional research center; providing lapse date; providing severability; direct-

ing distribution; and declaring an emergency.

The above numbered HBs and HJR were read for the first time.

PENDING SENATE ACTION — RESOLUTION

SR 4, introduced on page 238, was called up for consideration.

Senator Porter asked unanimous consent that Rule 3(e) be suspended and that action be taken on SR 4, which was the order.

SR 4 was read at length as follows:

SR 4 — By Porter.

A Resolution relating to a study and investigation of discriminatory employment practices of state agencies; creating a special committee to conduct the study and investigation; defining purpose, authority and duties; authorizing employment and compensation of necessary personnel; providing for travel and expenses allowance for committee members and staff; providing for service of process and witness fees; and requiring a report of findings and recommendations.

WHEREAS, serious allegations have been made regarding discrimination in the hiring of women and members of minority groups by various state agencies; and

WHEREAS, such allegations raise substantial questions as to the appropriateness of certain personnel policies and employment practices followed by the state agencies and the integrity of their supervision and control; and

WHEREAS, such allegations also indicate the possibility that certain state agencies may have violated the laws of both this state and the federal government; and

WHEREAS, the Oklahoma Legislature has already spent countless hours enacting a number of statutory requirements designed to prohibit discrimination in the employment of women and members of minority groups; and

WHEREAS, there is an apparent need to investigate the total operation of state agencies with regard to their employment policies and practices.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. There is hereby created a special committee to be composed of five (5) members of the Senate appointed by the President Pro Tempore of the Senate. The special committee shall conduct a comprehensive and detailed study and investigation of affirmative actions taken by state agencies in the employment of women and members of minority groups.

SECTION 2. The special committee, with the approval of the President Pro Tempore of the Senate, is hereby authorized to employ attorneys, investigators, reporters and such other personnel as may be necessary to study and investigate the employment practices of state agencies.

SECTION 3. The special committee is hereby authorized and empowered, in order to make its study and investigation, to issue all process known to courts of record, including the power to subpoena witnesses, documents and records; administer oaths; take and record testimony; and to request punishment for contempt and disobedience of process and any contumacious or disorderly conduct as provided in Section 42 of Article V of the Constitution of the State of Oklahoma.

SECTION 4. For the purpose of serving

of all process directed by the special committee the Sergeant-at-Arms and the Assistant Sergeants-at-Arms of the Senate are hereby designated as service officers to serve without additional compensation, except for necessary travel expense that may be incurred in the performance of their duties as said service officers.

SECTION 5. The members of the special committee and its staff shall be paid compensation from the funds appropriated for the operation of the Senate and such travel and expenses allowance as is authorized by the President Pro Tempore of the Senate for necessary expenses in conducting the committee's study and investigation.

SECTION 6. Witness fees, as required by the laws of this state, shall be paid from funds appropriated for the operation of the Senate.

SECTION 7. The special committee may make such interim reports to the Senate in open session from time to time as the chairman of the committee shall deem advisable prior to the date the committee's final findings and report is required to be submitted.

SECTION 8. The special committee, at the conclusion of its investigation, shall submit a written report to the Senate of the Oklahoma Legislature, which shall include its findings and its recommendations for legislation and other action as necessary for the employees of the state and the public.

SR 4 was adopted upon motion of Senator Porter, the roll call thereon being as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy,

Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Keller.—1.

Excused: Funston, Johnson, Stipe, Taliaferro and Terrill.—5.

SR 4 was referred for enrollment.

Senators Funston, Terrill and Taliaferro asked to be shown present, which was the order.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator York, advised and consented to the confirmation of THOMAS J. CARLILE, D.O., Oklahoma City, as a member of the South Oklahoma City Junior College Board of Regents to serve an unexpired 5-year term ending April 22, 1979 and effective upon Senate confirmation. Dr. Carlile succeeds Dr. Raymond Cook, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Pierce, advised and consented to the confirmation of MRS. CLIFFORD HOLMES, Bartlesville, as a member of the Board of Regents of Oklahoma Colleges to serve a 9-year term ending June 10, 1985, and effective upon Senate confirmation. Mrs. Holmes succeeds Mary Cherry.

The Senate, in executive session, and

upon motion of Senator Berrong, advised and consented to the confirmation of J. L. STEWART, Fairview, as a member of the Savings and Loan Board to serve a 5-year term ending April 17, 1981, and effective upon Senate confirmation. Mr. Stewart succeeds Robert M. Baker, Muskogee.

The Senate, in executive session, and upon motion of Senator Green, advised and consented to the confirmation of WILLIAM A. WILBANKS, Tulsa, as a member of the State Police Pension and Retirement Board, District 1, to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Wilbanks succeeds Jerry Gingrich, Tulsa.

RESOLUTION

Senator Lamb introduced the following Resolution:

SCR 7 — By Lamb of the Senate and Duckett of the House.

A Concurrent Resolution designating Sunday, March 6, 1977, as a state day of prayer for moisture.

Senators Capps, Field and Berrong asked to be made coauthors of SCR 7, which was the order.

Senator Lamb asked unanimous consent, which was granted, that all other members of the Senate be made coauthors of SCR 7.

SCR 7, as coauthored, was read at length, adopted upon motion of Senator Lamb and ordered referred for engrossment.

GENERAL ORDER

SB 189 by Dahl was read and considered.

Upon motion of Senator Dahl, SB 189 was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 189 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 189 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Excused: Johnson, Porter, Smith, Stipe and Wolfe.—5.

The bill passed.

SB 189 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising approval by him, February 22, 1977, of Enrolled SB 123.

GENERAL ORDER

SB 126 by Boatner was read and considered.

Upon motion of Senator Boatner, SB 126 was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 126 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 126 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Howell.—1.

Excused: Johnson, Porter and Stipe.—3.

The bill and emergency passed.

SB 126 was referred for engrossment.

GENERAL ORDER

SB 237 by Murphy and Howell of the Senate and Abbott of the House was read and considered.

Upon motion of Senator Murphy, SB 237 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SB 237 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 237 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Johnson and Stipe.—2.

The bill passed.

SB 237 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 29, 98, 103, 113, 115, 192 and 194; and SCR 6 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 4 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 173 by Vann and Stipe of the Senate and Monks of the House was read and considered.

Senator Vann moved to amend SB 173, Page 5, Line 10, by striking the period after the word "directing", adding a semicolon and the following: "and provided further, that this subsection shall not be construed to prevent or prohibit any group, club, church, association, foundation or memorial society from acting on behalf of its members to obtain funeral merchandise and/or service at a discount, without any agreed price, so long as the members are given only the option to buy funeral merchandise and/or service in the future, to be selected at time of need, and

are not given any sale, contract or option for the purchase of any specific merchandise and/or service or for a specific selection of merchandise and/or service, and no agreement is made as to the price of any specific merchandise and/or service, and so long as any transaction with any such member does not come within the provisions of Title 36 O.S. 1971, § 6121 et seq., relating to Prepaid Funeral Benefits, and so long as the agreement with such member for membership and all benefits thereof does not exceed \$100.00 in cost to such member."

Senators Howell and Lambert moved that SB 173 be referred to the Rules Committee.

Senator Vann moved to table the Howell motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Butler, Cate, Field, Giles, Holden, Keating, Lane, Luton, Martin, Murphy, Taliaferro, Terrill, Tinsley and Vann.—14.

Nay: Berrong, Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Green, Helm, Howell, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Wadley, Watson, Wolfe, York and Young.—31.

Excused: Howard, Johnson and Stipe.—3.

Senator Howell pressed his motion to commit, which motion was declared adopted.

GENERAL ORDER

SB 172 by Vann and Stipe of the Senate and Monks of the House was read and considered.

Senator Howell moved that SB 172 be re-

ferred to the Rules Committee, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 199, as coauthored by Wilson of the House, and SJR 9.

The above numbered Bill and Resolution were referred for enrollment.

MOTION TO RECONSIDER VOTE

Senator Grantham asked for consideration of his motion to reconsider the vote whereby SB 121 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Howard, Johnson, Keller, Stipe and Vann.—5.

THIRD READING

Senator Grantham moved to reconsider the vote whereby SB 121 was considered engrossed and placed on third reading and final passage, which motion was declared adopted.

Senator Grantham moved to reconsider the vote whereby SB 121 was advanced to engrossment, which motion was declared adopted.

BILL WITHDRAWN — REREFERRED

Senator Grantham asked unanimous

consent, which was granted, that SB 121 be rereferred to the committee on Social Welfare.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 159, as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 159 were read as follows and consideration deferred.

Authors: Add the following coauthors: HOLADAY and HOPKINS of the House.

Amendment No. 1. Amend Page 4, Lines 1 and 2, by striking all the new language, and on Lines 6 and 7, by restoring all the stricken language. And amend Title on Line 13½, by deleting the language "CHANGING DEFINITION;"

GENERAL ORDER

HB 1015 by Parris, et al, of the House and Rozell of the Senate was read and considered.

Upon motion of Senator Rozell, HB 1015 was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, HB 1015 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1015 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green,

Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Crow.—1.

Excused: Helm, Howard, Johnson and Stipe.—4.

The bill passed.

Senator Crow desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44. Excused: 4.

The emergency passed.

HB 1015 was ordered withheld pursuant to Rule 19(f).

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1048, as amended.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 4.

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

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, February 24, 1977, at 12:30 p.m., which motion prevailed.

BILL RELEASED

HB 1015 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:45 p.m. to meet Thursday, February 24, 1977, at 12:30 p.m.

Thirty-first Legislative Day

Thursday, February 24, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Excused: Butler, Clifton, Helm, Howell, Johnson, Keller, Smith and Stipe.—8.

Senator Luton declared a quorum present.

The following prayer was offered by Larry Jones, Evangelist, and incorporated into the Journal upon request of Senator Young.

Father, we thank You for these days of difficulty and decision. We are prone to forget You during the times of success and prosperity. Thank You for adversities that remind us that You are the Shepherd and we are the sheep.

Help us not to complain even though the sky is red with dust, our colleagues often

misunderstand and misquote us, and our plans never get off the launching pad. Remind us that the afflictions of the present may be the blessings of the future. The crucifixion of our Lord was followed by the resurrection.

We realize these seats will be vacated tomorrow. May they serve as a reminder that all things come to an end . . . even life. Help us to so believe and live that we lay claim to the mansion Christ has prepared. In Christ's Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Boatner introduced David W. Simpson, D.O., Durant, and Senator Keating introduced John Barson, Jr., medical student, Tulsa, as Doctors of the Day.

Senator McCune introduced Mrs. Freddie Johnson, R.N., Oklahoma City, as Nurse of the Day.

Senator York introduced his son, Yancy, to the Senate and asked unanimous consent, which was granted, that Yancy be made honorary President Pro Tempore and granted privileges of the floor for this legislative day.

COMMITTEE REPORTS

The following were reported by the com-

mittees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 230 — Social Welfare, as coauthored by Schuelein.

SJR 18 — Constitutional Revision and Regulatory Services, as coauthored by Porter and Berrong, and be referred to Committee on Education, Common by previous order.

SJR 20 — Constitutional Revision and Regulatory Services, as coauthored by Porter and Berrong.

HJR 1006 — Social Welfare.

HJR 1020 — Constitutional Revision and Regulatory Services, and be referred to Committee on County, State and Federal Government by previous order.

DO PASS, as amended:

SB 241 — Judiciary, as coauthored by Peterson of the House, and be referred to Committee on Appropriations and Budget for further consideration.

SB 242 — Judiciary, as coauthored by Duke of the House.

HB 1111 — Elections and Privileges, as coauthored by Randle of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 272 — By Rozell.

An Act relating to game and fish; directing the Oklahoma Department of Wildlife Conservation to provide personal civil liability insurance or bonds in specified amounts for all rangers and certain other persons; directing codification; and declaring an emergency.

UNANIMOUS CONSENT REQUEST

Senator Luton asked unanimous consent that his previous request to refer SB 265

direct to the Calendar be rescinded and that said bill be referred to a committee, which was the order.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 264 — Direct to Calendar.

SB 265 — County, State and Federal Government.

SB 266 — Criminal Jurisprudence.

SB 267 — Revenue and Taxation.

SB 268 — Public and Mental Health.

SB 269 — County, State and Federal Government.

SB 270 — Insurance.

SB 271 — Appropriations and Budget.

HB 1049 — Environmental and Natural Resources.

HB 1087 — Environmental and Natural Resources and then to County, State and Federal Government.

HB 1267 — Environmental and Natural Resources and then to County, State and Federal Government.

HB 1275 — Public Safety and Penal Affairs.

HJR 1019 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1065, 1158, 1165, 1206, 1276, 1280, 1281 and 1305.

HB 1065 — By Kane, et al.

An Act relating to criminal procedure; amending Section 1, Chapter 141, O.S.L. 1976 (22 O.S. Supp. 1976, Section 1327); modifying disposition of exhibits used in criminal proceedings; providing for mandatory return to the owner of exhibits which are stolen or embezzled property, under certain conditions; providing for mandatory return to the owner of stolen or embezzled property which has not been made into exhibits, under certain condi-

tions; and repealing 22 O.S. 1971, Sections 1321 through 1324.

HB 1158 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the office of the Insurance Commissioner and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees within certain limitations; limiting expenditures for salaries and wages; amending 36 O.S. 1971, Section 321, which relates to fees and licenses collected by the Insurance Commissioner, modifying certain fees; providing for transfer of unappropriated funds to the general revenue fund with exception; providing lapse date; providing severability; and declaring an emergency.

HB 1165 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Department of Energy and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; fixing the salary of the director and deputy director; limiting number of employees; limiting expenditures for salaries and wages; designating the number and compensation of authorized officials and employees; prohibiting the expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency.

HB 1206 — By Frates, et al.

An Act relating to statutes and reports; amending 75 O.S. 1971, Sections 301, 309, 310, 315, 316, 317, 319, 320 and 322; defining terms, including hearing examiners; prescribing requirements and procedures for individual hearings by hearing examiners; providing for disqualification of hearing examiners; providing for reconsideration, reopening or rehearing of hearing examiners' decisions; prescribing

procedures concerning stays of enforcement of hearing examiners' decisions; providing for transmission of hearing records; prescribing requirements for review of hearing examiners' orders; creating the Office of Hearing Examiner to preside at all hearings required to be conducted under this act; prescribing the qualifications for such officers; restricting assignment of hearing examiners; providing for payment of expenses of such office; repealing 75 O.S. 1971, Sections 311 and 313; directing codification; and setting an effective date.

HB 1276 — By Lancaster of the House and Smith of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 515; requiring persons to make application for a permit to operate vehicles transporting certain material; requiring persons with permit to operate vehicles in certain manner; requiring certain standards for vehicles; providing for the Tax Commission to regulate licensing, operation of vehicles and standards of vehicles; providing certain procedures, powers and duties; and prescribing penalty.

HB 1280 — By Parris.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-321; providing for amendment of vital statistics records; adding procedures for correction of birth certificate errors; and setting an operative date.

HB 1281 — By Riggs of the House and Schuelein of the Senate.

An Act relating to state government; amending Section 8, Chapter 259, O.S.L. 1976 (74 O.S. Supp. 1976, Section 150.8); specifying employee requirements for State Bureau of Investigation; exempting certain positions from merit system; allowing merit system personnel to serve as acting director and deputy director; providing certain pension rights; and declaring an emergency.

HB 1305 — By Milacek, et al.

An Act relating to mortgages; amending 46 O.S. 1971, Sections 14 through 16; allowing certain agents to release mortgages; imposing duty to execute and file with county clerk mortgage releases; imposing certain penalties; establishing time limits; making mortgage holders responsible for mortgage release filing costs; and providing an effective date.

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 223 by Field of the Senate and Converse of the House was read and considered.

Upon motion of Senator Field, SB 223 was advanced to engrossment.

By unanimous consent, upon request of Senator Field, SB 223 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 223 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Excused: Butler, Clifton, Helm, Howell, Johnson, Keller, Smith and Stipe.—8.

The bill passed.

SB 223 was referred for engrossment.

Senator Wadley presiding.

Senators Helm and Howell asked to be shown present, which was the order.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 81, as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 81 were read as follows and consideration deferred.

Authors: Add the following coauthor: WICKERSHAM of the House.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to the Oklahoma Department of Industrial Development and making appropriations thereto; stating the purposes; authorizing agreements or contracts with substate planning districts; providing for the appointment and compensation of officers and employees; designating the number and compensation of authorized officials and employees; establishing limit on number of personnel used in department operations; limiting expenditure for salaries and wages; providing for agreement with federal government; providing lapse date; providing severability; and declaring an emergency.”

Amendment No. 2. Amend Page 1, Line 20, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 24 and 25, by deleting the words and figures “One Million Six Thousand Two Hundred Ninety-one Dollars (\$1,006,291.00)” and inserting in lieu thereof the words and figures “One Million One

Thousand Three Hundred Forty-two Dollars (\$1,001,342.00)".

Amendment No. 4. Amend Page 1, Lines 32 and 33, by deleting the words and figures "One Hundred Thirty-two Thousand Seven Dollars (\$132,007.00)" and inserting in lieu thereof the words and figures "One Hundred Thirty-four Thousand One Hundred Forty-one Dollars (\$134,141.00)".

Amendment No. 5. Amend Page 2, Lines

24 through 36 and Page 3, Lines 1 through 10 by deleting all language and substituting in lieu thereof the following language: "and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number by job title authorized below:

JOB TITLE	MERIT SYSTEM GRADE	NO. AUTH.	MIN.	MAX.
Administrative Division				
Department Director	U	1	\$21,080	\$31,200
Secretary to Director	U	1	9,060	12,760
Accountant II	27	1	11,700	17,640
Secretary I	21	1	8,880	13,440
Typist Clerk III	17	1	7,440	11,160
Industrial Division				
Division Director	U	1	19,960	25,000
Executive Secretary	U	1	8,220	9,720
International Coordinator	U	1	18,040	22,320
Industrial Coordinator II	35	4	16,860	25,680
Industrial Coordinator I	29	3	12,840	19,380
Industrial Engineer	34	1	16,140	24,480
Secretary I	21	1	8,880	13,440
Typist Clerk III	17	1	7,440	11,160
Research Division				
Division Director	U	1	18,040	22,500
Executive Secretary	U	1	8,220	9,720
Transportation Specialist	29	1	12,840	19,380
Research Associate	31	1	14,100	21,240
Environmental Coordinator	35	1	16,860	25,680
Information and Advertising Division				
Division Director	U	1	18,040	24,000
Information Representative III	29	1	12,840	19,380
Information Representative II	26	2	11,160	14,760
Secretary I	21	1	8,880	13,440
Photographer	18	2	7,800	11,700
Bartlesville Operations				
Maintenance Man III	U	2	6,660	8,820

Maintenance Repairman I
 Janitor (Light) I
 Janitor (Heavy) II
 Office Machine and Equipment Operator
 Messenger

U	1	6,060	7,680
U	5	6,060	7,320
U	2	6,660	8,820
U	1	6,060	8,040
U	1	6,660	8,820
	42"		

Amendment No. 6. Amend Page 3, Lines 21 and 22, by deleting the words and figures "Five Hundred Forty-four Thousand Seventy Dollars (\$544,070.00)" and inserting in lieu thereof the words and figures "Five Hundred Fifty-one Thousand Four Hundred Ninety Dollars (\$551,490.00)".

GENERAL ORDER

SB 214 by Dahl of the Senate and Townsend of the House was read and considered.

Senator Martin moved to amend SB 214, Page 2, Line 3, by inserting after the word "property" and before the word "while" the following: "other than state parks where hunting game to kill is now prohibited", which amendment was declared adopted.

Senator Murphy presiding.

Senator Boatner moved to amend SB 214, Page 2, Line 13, by adding after the word "a" and before the word "receipt" the word "current", and on Line 15 by striking the word "used" and inserting in lieu thereof the word "released", which amendment was declared adopted.

Senator Cate moved to amend SB 214, Page 3, Line 9½, by adding a new section as follows:

"Persons only (not quail) may be executed by continuous five-minute intravenous injection of an ultra-short-acting barbiturate",

which amendment was withdrawn upon the unanimous consent request of Senator Cate.

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

Upon motion of Senator Dahl, SB 214, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 214, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 214 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Crow, Dahl, Field, Giles, Green, Helm, Holden, Howard, Keating, Kilpatrick, Lambert, Luton, Martin, Murphy, Pierce, Porter, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley, Wolfe, York and Young.—29.

Nay: Boatner, Dawson, Funston, Grantham, Howell, Lamb, Lane, McCune, McDaniel, Randle, Rozell, Schuelein, Vann and Watson.—14.

Excused: Butler, Clifton, Johnson, Keller and Stipe.—5.

The bill passed.

SB 214 was referred for engrossment.

Senator Wadley presiding.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Terrill, HAS to

SB 159 were rejected and conference requested, President Pro Tempore Howard appointing as Senate conferees the following: Senators Terrill, Holden and Dawson.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of MARY R. CHERRY, Tulsa, as a member of the Oklahoma Education Council to serve at the Governor's pleasure, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Kilpatrick, advised and consented to the confirmation of HARRY CURRIE, Del City, as a member of the State Board of Mental Health, to serve a 7-year term ending December 31, 1983, and effective upon Senate confirmation. Mr. Currie succeeds himself.

The Senate, in executive session, and upon motion of Senator Howell, advised and consented to the confirmation of RAY GOETSCH, Midwest City, as a member of the Oklahoma Real Estate Commission to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Goetsch succeeds Rita Moskowitz, Tulsa.

The Senate, in executive session, and upon motion of Senator Luton, advised and consented to the confirmation of MARTHA

GRIFFIN, Muskogee, as a member of the Oklahoma Arts and Humanities Council, to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Miss Griffin succeeds Mrs. Charles Nesbitt, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Dawson, advised and consented to the confirmation of MRS. WAYNE HILL, Wewoka, as a member of the Arts and Humanities Council, to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mrs. Hill succeeds Chester Wells, Lawton.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of WILLIAM T. PORTER, Oklahoma City, as a member of the Real Estate Commission to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Porter succeeds himself.

The Senate, in executive session, and upon motion of Senator Howell, advised and consented to the confirmation of WESLEY D. RUCKER, Oklahoma City, as a member of the Board of Registration of Social Workers, to serve a 5-year term ending June 1, 1981, and effective upon Senate confirmation. Mr. Rucker succeeds himself.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, February 28, 1977, at 1:30 p.m., which motion prevailed.

Senator Crow presiding.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1015 and 1048.

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 126, 189 and 237 and SCR 7 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 199 and SJR 9 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SR 4 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 199 and SJR 9.

The above numbered Enrolled Bill and Resolution were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 159, and naming House Conferees as follows: Representatives Townsend, Matheson and Barker.

Upon motion of Senator Lane, the Senate adjourned at 1:45 p.m. to meet Monday, February 28, 1977, at 1:30 p.m.

Thirty-second Legislative Day

Monday, February 28, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Excused: Butler, Funston, Keating, Stipe and Wolfe.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Donald K. Bailey, Pastor, First Christian Church, Barnsdall, and incorporated into the Journal upon request of Senator Dahl.

O God, acknowledging Your Word, that except You build the house, they that labor, labor in vain, we come offering You our praise and gratitude for building the great State of Oklahoma, rich in energy and filled with good people.

We ask You to continue to bless our ef-

forts here to make this State an even better place to live and serve You.

Grant us, through Your Spirit, wisdom to foresee the consequences of our decisions, courage to stand for what is right regardless of the cost, strength to accomplish all the tasks before us, and the satisfaction of knowing that we have done our best for You and the people we represent.

In the name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Schuelein introduced Lewis Bamberl, Jr., D.O., and Roger Thomas, medical student, both of Miami, as Doctors of the Day.

Senators Taliaferro and Terrill introduced Rose White, R.N., Lawton, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 161 — County, State and Federal Government; remove York as coauthor,

and be referred to Committee on Appropriations and Budget by previous order.

SB 164 — County, State and Federal Government, as coauthored by Taliaferro, and be referred to Committee on Education, Common by previous order.

SB 228 — County, State and Federal Government.

HB 1101 — Public Safety and Penal Affairs.

HB 1102 — Public Safety and Penal Affairs.

HB 1230 — Public Safety and Penal Affairs, as coauthored by Dahl of the Senate, and be referred to Committee on Business, Industry and Labor Relations by previous order.

DO PASS, as amended:

SB 64 — County, State and Federal Government, as coauthored by Schuelein of the Senate and Sparkman, Whorton, Crutcher, Fitzgibbon, Caldwell, Duke, Holden, Hardesty, Cullison and Hammons of the House.

CS for SB 265 — County, State and Federal Government; remove Birdsong and Porter as coauthors.

SJR 1 — Criminal Jurisprudence, as coauthored by Kilpatrick, and be referred to Committee on County, State and Federal Government by previous order.

FIRST READING

The following were introduced and read the first time.

SB 273 — By Dawson, Terrill, Birdsong, Randle and York.

An Act relating to the Corporation Commission; defining certain terms; providing for approval of certain fossil fuel adjustment, purchased gas adjustment and purchased power adjustment clauses; providing for their application, supervision, discontinuance, suspension and effectiveness; providing for certain hearings; authorizing recomputation of certain

charges and credits, under certain conditions; requiring the filing of certain materials; providing for electric cooperatives; specifying certain rules; imposing certain time limitations; requiring certain disclosures; requiring the establishment of certain procedures; directing codification; and declaring an emergency.

SB 274 — By Howell.

An Act relating to schools; amending 70 O.S. 1971, Section 8-110; requiring a certain report from the county superintendent of schools; modifying certain exemptions relating to transportation costs and transfer fees; and declaring an emergency.

SB 275 — By Grantham of the Senate and Elder, Johnson (Don) and Kennedy of the House.

An Act relating to courts; amending Section 9, Chapter 293, O.S.L. 1975 (20 O.S. Supp. 1976, Section 1226); authorizing transfer of funds from court fund of a county for law library; providing for disbursement of court funds by the court clerk into the law library fund; and declaring an emergency.

SB 276 — By Grantham of the Senate and Elder, Frates, Kennedy and Wiseman of the House.

An Act relating to evidence; stating legislative purpose; providing short title; delineating scope of code; defining terms; providing for rules and procedures governing admissibility of testimony, documents and other evidence; providing rules and procedures governing judicial notice, presumptions in civil and criminal cases, relevancy of certain evidence, privileges of certain persons and confidential communications, witnesses and competency, opinion and expert testimony, hearsay and exceptions thereto, authentication and identification of certain evidence, contents of writings, recordings, photographs and other documents; repealing 12 O.S. 1971, Sections 381, as amended by Section 1, Chapter 13, O.S.L. 1973, 382

through 385, Sections 1 through 3, Chapter 123, O.S.L. 1974, 401, 424, 486, 489, 490, 494, 495, 497 through 499, 501, 502, 503, as amended by Section 1, Chapter 153, O.S.L. 1975, 504, 541 through 547, and 1705.1 through 1705.4 (12 O.S. Supp. 1976, Sections 381, 385.1 through 385.3 and 503), 16 O.S. 1971, Section 27, 20 O.S. 1971, Section 3001, 21 O.S. 1971, Section 506, 22 O.S. 1971, Section 334, 59 O.S. 1971, Section 1372 and 67 O.S. 1971, Sections 64 through 66; directing codification; and providing an effective date.

SB 277 — By Dahl of the Senate and Converse of the House.

An Act relating to game and fish; amending Sections 2-111 and 2-132, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Sections 2-111 and 2-132); defining terms; changing classification of certain animal; and providing an effective date.

SB 278 — By Helm.

An Act relating to motor vehicles; exempting owners of unused vehicles from compulsory liability insurance requirements upon filing of specified affidavit; directing Oklahoma Tax Commission to prescribe affidavit form with specified contents; directing codification; and setting an effective date.

SB 279 — By Keller.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 404 and 405, as last amended by Section 1, Chapter 146, O.S.L. 1976 (11 O.S. Supp. 1976, Section 405); providing for certain regulations for planning and zoning within cities and towns; providing powers and duties of certain legislative bodies and commissions; providing for certain notices and contents thereof; providing and modifying certain time limitations; providing for alteration of regulations, restrictions and boundaries; providing for public hearings; providing for protests and requirements therefor; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 272 — Wildlife.

HB 1065 — Criminal Jurisprudence.

HB 1158 — Appropriations and Budget.

HB 1165 — Appropriations and Budget.

HB 1206 — County, State and Federal Government.

HB 1276 — Revenue and Taxation.

HB 1280 — County, State and Federal Government.

HB 1281 — Public Safety and Penal Affairs.

HB 1305 — Judiciary.

MESSAGE FROM THE GOVERNOR

February 25, 1977

This is to advise you that on this date I vetoed Enrolled Senate Bill 150 by Stipe, Boatner, Johnson, Berrong, Capps, Dahl, Field, Giles, Wadley, Grantham and Tinsley of the Senate and Roberts, Peterson, McCaleb, Cotner, Johnson (Don), Thompson (Don) and Bennett of the House entitled: "An act relating to roads, bridges, and ferries; amending Section 1, Chapter 182, O.S.L. 1976 (69 O.S. Supp. 1976, Section 1206.1); modifying participation in the acquisition of lands for use for certain rights-of-way; and declaring an emergency."

I am sympathetic to the plight of municipal governments which are all experiencing financial hardships. However, SB 150 does not treat all municipalities alike. It arbitrarily and unfairly draws a line between municipalities purely on the basis of population.

Article 5 of the Oklahoma Constitution, Sections 32, 46 and 59, require that distinctions in the law based upon population categories cannot be arbitrary and capricious and must be related to the general purposes of the act.

It would appear to me difficult to establish any direct relationship between the 50,000 population delineation and the ability of a municipality to contribute to right-of-way purchase. If, as a matter of policy, the Legislature decides that the acquisition of right-of-way should basically be a state responsibility, then that responsibility should be exercised equally and fairly including all cities and towns within Oklahoma and excluding none.

s/David L. Boren
Governor of Oklahoma

MESSAGE FROM THE GOVERNOR

Advising approval by him, February 25, 1977, of Enrolled SB 199 and SJR 9.

SPECIAL COMMITTEE APPOINTMENT

President Pro Tempore Howard announced the appointment of Senators Grantham, Chairman, Randle, Porter, Martin and Johnson as the committee authorized under SR 4 to study and investigate discriminatory employment practices of state agencies.

GENERAL ORDER

SB 242 by Cate of the Senate and Duke of the House was read and considered.

Upon motion of Senator Cate, SB 242 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, SB 242 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 242 was read for the third time at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Green, Helm, Holden, Howard, Howell, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—37.

Nay: Berrong, Boatner, Giles, Johnson, Lambert and McCune.—6.

Excused: Butler, Funston, Keating, Stipe and Wolfe.—5.

The bill and emergency passed.

SB 242 was referred for engrossment.

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

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 214 and 223 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 7 as coauthored by Hooper of the House.

The above numbered Resolution was referred for enrollment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, March 1, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 1:50 p.m. to meet Tuesday, March 1, 1977, at 1:30 p.m.

Thirty-third Legislative Day

Tuesday, March 1, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Stipe.—1.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Bailey and incorporated into the Journal upon request of Senator Dahl.

O God, our Heavenly Father, we come praising You today as our God, recognizing that all that we are or can ever hope to be, is but the gift of Your grace. Conscious Father that Your Word declares that the King's heart is like channels of water in Your hand, You turn it wherever You wish (Prov. 21:1). So we also are in Your hands.

Thank You God, for calling these men to

be our State leaders at this time in history to serve Your people. Help them to be willing channels through which Your purposes might be accomplished.

Deliver us from the temptation of pride and the temptation of seeking personal gain rather than the good of the people we serve.

Grant today that our minds might be open to truth, hungering for righteousness and our spirits filled with kindness, consideration and love.

In the name of Your son, Jesus, we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Helm introduced Armond Start, M.D., Oklahoma City, as Doctor of the Day.

Senator Funston introduced his wife, Karen, and her parents, Mr. and Mrs. Clayton Tanner, Oklahoma City, to the members of the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 39 — Revenue and Taxation, as co-authored by Townsend of the House, and be referred to Committee on Insurance by previous order.

DO PASS, as amended:

CS for SB 239 — Education, Higher.

FIRST READING

The following were introduced and read the first time.

SB 280 — By Keating and Cate of the Senate and Hood of the House.

An Act relating to public health and safety; creating the Oklahoma Alcohol Services Act; declaring public policy and purpose of act; amending 63 O.S. 1971, Sections 2101, as amended by Section 1, Chapter 137, O.S.L. 1974, Sections 3 and 4, Chapter 137, O.S.L. 1974 (63 O.S. Supp. 1976, Sections 2101, 2110 and 2111) and 75 O.S. 1971, Section 301; defining terms; expanding powers and duties of the Authority; setting guidelines for administration of funds; establishing regions and providing for regional service plans; permitting protests by nonparticipants of plans; prescribing contents of plans; establishing guidelines for treatment facilities; providing for application, admission and release of voluntary admittees; authorizing specified actions towards intoxicated persons; providing for involuntary detention of certain persons; permitting notification; limiting liability; providing for involuntary commitment of specified alcohol users, including petition, physician's certificate, notice, service of summons, hearings, appointment of commission, notice to and rights of person whose commitment is sought and appointment of attorney; restricting use of statements

made in connection with commitment proceedings; providing for commitment order and transportation of person committed; specifying limitations on commitment and recommitment and providing for transfer and discharge; setting penalties for specified offenses; limiting disclosure of treatment facility records; permitting contact and communications with patient's attorney, family and friends; providing for emergency service patrols; fixing liability for treatment costs; providing for adoption and publication of certain rules and rates; requiring specified annual reports; making administrative actions of Authority subject to Administrative Procedures Act; and directing codification.

SJR 23 — By Funston and Schuelein.

A Joint Resolution directing each public institution of higher education to develop certain policy statements; urging the institution's consultation with faculty in developing such statements; directing the filing of such statements no later than December 31, 1977; and directing distribution.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 273 — County, State and Federal Government.

SB 274 — Education, Common.

SB 275 — Judiciary.

SB 276 — Judiciary.

SB 277 — Wildlife.

SB 278 — Revenue and Taxation and then to County, State and Federal Government.

SB 279 — Municipal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1166, 1171, 1211, 1220, 1263, 1332, 1357, 1382 and 1384.

HB 1166 — By Miskelly and Davis

(Don) of the House and Crow and Randle of the Senate.

An Act making appropriations to various state agencies and stating the purposes; granting legislative authority for expenditures to be made; making funds available for federal matching funds; providing lapse dates; providing severability; and declaring an emergency.

HB 1171 — By Lawter.

An Act relating to criminal procedure; providing for the payment of costs of extradition by a witness under certain conditions; and directing codification.

HB 1211 — By Floyd.

An Act relating to cities and towns; amending Section 1, Chapter 27, O.S.L. 1975 (11 O.S. Supp. 1976, Section 20.7), relating to ambulance and emergency services; providing for liability insurance coverage for certain employees; and limiting accrual of pension fund benefits.

HB 1220 — By Converse of the House and Martin of the Senate.

An Act relating to schools; making an appropriation to the State Board of Vocational and Technical Education; providing a supplemental appropriation for the Southern Oklahoma Rural Skills Center at Sulphur, Oklahoma; providing lapse date; and declaring an emergency.

HB 1263 — By Holaday, Weichel, Camp and Holden of the House and Dahl of the Senate.

An Act relating to waters and water rights; amending Section 10, Chapter 248, O.S.L. 1972 (82 O.S. Supp. 1976, Section 1020.10); providing for temporary or special permits; providing for administration approval of the granting of a provisional temporary permit; and declaring an emergency.

HB 1332 — By Duckett, Draper and Matheson of the House and Lamb of the Senate.

An Act relating to elections; amending Sections 1-101, 1-102 and 1-103, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Sections 1-101, 1-102 and 1-103); providing for time and election of certain offices at general elections; providing certain procedures regarding primary and runoff primary elections; and adding prohibition to certain elections within certain time span of certain elections.

HB 1357 — By Duckett and Draper of the House and Lamb of the Senate.

An Act relating to elections; amending Sections 10-101, 10-102 and 10-105, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Sections 10-101, 10-102 and 10-105); providing for nomination of presidential electors; providing certain rules as to certification; providing new guidelines for uncommitted presidential electors; providing regulation of oath of presidential electors; restricting oath provisions to apply to party nominees; providing for ballots; adding provisions for independent nominees; providing a system to qualify independent presidential candidates to appear on ballots; and directing codification.

HB 1382 — By Ford.

An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 863.5 and 863.20; providing for certain planning commission members' appointments and terms of office; providing for county board of adjustment members' appointments and terms of office; providing for certain responsibilities and powers; prohibiting compensation of certain members with exception; and providing an effective date.

HB 1384 — By Lawter.

An Act relating to insurance; amending 36 O.S. 1971, Section 3623; providing for renewal of certain policies by certificate or endorsement; deleting five-year limitation; and declaring an emergency.

The above numbered HBs were read for the first time.

RESOLUTION

Senator Crow introduced the following Resolution:

SR 5 — By Crow.

A Resolution acknowledging Library Legislative Day; welcoming and commending the librarians of the state; and directing distribution.

WHEREAS, Tuesday, March 1, 1977, has been declared Library Legislative Day by the Oklahoma Library Association; and

WHEREAS, on March 1, librarians from around the State of Oklahoma are gathering at the State Capitol to confer with and hold a reception for the Legislature; and

WHEREAS, the professional librarians of Oklahoma have made enormous contributions to the promotion of learning and the acquisition of new knowledge in this state; and

WHEREAS, the work of librarians redounds to the benefit of all.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. That the librarians of this state be commended for their tireless efforts in promoting and improving the libraries of Oklahoma which are so vital to the people of this state.

SECTION 2. That the librarians be welcomed as guests of the Legislative Branch of government.

SECTION 3. That a copy of this Resolution be distributed to the Oklahoma Library Association.

Senator Crow asked unanimous consent, which was granted, that all other mem-

bers of the Senate be made coauthors of SR 5.

SR 5, as coauthored, was read at length, adopted upon motion of Senator Crow and ordered referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 242 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 7 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 180 by Terrill and Watson of the Senate and Hopkins of the House was read and considered.

Senator Berrong moved to amend SB 180, Page 16, Line 12, by striking after the word "of" and before the word "shall" the words and figure "Ten Dollars (\$10.00)" and substituting therefor the words and figure "Twenty-five Dollars (\$25.00)", which amendment was declared adopted.

Upon motion of Senator Terrill, SB 180, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 180, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 180 was read for the third time at length.

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

Aye: Capps, Cate, Clifton, Dahl, Dawson, Funston, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—32.

Nay: Berrong, Birdsong, Boatner, Butler, Crow, Field, Giles, Grantham, Helm, McDaniel, Porter, Shatwell, Vann and Young.—14.

Excused: Lambert and Stipe.—2.

The bill passed.

Senator Shatwell desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33. Nay: 13. Excused: 2.

The emergency passed.

SB 180 was referred for engrossment.

BILL WITHDRAWN — REREFERRED

Senator Capps asked unanimous consent that SB 234 be withdrawn from the Calendar and rereferred to the committee on Agriculture, which was the order.

Senator Cate presiding.

GENERAL ORDER

SB 230 by Wadley and Schuelein was read and considered.

Upon motion of Senator Wadley, SB 230 was advanced to engrossment.

By unanimous consent, upon request of Senator Wadley, SB 230 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 230 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Stipe.—1.

The bill and emergency passed.

SB 230 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 65, as amended and coauthored, and SB 78, as amended.

HOUSE AMENDMENTS

HAs to SB 65 were read as follows and consideration deferred.

Authors: Add the following coauthor: HOPKINS of the House.

Amendment No. 1. Amend Page 2, Line 30, by deleting the words "Highway Commission" and inserting in lieu thereof the words "Department of Transportation".

Amendment No. 2. Amend Page 3, Lines 23 through 28 by deleting all the language in Section 4 and inserting the following:

"The awarding public agency shall pay

to the contractor interest at the rate of three-fourths percent ($\frac{3}{4}\%$) per month of the final payment due the contractor. For lump sum contracts the interest shall commence thirty (30) days after the work under the contract has been completed and accepted and all required material certifications and other documentation required by the contract have been furnished the awarding public agency by the contractor, and shall run until the date when the final payment or estimate is tendered to the contractor.

For contracts bid by unit prices the interest shall commence sixty (60) days after the above conditions are satisfied. When contract quantities or the final payment amount is in dispute, the interest-bearing period shall be suspended until the conclusion of arbitration and settlement of the dispute."

HOUSE AMENDMENTS

HAs to SB 78 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Division of the Budget and making an appropriation thereto; stating the purposes; fixing the salary of the Director of State Finance; authorizing the Director of State Finance to appoint and fix the duties and compensation of personnel; limiting number of employees; limiting expenditures for salaries and wages; stating the number and compensation by job title for authorized officials and employees; authorizing filling of a designated grade in next lower grade; providing for payment of expenses of the board on legislative compensation; providing lapse date; mak-

ing provisions of this act severable; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 20, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 29, by deleting the figures "\$846,638.00" and substituting in lieu thereof the figures "\$848,311.00".

Amendment No. 4. Amend Page 2, Lines 3 and 4, by deleting the words and figures as follows:

"National Association for State Information Systems	1,500.00".
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Amendment No. 5. Amend Page 2, Line 5, by deleting the figures "\$946,808.00" and substituting in lieu thereof the figures "\$946,981.00".

Amendment No. 6. Amend Page 2, Lines 17 and 18, by deleting the words and figures "Six Hundred Fourteen Thousand Four Hundred Ninety Dollars (\$614,490.00)" and substituting in lieu thereof the words and figures "Six Hundred Fifteen Thousand Five Hundred Dollars (\$615,500.00)".

Amendment No. 7. Amend Page 2, Line 19½, by inserting new Sections 4 and 5 to read as follows:

"SECTION 4. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below:

JOB TITLE	MERIT SYSTEM NO.		MIN.	MAX.
	GRADE	AUTH.		
Director of State Finance	S	1	\$30,400	\$30,400
Administrative Secretary	S	1	9,720	9,720
Budget Finance Officer	44	1	25,680	30,150
Chief Budget Analyst	42	1	23,340	30,150
State Comptroller	39	1	20,280	30,150
Budget Analyst II	38	2	19,380	29,280
Budget Analyst I	35	2	16,860	25,680
Data Processing Systems Analyst III	35	1	16,860	25,680
Data Processing Programmer III	32	1	14,760	22,260
Budget Analyst Trainee II	31	2	14,100	21,240
Budget Office Systems Specialist	28	1	12,240	18,480
Accountant II	27	2	11,700	17,640
Budget Analyst Trainee I	26	1	11,160	16,860
Accountant I	25	3	10,620	16,140
Data Processing Encoder Supervisor I	20	1	8,520	12,840
Data Processing Scheduling Technician I	20	1	8,520	12,840
Data Processing Machine Operator	19	1	8,160	12,240
Vari-Type Machine Operator II	19	1	8,160	12,240
Account Clerk III	19	3	8,160	12,240
Data Processing Encoder II	18	4	7,800	11,700
Account Clerk II	17	8	7,440	11,160
Data Processing Encoder I	16	3	7,140	10,620
Receptionist	16	2	7,140	10,620
Typist Clerk II	15	1	6,840	10,140
Account Clerk I	15	8	6,840	10,140
Clerk II	14	1	6,540	9,720
Clerk I	13	1	6,300	9,300
Total		55		

SECTION 5. The Director of State Finance is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class."

and by renumbering the present "Section 4" to read "Section 6" and renumbering succeeding Sections accordingly.

GENERAL ORDER

SB 264 by Luton, Howard, Lambert,

Birdsong, Howell, Porter, Smith, Murphy and Randle was read and considered.

Senator Howell asked that his name be removed as a coauthor of SB 264, which was the order.

Senator Shatwell asked to be made a coauthor of SB 264, which was the order.

Senator York moved to amend SB 264, Page 4, Line 15, by adding after the word "services" and before the word "The" the following: "In all counties having a population of more than four hundred thousand (400,000) persons according to the latest federal decennial census, the sum of seventy-five cents (\$.75) shall be

collected and used as income for operation of the agency, not as personal remuneration to the agent, and subject to the use as provided in 47 O.S. 1971, § 22.30m.", which amendment was declared adopted.

Senator York moved to amend SB 264, Page 6, Line 10, by adding after the word "services" and before the word "SECTION" the following: "In all counties having a population of more than four hundred thousand (400,000) persons, according to the latest federal decennial census, the sum of seventy-five cents (\$.75) shall be collected and used as income for operation of the agency, not as personal remuneration to the agent, and subject to the use as provided in 47 O.S. 1971, § 22.30m.", which amendment was declared adopted.

Senator York moved to amend SB 264, Page 6, Line 16, by adding after the word "act." the following: "In the event of a vacancy existing by reason of resignation, removal, death or otherwise, in the position of Motor Vehicle License Agent, the Oklahoma Tax Commission is hereby empowered and authorized to take any and all actions it deems appropriate in order to provide for the orderly transition and for the maintenance of operations of the Motor Vehicle License Agency of said county, including but not limited to the designation of one of its regular employees to serve as 'Acting Agent' without bond, and to receive and expend all fees or charges authorized or provided by law and exercise the same powers and authority as a regularly appointed Motor Vehicle License Agent. Said acting agent may be authorized by the Oklahoma Tax Commission equally as the preceding agent to make disbursements from any balances in the preceding Motor Vehicle License Agent's operating account and the agent's operating funds for the payment of expenses of operations and salaries, and other overhead. If such funds are insufficient, the Oklahoma Tax Commission is authorized to expend from funds appro-

priated for the operation of the Oklahoma Tax Commission such amounts as are necessary to maintain and continue the operation of any such county Motor Vehicle License Agency until a successor agent is appointed and qualified. The Commission may require a blanket fiduciary bond of the agency employees.", and by amending the title to conform, which amendment was declared adopted.

Senator York moved to amend SB 264, Page 8, Line 5, by adding after the word "services" and before the word "Provided" the following: "In all counties having a population of more than four hundred thousand (400,000) persons, according to the latest federal decennial census, the sum of seventy-five cents (\$.75) shall be collected and used as income for operation of the agency, not as personal remuneration to the agent, and subject to the use as provided in 47 O.S. 1971, § 22.30m.", which amendment was declared adopted.

Senator Berrong moved to amend SB 264, Page 9, Line 7½, by adding after the word "Commission." the following new subsection (c) and by relettering subsequent subsections:

"(c) Every motor license agent shall promptly remit to the Oklahoma Tax Commission all moneys paid to said agent as taxes and fees, except that amount allowed for personal remuneration as authorized by law. All moneys so collected by said agent shall immediately vest in the State of Oklahoma, including any interest thereon, and shall be deposited in the agent's motor vehicle tax account, as a trust account, and then transmitted to the Oklahoma Tax Commission in accordance with rules and regulations of said Commission."

Senator Luton moved to table the Berrong amendment, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Clifton, Dawson, Field, Holden, Howard, Howell, Lane, Luton, McDaniel, Murphy, Rozell, Terrill, Tinsley, Vann, Wadley and York.—19.

Nay: Berrong, Capps, Cate, Crow, Dahl, Funston, Giles, Grantham, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, Martin, Pierce, Randle, Schuelein, Shatwell, Taliaferro, Watson, Wolfe and Young.—26.

Excused: Porter, Smith and Stipe.—3.

Senator Berrong pressed his motion to amend, which amendment was declared adopted.

Senator Pierce moved to amend SB 264, Page 10, Line 8½, by adding the following:

“The Oklahoma Tax Commission shall annually notify through the mail all persons within the state who have a previous registration and license on record the period for registration and licensing of all registrations and licenses it is authorized to administer through its motor license agents. Such notice shall contain all necessary information for such registration and licensing and shall contain instructions as to the procedure for renewal upon presentation to a motor license agent or by return mail to the Commission’s state office. All revenues received by the Commission for all registrations and licensing through the mail shall be treated as if received in the county of residence of the applicant and shall be distributed in the manner and for such purposes as heretofore provided by law; except that any fees that were heretofore received by motor license agents as charges for registration and licensing shall be retained by the Tax Commission for those registrations and licenses the Commission issues through the mail to be used to finance the mail renewal program.

“Failure by any applicant to receive

notification of renewal as provided by this act shall not excuse the applicant from properly obtaining any registration or license at the proper time by presenting proof of ownership to a motor license agent or the Commission’s state office.”

Senator Crow moved to amend the Pierce amendment by placing a period after the word “mail” on Line 7 and striking the balance of the amendment, which amendment to the Pierce amendment was adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—38.

Nay: Green, Helm, Keating, Keller, McCune, Pierce, Watson and Wolfe.—8.

Excused: Smith and Stipe.—2.

Senator Pierce pressed his motion to amend (as amended by the Crow amendment).

Senator Luton moved to table the Pierce amendment, as amended, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—38.

Nay: Green, Helm, Keller, McCune, Pierce, Watson and Wolfe.—7.

Excused: Lane, Smith and Stipe.—3.

Senator Luton moved that SB 264, be advanced, which motion was declared adopted.

By unanimous consent, upon request of Senator Luton, SB 264, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 264 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Crow, Keating, Pierce and Wolfe.—4.

Excused: Smith and Stipe.—2.

The bill and emergency passed.

SB 264 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 7.

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

GENERAL ORDER

SB 265 by York was read and considered.

Senator Berrong moved to amend SB 265, Page 2, Line 18, by striking after the word "exceed" and before the word "to" the words and figure "fifty cents (50c)" and substituting the following: "One Dollar (\$1.00)", which amendment was withdrawn upon the unanimous consent request of Senator Berrong.

Senators Howell and York moved to amend SB 265, Page 2, Line 3, by adding after the word "his" and before the word "compensation" the words "total and sole", which amendment was declared adopted.

Senator Berrong moved to amend SB 265, Page 3, Line 11½, by adding after the word "office." the following new sections and by renumbering subsequent sections:

"SECTION 2. Every motor license agent shall promptly remit to the Oklahoma Tax Commission all moneys paid to said agent as taxes and fees, except that amount allowed for personal remuneration as authorized by law. All moneys so collected by said agent shall immediately vest in the State of Oklahoma, including any interest thereon, and shall be deposited in the agent's motor vehicle tax account, as a trust account, and then transmitted to the Oklahoma Tax Commission in accordance with rules and regulations of said Commission.

"SECTION 3. Section 2 of this Act shall be codified in the Oklahoma Statutes as Section 22.30hA of Title 47 unless there is created a duplication in numbering.",

which amendment was declared adopted.

Senator Keating moved to amend SB 265, Page 2, Lines 4 and 5, by striking the words and figure "Twenty-five Thousand Dollars

(\$25,000.00)" and inserting the following: "\$20,000.00. Provided, however, that in no event shall compensation paid to the motor license agent in any county of this state from any source exceed the sum of \$20,000.00."

Senator Terrill moved to amend the Keating amendment by changing the figures "\$20,000.00" to "Twenty-five Thousand Dollars (\$25,000.00)", which amendment to the Keating amendment was declared adopted.

Senator Luton moved that SB 265 be advanced, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley and York.—32.

Nay: Boatner, Dahl, Green, Helm, Keating, Keller, Lamb, McCune, Pierce, Randle, Schuelein, Watson, Wolfe and Young.—14.

Excused: Smith and Stipe.—2.

By unanimous consent, upon request of Senator Luton, SB 265, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 265 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham,

Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Nay: Helm, Keating, McCune, Pierce and Wolfe.—5.

Excused: Smith and Stipe.—2.

The bill and emergency passed.

SB 265 was referred for engrossment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 159 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 159, by Terrill, et al, of the Senate and Townsend of the House, entitled:

An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 562, as amended by Section 1, Chapter 189, O.S.L. 1973 (47 O.S. Supp. 1976, Section 562), 563 and 564; defining terms; *** 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. The House recedes from Amendment No. 1.

No. 2. That the following Conference Committee amendments be adopted:

1. Page 4, line 1 and 2 by striking the

underlined words: "for which the original title has not been issued".

2. Page 4, lines 6 and 7 after the word "vehicle" by striking the remainder of the sentence.

Respectfully submitted,

FOR THE SENATE: Terrill, Holden and Dawson.

FOR THE HOUSE: Matheson and Barker.

SPECIAL COMMITTEE APPOINTMENT

President Pro Tempore Howard announced that Senator Helm would replace Senator Randle on the committee authorized under SR 4 (page 268) due to the fact that Senator Randle is vice chairman of the committee on Appropriations and Budget and would not be able to meet with the investigation committee on a regular basis.

GENERAL ORDER

SB 144 by Tinsley, Lane and Vann of the Senate and Dunn of the House was read and considered.

Senators Holden, Field, Schuelein, Dahl, Capps and Giles asked to be made coauthors of SB 144, which was the order.

Senator Dawson questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Tinsley moved to amend SB 144, Page 6, Line 5, by striking after the word "with" and before the word "delivery" the word "any", which amendment was declared adopted.

Senator Boatner moved to amend SB 144, Page 7, Line 8, by striking the words

and figure "Five Hundred Dollars (\$500.00)" and inserting in lieu thereof the words and figure "Two Hundred Dollars (\$200.00)".

Senator Tinsley moved to table the Boatner amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Butler, Capps, Clifton, Dahl, Field, Giles, Green, Holden, Howell, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Porter, Randle, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—25.

Nay: Berrong, Birdsong, Boatner, Cate, Dawson, Funston, Grantham, Helm, Keating, Kilpatrick, Lambert, McCune, Martin, Murphy, Pierce, Rozell, Schuelein, Smith, Wolfe and Young.—20.

Excused: Crow, Howard and Stipe.—3.

Senator Dawson moved to amend SB 144, Page 9, Line 16, by adding after the word "commissioners" and before the period the following: "but not less than \$500", which amendment was declared adopted.

Senator Dawson moved to amend SB 144, Page 12, Lines 8 and 9, by adding after the word "who" and before the word "shall" on Line 8, the words "in his capacity as an officer or as or through a purchasing officer" and after the word "incur" and before the word "any" on Line 9 by adding the words "or cause to be incurred", which amendment was declared adopted.

Upon motion of Senator Tinsley, SB 144, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, SB 144, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 144 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Crow, Howard, Smith and Stipe.—4.

The bill and emergency passed.

SB 144 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, March 2, 1977, at 1:30 p.m., which motion prevailed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 264 and 265 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Upon motion of Senator Lane, the Senate adjourned at 5:00 p.m. to meet Wednesday, March 2, 1977, at 1:30 p.m.



Thirty-fourth Legislative Day

Wednesday, March 2, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Field and Stipe.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Bailey and incorporated into the Journal upon request of Senator Dahl.

O God, it is a privilege to call upon You who know all things, who are all wise and all powerful and yet are the gracious and merciful one who gave Your only son to save us from our sins.

Lord, thank You for calling us to be Senators, Your ministers on behalf of the people of Oklahoma, bestowing honor and

power upon us. Lord, we are humbled by the thought that "to whomsoever much is given of him shall much be required." (Luke 12:48) And being conscious of our human weakness and failings, we come asking for wisdom from You to serve Your people, moral courage to be an example in righteous living and strength to be true to our calling.

We ask for Your forgiveness of our past failings and sins. We are comforted by the fact that when You forgive our sins You "remember them no more."

Now help us, Lord, to faithfully assume the responsibility that is ours that not only might we satisfy the people we serve but one day when we stand before You in judgment we might be found pleasing to You.

In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Giles introduced Betty Davis, R.N., Chickasha, as Nurse of the Day.

Senator Murphy introduced Joe Hake, M.D., Stillwater, as Doctor of the Day.

REQUESTS FOR LOBBY PERMITS

Requests for Lobby Permits were filed

by the following persons and ordered referred to the Committee on Rules:

Richard L. Morgan, P.O. Box 18485, Oklahoma City, 73118, representing Oklahoma Education Association.

W. A. Reynolds, 4400 Lincoln Blvd., Suite 155, Oklahoma City, 73105, representing Independent Bankers Association of Oklahoma.

White G. Watkins, 335 Church Court, Greensboro, North Carolina, 27420, representing Blue Bell, Inc.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 191 — Banks and Banking.

SB 220 — Judiciary, as coauthored by Lambert of the Senate and Hood of the House.

SB 250 — Social Welfare.

DO PASS, as amended:

CS for SB 187 — Environmental and Natural Resources, as coauthored by Craighead of the House. Remove Field of the Senate as coauthor.

SB 257 — Social Welfare.

SB 275 — Judiciary, as coauthored by Lambert.

FIRST READING

The following were introduced and read the first time.

SB 281 — By Wadley.

An Act relating to the Oklahoma Public Employees Retirement System; amending Section 7, Chapter 207, O.S.L. 1976 (74

O.S. Supp. 1976, Section 931); granting retirants an additional cost of living increase on July 1, 1977; and declaring an emergency.

SB 282 — By Porter.

An Act relating to professions and occupations; amending 59 O.S. 1971, Section 328.19; providing short title; defining terms; establishing and designating composition, qualifications, requirements, terms of office, powers and duties of Board of Examiners; requiring license for certain practices; fixing license requirements; providing for qualifications for fees, issuance and display of associate denturist certificates and denturist licenses; restricting operation of denturist clinic and supervision of associates; requiring oral certificate of health in certain cases; restricting activities of denturist and associate denturist; prohibiting certain misleading advertising; prohibiting certain corporate practice and clinics operation; providing for revocation and suspension of licenses and certificates; providing for applicability of Administrative Procedures Act; permitting practice of dental prosthesis; prohibiting certain acts and prescribing penalties; creating a revolving fund; and declaring an emergency.

SB 283 — By Kilpatrick.

An Act relating to professions and occupations; amending 59 O.S. 1971, Section 628; and modifying requirements for a certain osteopathic examination.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 280 — Public and Mental Health and then to County, State and Federal Government.

SJR 23 — Education, Common.

HB 1166 — Appropriations and Budget.

HB 1171 — Criminal Jurisprudence.

HB 1211 — Municipal Government and then to Public and Mental Health.

HB 1220 — Appropriations and Budget.

HB 1263 — County, State and Federal Government.

HB 1332 — Elections and Privileges.

HB 1357 — Elections and Privileges.

HB 1382 — County, State and Federal Government.

HB 1384 — Insurance.

SPECIAL INTRODUCTION

President Pro Tempore Howard introduced Walter Schreyer, world-renowned chef of the Culinary Institute of America, to the members of the Senate, and asked unanimous consent, which was granted, that Mr. Schreyer, accompanied by Mrs. Tom Fraley, be granted privileges of the floor to receive a Citation on behalf of the Senate.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that SB 243 be referred only to the Committee on Revenue and Taxation, instead of Revenue and Taxation and then to County, State and Federal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1258.

HB 1258 — By Joiner of the House and Smith of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 953; providing for wrecker duties, license fees, renewals, compliance, noncompliance penalties and application of Administrative Procedures Act; adding requirements concerning the filing of certain maximum tariffs; and declaring an emergency.

The above numbered HB was read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 144, 180 and 230 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 5 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

THIRD READING

SB 10 was called up for consideration.

Senator Dawson, citing Rule 8(d), asked unanimous consent that Representative Hood be made House author of SB 10, which was the order.

Senator Martin moved that SB 10 be stricken from the Calendar, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Butler, Capps, Clifton, Dahl, Funston, Green, Helm, Johnson, Keating, Keller, Lamb, Martin, Pierce, Schuelein, Wadley and Watson.—17.

Nay: Berrong, Boatner, Cate, Crow, Dawson, Giles, Grantham, Holden, Howard, Howell, Kilpatrick, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wolfe, York and Young.—29.

Excused: Field and Stipe.—2.

Senator Martin moved that SB 10 be referred to the committee on Public and Mental Health, which motion was declared failed of adoption.

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

Senator Wadley presiding.

Senator Crow presiding.

Senator Lamb questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Smith presiding.

Senator Wadley presiding.

SB 10 was read for the third time at length.

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

Aye: Berrong, Cate, Crow, Dawson, Giles, Grantham, Holden, Howell, Keating, Kilpatrick, Lambert, Lane, Luton, McCune, Murphy, Porter, Randle, Rozell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wolfe, York and Young.—26.

Nay: Birdsong, Boatner, Butler, Capps, Clifton, Dahl, Field, Funston, Green, Helm, Johnson, Keller, Lamb, McDaniel, Martin, Pierce, Schuelein, Shatwell, Wadley and Watson.—20.

Excused: Howard and Stipe.—2.

The bill passed.

SB 10 was referred for engrossment.

GENERAL ORDER

HB 1071 by Abbott and Parris of the House and McDaniel of the Senate was read and considered.

Senator Boatner moved to amend HB 1071, Page 7, Line 13, by striking the word "McAlester" and inserting in lieu thereof the word "Durant", which amendment was declared adopted.

Senator Dawson moved to amend HB 1071, Page 8, Line 13, by substituting the

word "Wellston" for the word "Luther", which amendment was tabled upon motion of Senator McDaniel.

Senator Funston moved to amend HB 1071, Page 4, Line 13, by striking after the word "between" and before the word "and" the word "Tulsa" and inserting "Broken Arrow", which amendment was declared adopted.

Senator Young moved to amend HB 1071, Page 5, Line 7, by adding after the word "Oklahoma" and before the word "from" the following: "and in the vicinity of intersection of S.H. 33 and Turner Turnpike in Creek County, Oklahoma".

Senator McDaniel moved to table the Young amendment, which motion to table was declared failed of adoption.

Senator Young pressed his motion to amend, which amendment was declared adopted.

Senator Lambert moved to amend HB 1071, Page 16, Line 14, by adding after the word "project" and before the period the following: ", said revenue bonds shall be issued and sold on the basis of competitive bidding", which amendment was declared adopted.

Upon motion of Senator McDaniel, HB 1071, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McDaniel, HB 1071, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1071 was read for the third time at length.

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

Aye: Butler, Capps, Cate, Clifton, Dahl, Dawson, Funston, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wolfe and Young.—31.

Nay: Berrong, Birdsong, Boatner, Crow, Field, Giles, Howell, Keller, Kilpatrick, Lambert, Randle, Schuelein, Wadley, Watson and York.—15.

Excused: Porter and Stipe.—2.

The bill passed.

Senators Boatner, Schuelein and Wadley desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 12. Excused: 2.

The emergency passed.

HB 1071 was referred for engrossment.

GENERAL ORDER

SB 175 by Howell was read and considered.

Senator Howell, citing Rule 8(d), asked unanimous consent, which was granted, that Representative Craighead be made House Author of SB 175.

Senator Lane asked unanimous consent that further consideration of SB 175 be deferred for this legislative day, which was the order.

PENDING CONSIDERATION OF CCR

The CCR on SB 159 was called up for consideration.

The CCR on SB 159 was adopted upon motion of Senator Terrill.

SB 159, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: McDaniel and Stipe.—2.

The bill and emergency passed.

SB 159, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Green, advised and consented to the confirmation of JOHN W. McCUNE, Tulsa, as chairman of the Corrections Committee to serve at the Governor's pleasure, and effective upon Senate confirmation. Mr. McCune succeeds J. C. Miller, Purcell.

The Senate, in executive session, and

upon motion of Senator Keating, advised and consented to the confirmation of JUDGE WILLIAM MEANS, Tulsa, as a member of the Court of Bank Review to serve an unexpired 6-year term ending June 1, 1979, and effective upon Senate confirmation. Judge Means succeeds Judge Margaret Lamm, McAlester.

The Senate, in executive session, and upon motion of Senator Smith, advised and consented to the confirmation of CELIA ROSENBERGER, Jenks, as a member of the Oklahoma Tourism and Recreation Commission, District 1, to serve an unexpired 6-year term ending July 1, 1979, and effective upon Senate confirmation. Ms. Rosenberger succeeds Mary Beth Potts, Jenks.

The Senate, in executive session, and upon motion of Senator Lane, advised and consented to the confirmation of VANCE WOMACK, Rattan, as a member of the Board of Regents of Eastern Oklahoma State College, to serve a 7-year term ending June 1, 1983, and effective upon Senate confirmation. Mr. Womack succeeds himself.

GENERAL ORDER

SB 228 by Cate was read and considered.

Upon motion of Senator Cate, SB 228 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, SB 228 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 228 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Dahl, Keller, Stipe and Vann.—4.

The bill and emergency passed.

SB 228 was referred for engrossment.

COMMUNICATION

The following communication was read to the Senate:

March 2, 1977

Senator Gene Howard
President Pro Tempore
Oklahoma State Senate
Room 422
State Capitol

Dear Mr. President:

I wish to submit my resignation as Chairman of the Wildlife Committee. Since Governor Boren has appointed me on the High Plains Water Committee and I am Chairman of the Caucus, I feel that the work load has become rather heavy and I would like to be relieved of part of the responsibility.

It would make me very happy if Senator Gideon Tinsley could be named Chairman and I would like to remain on the Wildlife Committee as a member or Vice Chairman.

Thank you for your cooperation and help in the past. I will do my best to serve on all five committees of which I am a member.

Sincerely yours,

Leon Field
State Senator
LF:er

COMMITTEE APPOINTMENT

Pursuant to the above communication, President Pro Tempore Howard appointed Senator Tinsley as Chairman and Senator

Field as vice chairman of the Wildlife Committee.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, March 3, 1977, at 11:30 a.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 5:00 p.m. to meet Thursday, March 3, 1977, at 11:30 a.m.



Thirty-fifth Legislative Day

Thursday, March 3, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Butler, Crow, Howard and Smith.—4.

Senator Luton declared a quorum present.

The prayer was offered by Senator Lamb.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator McCune introduced Keith Falsarella, M.D., Oklahoma City, and Senator Watson introduced Martha Butler, medical student, Edmond, as Doctors of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 200 — Municipal Government.

SB 209 — Municipal Government.

DO PASS, as amended:

SB 210 — Professions and Occupations, as coauthored by Morgan of the House.

SB 279 — Municipal Government, as coauthored by Twidwell of the House.

FIRST READING

The following were introduced and read the first time.

SB 284 — By Schuelein.

An Act relating to the Indian and Hard-rock Mining Museum Commission; reappropriating certain funds; providing lapse date; providing severability; and declaring an emergency.

SB 285 — By Rozell of the Senate and Townsend of the House.

An Act relating to waters and water rights; providing a statement of purpose; providing for the establishment of certain commissions relating to scenic rivers;

providing certain duties, powers and responsibilities for the Department of Tourism and Recreation, certain commissions and certain local governmental entities; providing for the delineation of certain jurisdictions; providing procedures; providing for certain elections and procedures therefor; providing for certain hearings and administrative actions; providing for dissolution of commissions; providing for use of land and exemptions therefrom; providing for funding; prohibiting certain actions; providing penalties; directing codification; and declaring an emergency.

SB 286 — By McCune.

An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Sections 601, 1301 through 1306, 1309 through 1311, 1315, 1316, 1320 through 1324 and 1326; specifying and modifying certain powers and duties of boards of county commissioners; providing certain population specifications and exceptions thereto; providing powers and duties of governing bodies of cities; defining terms; providing for construction and maintenance of limited access facilities and rural roads; providing for establishment of rural road districts by petition; providing for certain intergovernmental agreements; providing for assessments, bonds and payment for construction work and procedures therefor; providing for planning; providing for acquisition of property; providing for certain contracts; providing for appointment of appraisers and certain reports; providing certain time limitations; providing for issuance and qualifications of bonds; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 281 — County, State and Federal Government and then to Appropriations and Budget.

SB 282 — Professions and Occupations.

SB 283 — Professions and Occupations.

HB 1258 — Revenue and Taxation.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1271, 1312 and 1324.

HB 1271 — By Anderson of the House and Howell of the Senate.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 110.1; relating to inventories taken by the State Board of Public Affairs; and providing for value limits on the types of items inventoried.

HB 1312 — By Harper of the House and Boatner of the Senate.

An Act relating to revenue and taxation; amending Section 1, Chapter 360, O.S.L. 1975 (68 O.S. Supp. 1976, Section 723); providing for certain fees for vehicles using liquefied petroleum gas; including certain additional vehicles; providing certain prorated fees; establishing new procedures for obtaining special decals and providing for transfer of decal; exempting certain vehicles from special fuel use tax; providing penalties; changing certain aspects of penalties; providing for an effective date; and declaring an emergency.

HB 1324 — By Stephenson, et al.

An Act relating to public health; limiting restrictions on use of laetrile; prohibiting disciplinary action against physicians prescribing laetrile; directing codification; and setting an operative date.

The above numbered HBs were read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 10 and 228 were each correctly engrossed, properly signed and ordered

transmitted to the Honorable House for consideration.

HB 1071 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 175, previously considered and coauthored on page 287, was considered further.

Senator Boatner moved to amend SB 175 by striking the word "research" where it appears in the title and bill; except on Lines 14 and 15 on Page 16, by striking the words "and research" and on Line 8 of Page 17, by striking the words "or research", which amendment was declared adopted.

Senator Berrong moved to amend SB 175, Page 2, Line 10, Page 4, Lines 5, 6 and 12, Page 6, Line 6 and Page 8, Line 5 by striking after the word "fund" the word "assessment" and inserting the word "fee" in each place listed, which amendment was declared adopted.

Senator Howell moved to amend SB 175, Page 9, Line 5, by striking the present subsection A and inserting in lieu thereof the following language:

"A. There is hereby created in the State Treasury a revolving fund for the Oklahoma Real Estate Commission to be designated 'Oklahoma Real Estate Education and Recovery Fund.' The fund shall consist of monies received by the Oklahoma Real Estate Commission as fees assessed for the Oklahoma Real Estate Education and Recovery Fund under the provisions of this act. The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the administrative direction of the Oklahoma Real Estate Commission. Expendi-

tures from said fund shall be made pursuant to the laws of this state and the statutes relating to the said Commission, and without legislative appropriation. Warrants for expenditures from said fund shall be drawn by the State Auditor, based on claims signed by an authorized employee or employees of the said Commission and approved for payment by the Director of State Finance.",

which amendment was declared adopted.

Senator Boatner moved to amend SB 175, Page 10, Line 13, by striking after the word "of" and before the word "payable" the words and figure "Seven Dollars (\$7.00)" and inserting in lieu thereof the words and figure "Five Dollars (\$5.00)", which amendment was declared adopted.

Senator Lambert moved to amend SB 175, Page 10, Line 17, by adding after the period the following: "The Commission shall further pay into the General Revenue Fund of the state any money in excess of \$350,000.00 remaining in the education and recovery fund and unexpended at the close of each fiscal year.", which amendment was declared adopted.

Senator Young moved to amend SB 175, Page 4, Line 4, by placing a period after the word "received" and striking the balance of the sentence, which amendment was tabled upon motion of Senator Howell.

Senator Howell moved to amend SB 175, Page 11, Line 3, by striking paragraphs 1 through 6 and inserting in lieu thereof the following language:

"1. An action has been filed in district court based upon a violation specified in the Oklahoma Real Estate License Code;

2. The cause of action has accrued on or after July 1, 1977, and not more than two (2) years prior to the filing of the action;

3. At the time such action is brought, notification is sent to the Commission of the action. Upon receiving such notice, the Commission may intervene or take whatever other action it deems appropriate on behalf of and in the name of the defendant;

4. Final judgment is received by the plaintiff in district court upon such action;

5. A reasonable investigation, including the issuance of a writ of execution, has been made by the plaintiff to ascertain whether the judgment debtor in the action is possessed of real or personal property or any other assets which may by law be applied towards satisfaction of the judgment; that by such investigation it has been discovered either that there is no such property or assets, or that such property or assets are available for satisfaction of the judgment, all necessary action has been taken for the application thereof to the judgment, and that the amount thereby realized was insufficient to satisfy the judgment; and

6. Any compensation recovered by the plaintiff from the judgment debtor, or from any other source for any injury arising out of the cause of action, has been applied to the damages awarded by the court."

, which amendment was declared adopted.

Senator Howell moved to amend SB 175, Page 15, Line 15, by striking all language after the word "him." on Lines 15, 16 and 17 and inserting in lieu thereof the following language: "The applicability of the license revocation and reinstatement provisions of this section shall not be affected by a discharge of bankruptcy.", which amendment was declared adopted.

Senator Howell moved to amend SB 175, Page 15, Line 18, by deleting Section 10 and renumbering the following sections, which amendment was declared adopted.

Senator Boatner moved to amend SB 175, Page 16, Line 1, by striking after the word "Fund" and before the word "be" the word "may" and inserting in lieu thereof the word "shall", which amendment was withdrawn upon the unanimous consent request of Senator Boatner.

Senator Berrong moved to amend SB 175, Page 17, Line 3, by striking after the word "estate" and before the word "courses" the words "chairs or", which amendment was declared adopted.

Senator Lambert moved to amend SB 175, Page 13, Lines 16 and 18, by striking after the word "his" and before the word "right" on Line 16 the word "additional" and by adding on Line 18 after the word "subrogated" and before the word "to" the following language: "up to the amount actually paid by the Fund to the claimant", which amendment was declared adopted.

Senator Howell moved to amend SB 175, Page 18, Line 2, by striking after the word "Sections" the figures "858-313" and inserting in lieu thereof the figures "858-601" and on Line 3 after the word "through" and before the word "of" by striking the figures "858-319" and inserting in lieu thereof the figures "858-607", which amendment was declared adopted.

Senator Young moved to amend SB 175, Page 13, Line 16, by adding after the word "assign" and before the word "his" the following: "that portion of the judgment paid by the Commission", and by striking all language after the word "his" on Line 16 to the word "judgment" on Line 17, which amendment was withdrawn upon the unanimous consent request of Senator Young.

Senator Howell moved to amend SB 175, Page 18, Line 4½, by inserting a new Section to read as follows:

"SECTION 14. 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 by renumbering the following sections and amending the title to conform, which amendment was declared adopted.

Senator Murphy presiding.

Senator Lambert moved to amend SB 175, Page 13, Line 18½, by adding the following sentence: “Upon suit to collect upon a judgment, the claimant shall have priority over the Fund.”, which amendment was declared adopted.

Upon motion of Senator Howell, SB 175, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 175, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 175 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Butler, Crow, Field, Howard, Kilpatrick and Smith.—6.

The bill and emergency passed.

SB 175 was referred for engrossment.

GENERAL ORDER

SB 257 by Porter was read and considered.

Senator Porter, citing Rule 8(d) asked unanimous consent that Representative A. Visanio Johnson be made House Author of SB 257, which was the order.

Upon motion of Senator Porter, SB 257, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Porter, SB 257, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 257 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Butler, Crow, Field, Howard, Kilpatrick and Smith.—6.

The bill passed.

SB 257 was referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Murphy presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Lamb, advised and

consented to the confirmation of JAMES GUNGOLL, Enid, as a member of the State Highway Commission, District 8, to serve an 8-year term ending February 15, 1985, and effective upon Senate confirmation. Mr. Gungoll succeeds himself.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, March 7, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 1:00 p.m. to meet Monday, March 7, 1977, at 1:30 p.m.

Thirty-sixth Legislative Day

Monday, March 7, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Stipe.—1.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Bob Smith, Pastor, First Baptist Church, Wakita, and incorporated into the Journal upon request of Senator Lamb.

Our Father, we thank Thee for the blessings You have given to us. We Thank Thee for the opportunity to live in this great state, in this great land. Our heart is ever mindful that all things belong to Thee and You have entrusted them for our use while we journey through this life. Father, we pray and ask Your guidance this day in all decisions that are made by

the leaders of our state. Father, may each one seek to carry out his duties in such a way that would be most pleasing to Thee.

Father, our hearts are especially burdened today as we travel down the highways of our great state and see the dry parched fields. Father, we pray for rain. Father, we claim the promise that "If my people which are called by my name, will humble themselves, seek my face and turn from their wicked ways, then will I hear from Heaven and will forgive their sins and will heal their land.

In Christ's Name we pray and for His sake, Amen.

The Journal for the last legislative day was declared approved.

SPECIAL INTRODUCTION

Senator Boatner introduced Miss Janice Wingfield, Calera, Oklahoma's Peanut Princess, to members of the Senate, and asked unanimous consent, which was granted, that Miss Wingfield be granted privileges of the floor. Miss Wingfield addressed the members and accepted a Citation from Senator Boatner commending her for this honor.

INTRODUCTIONS

Senator Lamb introduced Miss Vickie Smith, daughter of Reverend Bob Smith, and asked unanimous consent, which was

granted, that she be allowed privileges of the floor.

Senator Murphy introduced Robert Tout, M.D., Stillwater, as Doctor of the Day.

Senators Taliaferro and Terrill introduced Elaine Bennett, R.N., Lawton, and Senator Giles introduced Gayla Graham, student nurse, Chickasha, as Nurses of the Day.

REQUESTS FOR LOBBY PERMITS

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

James H. Curtis, RR 3, Perry, 73077, representing Oklahoma Aerial Applicators Association.

Charles E. Jones, 901 Office Park Plaza, Oklahoma City, 73105, representing Oklahoma Savings League.

Wayne R. Stratton, 1008 City National Bank Building, Austin, Texas, 78701, representing American Mutual Insurance Alliance.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 211 — County, State and Federal Government.

SB 218 — County, State and Federal Government.

HB 1263 — County, State and Federal Government.

DO PASS, as amended:

SB 18 — Public Safety and Penal Af-

fairs, and be referred to Committee on Criminal Jurisprudence by previous order.

SJR 1 — County, State and Federal Government.

FIRST READING

The following were introduced and read the first time.

SB 287 — By Wadley.

An Act relating to schools; amending 70 O.S. 1971, Section 3802; creating a Board of Regents for Claremore Junior College; expanding Board membership; imposing certain restrictions on membership; specifying terms of office; and declaring an emergency.

SB 288 — By Clifton.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 991b, as last amended by Section 2, Chapter 160, O.S.L. 1976 (22 O.S. Supp. 1976, Section 991b); prescribing rules and procedures for revocation of suspended sentences; increasing time limits for hearing to twenty-one days; and setting an effective date.

SB 289 — By McDaniel.

An Act relating to revenue and taxation; limiting property conveyed in tax deed to real property, including mineral rights, of surface owner; directing codification; and setting an effective date.

SB 290 — By Young of the Senate and Rogers of the House.

An Act relating to professions and occupations; creating an Oklahoma Board of Private Investigative and Security Agencies; providing short title; defining terms; providing for appointment, terms, compensation, powers and duties of the Board; providing for powers and duties of Secretary of the Board; requiring licensing of private investigative and security individuals and agencies; specifying requirements for licensing, fees and bonds;

making exceptions to license requirements; authorizing carrying of firearms under certain conditions; providing for confidentiality of certain information; making certain training requirements of licensees; providing for suspension and revocation of licenses; providing for exceptions to the act; specifying penalties for certain violations of this act; creating a revolving fund; making licensing authority exclusive; providing for reciprocity; directing codification; providing for severability; and providing effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 284 — Appropriations and Budget.

SB 285 — County, State and Federal Government.

SB 286 — County, State and Federal Government.

HB 1271 — County, State and Federal Government.

IIB 1312 — Revenue and Taxation.

HB 1324 — Agriculture.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1011, 1077 and 1164.

HB 1011 — By Dunn of the House and Vann of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 4-105; providing for reporting stolen, converted, recovered and unclaimed vehicles; expanding the duties of certain peace officers by requiring them to make immediate report of certain stolen or recovered vehicles to certain authorities of adjacent jurisdictions; and expanding the duties of the Department of Public Safety by requiring the Department to furnish to peace officers certain information regarding stolen, converted, recovered and unclaimed vehicles.

HB 1077 — By Monks and Bradley.

An Act relating to game and fish; amending Section 5-202, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 5-202); requiring certain permission before a person may hunt or ride upon the land of another; providing certain exemptions; specifying duty of certain rangers; and modifying penalty.

HB 1164 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Securities Commission and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; designating the Administrator's maximum salary; designating an unclassified position; limiting the number of employees; limiting expenditures for salaries and wages; prohibiting other employment by full-time professional employees; defining professional employees; designating the number and compensation of officials and employees; prohibiting the expenditure of certain funds for certain fees and services; providing lapse date; providing severability; 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 1071, requesting Conference and naming Conferees as follows: Representatives Abbott, Converse and Bennett.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator McDaniel, the request of the Honorable House for a conference on HB 1071 was ordered granted. President Pro Tempore Howard appointing as Senate Conferees the following: Senators McDaniel, Holden and Martin.

MOTION

Senator Howard moved that Senate conferees on SB 138 be released from the Senate instructions as shown on page 220 of the Journal, which motion was declared adopted.

GENERAL ORDER

SB 279 by Keller of the Senate and Twidwell of the House was read and considered.

Senator Lambert asked to be made a co-author of SB 279, which was the order.

Senator Dawson moved to amend SB 279, Page 4, Line 16, by adding after the word "by" and before the word "mailing" the following: "posting a sign on the affected property and, in addition, the planning or zoning commission may require notice by", which amendment was tabled upon motion of Senator Keller.

Senator Lambert moved to amend SB 279, Page 2, Line 10, by deleting the words and figures "ten (10)" and substituting therefor the following: "fifteen (15)", which amendment was declared adopted.

Senator Smith moved to amend SB 279, Page 5, Line 16, by adding after the word "hearing" the following: "The expense of any notice required or authorized by this act shall be paid by the applicant.", which amendment was declared adopted.

Upon motion of Senator Keller, SB 279, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keller, SB 279, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 279 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Dawson.—1.

Excused: McDaniel, Porter and Stipe.—3.

The bill passed.

Senator Dawson desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45. Excused: 3.

The emergency passed.

SB 279 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 175 and 257 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 200 by York of the Senate and Steward of the House was read and considered.

Senators Lambert and Birdsong asked to be made coauthors of SB 200, which was the order.

Upon motion of Senator York, SB 200, as coauthored was advanced to engrossment.

By unanimous consent, upon request of Senator York, SB 200, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 200 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and York.—39.

Nay: Dawson, Lane, Smith, Terrill and Young.—5.

Excused: Keating, McDaniel, Porter and Stipe.—4.

The bill and emergency passed.

SB 200 was referred for engrossment.

Senator York presiding.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 76 and 85, as amended.

HOUSE AMENDMENTS

HAs to SB 76 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the Governor and making an appropriation

thereto; stating the purposes; providing for appointment, duties and compensation of employees; limiting number of employees; authorizing reimbursement for travel; authorizing appropriated funds for federal matching purposes; providing lapse date; making provisions of this act severable; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 25, by deleting the figures "\$954,024.00" and inserting in lieu thereof the figures "\$930,103.00".

Amendment No. 4. Amend Page 1, Line 27, by deleting the figures "\$984,024.00" and inserting in lieu thereof the figures "\$960,103.00".

Amendment No. 5. Amend Page 1, Line 32, by deleting the words and figure "forty-two (42)" and inserting in lieu thereof the words and figure "forty-one (41)".

HOUSE AMENDMENTS

HAs to SB 85 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the State Examiner and Inspector and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees within prescribed limits; limiting number of employees; limiting expenditures for salaries and wages; authorizing the filling of a designated job level in the next lower job level; providing for transfer of certain unappropriated funds; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 2, Line 2, by deleting the figures "\$205,475.00" and inserting in lieu thereof the figures "\$203,700.00".

Amendment No. 4. Amend Page 2, Line 4, by deleting the figures "\$254,070.00" and inserting in lieu thereof the figures "\$252,295.00".

Amendment No. 5. Amend Page 2, Lines 18 through 20, by deleting the words and figures "One Million Two Hundred Thirty-one Thousand Eight Hundred Forty Dollars (\$1,231,840.00)" and inserting in lieu thereof the words and figures "One Million Two Hundred Twenty-eight Thousand Seven Hundred Eighty Dollars (\$1,228,780.00)".

Amendment No. 6. Amend Page 2, Lines 21 through 35, and Page 3, Lines 1 through 12, by deleting all words and figures on these lines and substituting in lieu thereof the following:

"JOB TITLE	NO. AUTH.	MIN.	MAX.
State Examiner and Inspector- Statutory	1	\$22,000	\$22,000
Executive Secretary	1	7,860	11,580
Executive Assistant	1	13,440	21,780
Secretary to Executive Assistant	1	6,060	8,640
Attorney	1	12,840	20,820
Legal Secretary	1	6,060	8,280
Audit Coordinator	2	12,240	17,880
Administrative Assistant for County Audits	1	10,020	14,640
Audit Reviewer	2	9,600	14,220
Investigator	1	8,640	12,660

Public Funds			
Examiner III	11	10,680	14,760
Public Funds			
Examiner II	31	9,660	13,440
Public Funds			
Examiner I	38	8,820	12,240
Offset Press			
Operator	1	6,060	8,640
Supervisor of Statistical Clerks	1	6,120	9,300
Payroll			
Clerk	1	6,360	8,880
Statistical			
Typist	8	6,060	7,980
Receptionist	1	6,060	7,980
Supervisor Files, Supplies and Reports	1	6,060	7,560
Key punch			
Operator	3	6,060	7,560
TOTAL	108"		

Amendment No. 7. Amend Page 3, Line 12½ by adding a new Section 3 to read as follows:

"SECTION 3. The State Examiner and Inspector is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower job level within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all job levels in that specific occupational class."

and renumber present Section 3 to read "SECTION 4" and renumber succeeding sections accordingly.

GENERAL ORDER

SB 239 by Martin of the Senate and Duke of the House was read and considered.

Senator Lane moved to amend SB 239, Page 2, Line 1, by adding after the word "Ardmore" and before the word "area"

the words "and McCurtain County"; and by adding an "s" to the word "area"; Page 2, Line 2, by adding to the word "center" before the word "operating" an "s" and by deleting after the word "as" and before the word "integral" the word "an"; Page 2, Line 3, by adding before the word "of" an "s" to the word "part"; Page 2, Line 13, by deleting after the word "including" and before the word "revolving" the word "a" and by adding an "s" to the word "fund" following the word "revolving"; Page 2, Line 15, by adding after the word "Ardmore" and before the word "Higher" the words "and McCurtain County" and by adding an "s" to the word "Program" following the word "Education"; and Page 2, Line 17, by adding to the word "program" before the word "in" the letter "s" (the above amendments were read and considered together upon the unanimous consent request of Senator Lane), which amendments were declared adopted.

Senator Luton asked unanimous consent that the name "Muskogee" be included in the Lane amendments, to which request objection was heard.

Senator Luton moved that the name "Muskogee" be included in the Lane amendments in the appropriate places.

Senator Martin moved to table the Luton motion, which motion to table was declared failed of adoption.

Senator Smith asked that the Luton motion be submitted in writing to the clerk, which was the order.

Senator Cate presiding.

The Luton motion was read as follows: "I move to amend the Lane amendment to SB 239, Page 2, Lines 1 and 15, by adding before the words "and McCurtain County" the word "Muskogee", which motion was declared failed of adoption.

Senator Smith moved to amend SB 239,

Page 2, Line 18, by adding the following: "Provided however that nothing herein contained shall prohibit the State Regents from exercising its discretion as to the expansion of programs as they may deem in the public interest.", which amendment was declared adopted.

Upon motion of Senator Martin, SB 239, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, SB 239, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 239 was read for the third time at length.

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

Aye: Boatner, Butler, Capps, Clifton, Crow, Dahl, Field, Giles, Grantham, Holden, Howard, Keller, Kilpatrick, Lane, Martin, Randle, Shatwell, Terrill, Tinsley and Vann.—20.

Nay: Berrong, Birdsong, Cate, Dawson, Funston, Green, Helm, Howell, Johnson, Keating, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Pierce, Rozell, Schuelein, Smith, Wadley, Watson, Wolfe, York and Young.—25.

Excused: Porter, Stipe and Taliaferro.—3.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Martin moved that the vote be reconsidered by which SB 239 failed.

MESSAGE FROM THE HOUSE

Advising passage of and returning En-

grossed SB 194, as coauthored by Denman, Crutcher, Sanders, Holaday, Parris and Duckett of the House.

The above numbered Bill was referred for enrollment.

BILL WITHDRAWN

Senator Howell asked unanimous consent, which was granted, that SJR 20 be withdrawn from the Calendar and referred to the committee on Education, Common.

GENERAL ORDER

SB 210 by Luton of the Senate and Morgan of the House was read and considered.

Senator McCune moved to amend SB 210, Page 3, Line 12, by adding after the word "holders" and before the word "to" the following "except permit holders who have attained the age of sixty-five (65) years and who are currently in good standing", which amendment was declared failed of adoption.

Senator Grantham moved to amend SB 210, Page 3, Line 11, by striking after the word "Board" and before the word "require" on Lines 11 and 12 the word "shall" and inserting in lieu thereof the word "may".

Senator Luton moved to table the Grantham amendment, which motion to table was declared failed of adoption.

Senator Grantham pressed his motion to amend, which amendment was declared adopted.

Upon motion of Senator Luton, SB 210, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 210, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 210 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—36.

Nay: Boatner, Helm, Keating, Keller, McCune, Pierce, Randle, Smith, Wolfe and Young.—10.

Excused: Porter and Stipe.—2.

The bill and emergency passed.

SB 210 was referred for engrossment.

GENERAL ORDER

SB 275 by Grantham and Lambert of the Senate and Elder, et al, of the House was read and considered.

Upon motion of Senator Grantham, SB 275 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 275 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 275 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate,

Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Boatner, Capps, Crow, Dawson, Schuelein, Taliaferro and Terrill.—7.

Excused: Helm, Porter and Stipe.—3.

The bill and emergency passed.

SB 275 was referred for engrossment.

Senator Lane moved that the Senate stand recessed, which motion was declared adopted.

The Senate reassembled in its Chamber with Senator Cate presiding.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 138 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 138 by Holden, et al, of the Senate and Elder, et al, of the House, entitled:

An Act relating to state government; *** providing for the termination, recreation, modification or consolidation of certain statutory agencies; *** 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 Conference Committee Substitute for Senate Bill No. 138, attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 138 were distributed to all Senators.)

Respectfully submitted

FOR THE SENATE: Holden, Lambert and Crow.

FOR THE HOUSE: Elder, Frates and Miskelly.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Cate presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of WILLIAM R. NASH, Tulsa, as a member of the State Highway Commission, District 1, to serve an 8-year term ending February 15, 1985, and effective upon Senate confirmation. Mr. Nash succeeds himself.

The Senate, in executive session, and upon motion of Senator Green, advised and consented to the confirmation of JAMES L. SNEED, Tulsa, as a member of the Grand River Dam Authority to serve an unexpired 7-year term ending January 1, 1983, and effective upon Senate confirmation. Mr. Sneed succeeds Jerry L. Goodman, Tulsa.

The Senate, in executive session, and upon motion of Senator Green, advised and consented to the confirmation of MRS. OLLIE BELL STINES, Tulsa, as a member of the State Board of Electrology, to serve a 3-year term ending May 10, 1979, and effective upon Senate confirmation. Mrs. Stines succeeds herself:

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, March 8, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 4:35 p.m. to meet Tuesday, March 8, 1977, at 1:30 p.m.

Thirty-seventh Legislative Day

Tuesday, March 8, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—46.

Excused: Taliaferro and York.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Smith and incorporated into the Journal upon request of Senator Lamb.

Father, we Thank Thee for this another day You have given to us. We are ever grateful for the blessings of life. We Thank Thee for the many freedoms we enjoy as Americans, but, Father, continually make us aware that in order for us to be a great nation, we must let You guide us in decisions that are made.

Father, may each one of us claim the

promise, "I can do all things through Christ which strengtheth me."

God grant to us the serenity to accept the things we cannot change and the courage to change the things we can and the wisdom to know the difference. In Christ's Name we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Watson introduced B. J. Matter, M.D., Edmond, as Doctor of the Day.

Senator Capps introduced Clara Siefken, R.N. and Bonnie Babcock, R.N., both of Shattuck, as Nurses of the Day.

FIRST READING

The following were introduced and read the first time.

SB 291 — By Watson.

An Act relating to schools; amending 70 O.S. 1971, Section 1-116, as amended by Section 1, Chapter 193, O.S.L. 1973 (70 O.S. Supp. 1976, Section 1-116); modifying definitions of certain school personnel; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 287 — Education, Higher.

SB 288 — Criminal Jurisprudence.

SB 289 — Judiciary.

SB 290 — Professions and Occupations and then to County, State and Federal Government

HB 1011 — County, State and Federal Government and then to Roads and Highways.

HB 1077 — Wildlife.

HB 1164 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1147, 1170 and 1348 and HJR 1003.

HB 1147 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to public employees retirement system; making appropriations thereto and stating the purposes; fixing the salary of the Executive Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing the filling of a designated job grade with a lower job grade; providing lapse date; making provisions of this act severable; and declaring an emergency.

HB 1170 — By Lawter.

(Schools — Allowing principals bargaining procedures).

HB 1348 — By Matheson.

An Act relating to law enforcement education training and coordination; amending 70 O.S. 1971, Section 3311, as last amended by Section 1, Chapter 73, O.S.L. 1976, and Section 2, Chapter 73, O.S.L. 1976 (70 O.S. Supp. 1976, Sections 3311 and 3311.1); providing procedures, powers and duties for Council on Law Enforcement Education and Training including changing makeup of Council and allowing Council to approve training curriculum; pro-

viding procedures, powers and duties of the District Attorneys Training Coordination Council including allowing the executive coordinator to assist as special prosecutor in certain circumstances; and declaring an emergency.

HJR 1003 — By Peterson of the House and Lambert of the Senate.

A Joint Resolution relating to the State Legislature and the State Legislative Council; directing the creation of a Special Committee on the Study of Land Records Systems; providing for the appointment of members, chairman and vice chairman; authorizing expenditures and procedures for expenses of members, per diem and mileage; prescribing scope and purpose of study; requiring reports and recommendations; and declaring an emergency.

The above numbered HBs and HJR were read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 200, 210, 275 and 279 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 194 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 43 by Grantham of the Senate and Elder of the House was read and considered.

Senators Dawson and Field asked to be made coauthors of SB 43, which was the order.

Senator Young moved that SB 43 be referred to the committee on Judiciary, which motion was declared failed of adoption upon roll call as follows.

Aye: Helm, Johnson, Keller, Lamb, Rozell, Wolfe and Young.—7.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Keating, Kilpatrick, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley and Watson.—39.

Excused: Taliaferro and York.—2.

Senator Dawson moved to amend SB 43, Page 1, Line 1, by striking all of Section 1, which amendment was declared failed of adoption.

Senator Grantham moved to amend SB 43, Page 4, Line 5, by adding before the word "any" the following: "Apparent abandonment of", which amendment was declared adopted.

Senator Howell presiding.

Senator Smith moved to amend SB 43, Page 4, Line 15, by striking after the word "interest" all language in the balance of the sentence and substituting the following: "shall be thereafter consolidated with and owned by the owners of the surface interests to the ratio, extent and degree of the surface ownership."

Senator Grantham moved to table the Smith amendment, which motion was declared failed of adoption upon roll call as follows:

Aye: Berrong, Dawson, Field, Giles, Grantham, Green, Holden, Howell, Keating, Kilpatrick, Lambert, Lane, Luton, McDaniel, Murphy, Randle and Young.—17.

Nay: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Funston, Helm, Howard, Johnson, Keller, Lamb, McCune,

Martin, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—28.

Excused: Porter, Taliaferro and York.—3.

Senator Smith pressed his motion to amend, which amendment was declared adopted.

Senator Grantham asked unanimous consent, which was granted, that further consideration of SB 43 be deferred for this legislative day.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 194.

The above numbered Enrolled Bill was referred to the Governor.

GENERAL ORDER

SB 64 by Wadley, Howard and Schuelein of the Senate and Sparkman, et al, of the House was read and considered.

Senators Shatwell and Funston asked to be made coauthors of SB 64, which was the order.

Senator Wadley moved to amend SB 64, Page 15, Line 7, by adding after the word "authorizing" and before the word "the" the following language: "a specific project and", which amendment was declared adopted.

Senator Wadley moved to amend SB 64, Page 15, Line 8, by changing the word "hereunder" to "thereunder", which amendment was declared adopted.

Senator Wadley moved to amend SB 64, Page 15, Line 8, by striking after the word "thereunder" and before the word "but" the words: "and said bonds have been

sold", which amendment was declared adopted.

Upon motion of Senator Wadley, SB 64, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Wadley, SB 64, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 64 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Porter, Taliaferro and York.—3.

The bill and emergency passed.

SB 64 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The CCR on SB 138 was called up for consideration.

The CCR on SB 138 was adopted upon motion of Senator Holden.

SB 138, as amended in Conference, was read at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Wadley, Watson, Wolfe and Young.—42.

Nay: Funston, McCune and Vann.—3.

Excused: Porter, Taliaferro and York.—3.

The bill and emergency passed.

SB 138, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

SB 209 by McCune was read and considered.

Senator Dahl asked to be made a coauthor of SB 209, which was the order.

Senator Lambert moved to amend SB 209, Page 2, Line 7, by inserting after the word "accept" and before the word "a" the following: "an own recognizance bond; then in the event that it appears reasonably certain that the defendant will not appear, a cash bond may be accepted as", which amendment was declared adopted.

Senator Lambert moved to amend SB 209, Page 2, Line 12, by adding after the word "charged." the following: "Where the defendant does appear pursuant to an own recognizance bond the bond shall not be replaced by a cash bond or other bond for further court appearances except for good cause shown.", which amendment was declared adopted.

Upon motion of Senator McCune, SB 209, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, SB 209, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 209 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—44.

Excused: Porter, Taliaferro, Wadley and York.—4.

The bill and emergency passed.

SB 209 was referred for engrossment.

GENERAL ORDER

SB 211 by Young was read and considered.

Upon motion of Senator Young, SB 211 was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 211 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 211 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Porter, Taliaferro and York.—3.

The bill passed.

SB 211 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, March 9, 1977, at 1:30 p.m., which motion prevailed.

RESOLUTION

Senator Wadley introduced the following Resolution, consideration of which was deferred for this legislative day.

SCR 8 — By Wadley of the Senate and Crutcher of the House.

A Concurrent Resolution directing George Nigh, as an individual and as Lieutenant Governor, to coordinate with the Oklahoma Tourism and Recreation Department, Claremore Junior College, Claremore Chamber of Commerce and other individuals, public bodies or associations in preparing a proper and appropriate 100th Anniversary Celebration of the birth of Will Rogers during the week of November 4 through November 10, 1979;

directing contact for input from other persons and entities; requesting the Governor issue specified proclamation; and directing distribution.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 60.

The above numbered Bill was referred for enrollment.

Upon motion of Senator Lane, the Senate adjourned at 3:55 p.m. to meet Wednesday, March 9, 1977, at 1:30 p.m.

Thirty-eighth Legislative Day

Wednesday, March 9, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—44.

Excused: Boatner, Keating, Porter and York.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Smith and incorporated into the Journal upon request of Senator Lamb.

Our Heavenly Father, we come together again today thanking Thee for the blessings of life we enjoy. We thank You daily for Your love You manifest to us in so many ways.

We ask that today You give guidance to those who will be making decisions. Father, may each one of us seek to be

more faithful in Thy service, show more kindness to our fellowman and be constantly aware of Your presence.

Our Heavenly Father, we ask that You heal our land by sending some much-needed moisture; we claim Your promise today, that we ask believing, we shall receive. In Christ's name, we pray, Amen.

The Journal for the last legislative day was declared approved.

SPECIAL INTRODUCTION

Senator Terrill introduced Jack Hays, President of the Oklahoma Junior Chamber of Commerce, better known as "Jaycees", and Frank Ziebell, National President of the Jaycees, to the members of the Senate, and asked unanimous consent, which was granted, that Mr. Hays and Mr. Ziebell be granted privileges of the floor, whereupon Mr. Ziebell addressed the Senate.

INTRODUCTIONS

Senator Field introduced Ann Robison, R.N., Buffalo, as Nurse of the Day.

Senator Cate introduced Robert Spector, M.D., Norman, as Doctor of the Day.

Senator Rozell introduced his daughter, Renee, to members of the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 277 — Wildlife.

SJR 17 — Professions and Occupations.

HB 1006 — Professions and Occupations, as coauthored by Martin of the Senate.

HB 1087 — Environmental and Natural Resources, and be referred to Committee on County, State and Federal Government by previous order.

HB 1218 — Professions and Occupations, as coauthored by Wolfe of the Senate.

DO PASS, as amended:

SB 86 — Appropriations and Budget.

SB 108 — Appropriations and Budget.

SB 109 — Appropriations and Budget, as coauthored by Boatner.

SB 114 — Appropriations and Budget, as coauthored by Young.

SB 186 — Appropriations and Budget.

CS for SB 190 — Agriculture, as coauthored by Holden, Capps, Taliaferro, Giles, Vann and McDaniel.

CS for SB 234 — Agriculture, as coauthored by Bernard of the House.

SB 272 — Wildlife.

SB 276 — Judiciary, as coauthored by Lambert.

HB 1220 — Appropriations and Budget.

HB 1267 — Environmental and Natural Resources, and be referred to Committee on County, State and Federal Government by previous order.

CS for HB 1270 — Education, Higher.

FIRST READING

The following were introduced and read the first time.

SB 292 — By Taliaferro.

An Act relating to public warehouses; amending 2 O.S. 1971, Sections 9-21, 9-22, 9-25, 9-27, 9-28, and 9-34; adding definitions; providing for warehousemen's licenses and bonds; changing fees; requiring financial statement; modifying provisions for reports and inspections and examination; permitting cooperative agreements; modifying provisions concerning scale tickets; providing for negotiable public warehouse receipts; specifying violations and penalties therefor; and setting an effective date.

SB 293 — By Funston.

An Act relating to the militia; creating a scholarship program for members of the Oklahoma National Guard at institutions of higher education; providing that this program be administered by the Oklahoma Military Department; directing that this program be used for recruiting and retention of Oklahoma National Guard members; making an appropriation therefor; providing lapse date; directing codification; and declaring an emergency.

SB 294 — By Grantham and Taliaferro of the Senate and Elder, Davis (Don), Holt and Conaghan of the House.

An Act relating to probate procedure; amending 58 O.S. 1971, Section 775, as amended by Section 1, Chapter 133, O.S.L. 1976 (58 O.S. Supp. 1976, Section 775); providing eligibility of nonresidents for appointment of guardian of property of or person of minor or person of unsound mind.

SB 295 — By Murphy.

An Act relating to labor; amending 40 O.S. 1971, Section 197.11; limiting certain powers of the Wage and Hour Commission; providing short title; defining certain terms; creating an Apprenticeship Advisory Council within the Department of Labor; providing for membership, terms, vacancies, meetings and duties; establishing a Division of Voluntary Apprenticeship

within the Department of Labor; providing for the appointment of a Director and certain other personnel; specifying powers of the Director; providing for disposition of certain proposals; providing for apprenticeship committees; providing for certain apprentice agreements; providing for certain investigations; providing for certain determinations of the Director and Commissioner of Labor; providing for appeals therefrom; directing codification; and providing an effective date.

SB 296 — By Tinsley.

An Act relating to county officers; authorizing county sheriffs to issue private security officer commissions under certain circumstances; specifying qualifications; providing grounds for revocation of commission; providing limitations on authority of holders of commission; providing for oath and bond of persons commissioned; authorizing peace officer designation for limited purposes; directing codification; providing operative date; and declaring an emergency.

SB 297 — By Wolfe.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 1751, as amended by Section 1, Chapter 253, O.S.L. 1976 (12 O.S. Supp. 1976, Section 1751); authorizing certain suits to be brought under small claims procedure; deleting provision limiting attorney's fees collectible in uncontested cases; and setting an effective date.

SB 298 — By Watson.

An Act relating to civil procedure; providing that a counterclaim for damages for abuse of process in filing may be filed and litigated in the same action when the action is for damages for personal injury or death; providing for codification; and declaring an emergency.

SB 299 — By Watson.

An Act relating to medical care; provid-

ing that no liability shall be imposed against a provider of medical care for breach of any guaranty, warranty, contract or assurance of results to be obtained from any course or procedure of medical care unless the same be in writing and signed by the provider of medical care or his authorized agent; providing for codification; and declaring an emergency.

SB 300 — By Watson.

An Act relating to civil procedure; providing for admissibility of evidence of indemnification from collateral sources for loss sustained in action brought for damages for personal injury; directing codification; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 291 — Education, Common.

HB 1147 — Appropriations and Budget.

HB 1170 — Education, Common.

HB 1348 — Public Safety and Penal Affairs.

HJR 1003 — Judiciary.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1051, 1278, 1307 and 1436.

HB 1051 — By Peterson.

(Jurors' Fees — Amending 28 O.S. 1971, Section 86 — Effective date).

HB 1278 — By Floyd, et al, of the House and Kilpatrick and Funston of the Senate.

An Act relating to property; providing procedures for subjecting specified public trust property to ad valorem taxation; defining the term industries; directing codification; and setting an effective date.

HB 1307 — By Lancaster, et al, of the House and Lane and Terrill of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2358, as last amended by Section 1, Chapter 188, O.S.L. 1975 (68 O.S. Supp. 1976, Section 2358); providing certain adjustments to arrive at Oklahoma taxable income and Oklahoma adjusted gross income; gradually deleting provision that certain dividends or earnings distributed to members, shareholders or certificate holders are included in taxable income of certain savings and loan associations; repealing duplicate section, 68 O.S. 1971, Section 2358, as amended by Section 1, Chapter 18, O.S.L. 1975; and declaring an emergency.

HB 1436 — By Ford and Baughman.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 514; requiring certification and acknowledgment of plats, payment of taxes and posting of security or bond for taxes due on plats; modifying this section by prescribing procedures concerning determination and collection of taxes due and security deposits required; and declaring an emergency.

The above numbered HBs were read for the first time.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 64 and 211 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 60 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

RESOLUTION

SCR 8, introduced on page 311, was called up for consideration.

Senator Wadley asked unanimous con-

sent that all other Senators be made coauthors of SCR 8, which was the order.

SCR 8, as coauthored, was read at length, adopted upon motion of Senator Wadley and ordered referred for engrossment.

GENERAL ORDER

SB 220 by Howell and Lambert of the Senate and Hood of the House was read and considered.

Upon motion of Senator Howell, SB 220 was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 220 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Lambert presiding.

SB 220 was read for the third time at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—40.

Nay: Dawson and Young.—2.

Excused: Berrong, Boatner, Howard, Keating, Porter and York.—6.

The bill passed.

SB 220 was referred for engrossment.

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 138.

The above numbered Bill as amended in Conference was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 209 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 60.

The above numbered Enrolled Bill was referred to the Governor.

GENERAL ORDER

SB 43, previously considered, coauthored and amended on pages 308-309, was considered further.

Senator Grantham moved to amend SB 43, Page 5, Line 8, by striking after the word "has" and before the word "pro-" the words "escheated and said escheat" and inserting in lieu thereof the words "been abandoned and said", which amendment was declared adopted.

Senator Grantham moved to amend SB 43, Page 5, Lines 10 through 14, by striking after the word "property." the words "The attorney" on Line 10 and all language on Lines 11, 12, 13 and 14, which amendment was declared adopted.

Senator Grantham moved to amend SB 43, Page 6, Line 8, by striking after the word "interest" and before the word "un-

der" the words "escheated to the state" and inserting in lieu thereof the words "presumed to be abandoned", which amendment was declared adopted.

Senator Grantham moved to amend SB 43, Page 6, Lines 12 through 16, by striking all of Section 6 and renumbering subsequent sections, which amendment was declared adopted.

Senator Cate moved to amend SB 43, Page 1, Line 1, by adding before the word "mineral" the following: "The Legislature finds that", which amendment was declared adopted.

Senator Helm moved to amend SB 43, Page 4, Line 15, by adding after the word "interest" a period, and the words "Such interests", which amendment was declared adopted.

Senators Murphy and Holden moved to amend SB 43, Page 4, Line 15, by striking after the word "interest" all language in the sentence and substituting the following: "shall be thereafter consolidated with and owned by the owners of the mineral interest to the ratio, extent and degree of the mineral ownership".

Senator Grantham moved to table the Murphy amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Capps, Cate, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—37.

Nay: Birdsong, Clifton, Crow, Holden, Luton, Murphy and Young.—7.

Excused: Boatner, Keating, Porter and York.—4.

Senator Grantham moved to amend SB 43, Page 6, Line 9, by striking after the word "all" and before the word "valid" the word "prior", which amendment was declared adopted.

Upon motion of Senator Grantham, SB 43, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 43, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator McDaniel questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

SB 43 was read for the third time at length.

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

Aye: Berrong, Capps, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Johnson, Keller, Lamb, McCune, McDaniel, Martin, Pierce, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann and Watson.—25.

Nay: Birdsong, Butler, Cate, Clifton, Crow, Holden, Howard, Howell, Kilpatrick, Lambert, Lane, Luton, Murphy, Randle, Schuelein, Stipe, Wolfe and Young.—18.

Excused: Boatner, Keating, Porter, Wadley and York.—5.

The bill passed.

Senators Schuelein, Crow, Butler, Wolfe,

Cate, Clifton and Randle desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 11. Excused: 5.

The emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Young moved that the vote be reconsidered by which SB 43 passed.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1071, requesting further Conference and naming same Conferees.

MOTION TO RECONSIDER VOTE

Senator Martin asked for consideration of his motion to reconsider the vote by which SB 239 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Butler, Capps, Clifton, Crow, Dahl, Field, Giles, Grantham, Helm, Holden, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Pierce, Randle, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley and Young.—29.

Nay: Berrong, Birdsong, Cate, Dawson, Funston, Green, Howell, McCune, Murphy, Schuelein, Smith, Watson and Wolfe.—13.

Excused: Boatner, Howard, Keating, Porter, Stipe and York.—6.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand ad-

journed to meet Thursday, March 10, 1977, at 11:30 a.m., which motion prevailed. | adjourned at 3:35 p.m. to meet Thursday, March 10, 1977, at 11:30 a.m.

Upon motion of Senator Lane, the Senate |



Thirty-ninth Legislative Day

Thursday, March 10, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson and Wolfe.—44.

Excused: Randle, Tinsley, York and Young.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Smith and incorporated into the Journal upon request of Senator Lamb.

Our Heavenly Father, we thank Thee for this another day You have given to us.

Father, we pray that today You would give to each of us a clear understanding on decisions that will be made.

I pray that each leader in our State would allow You to guide their lives.

We thank You today for sending Your son to die upon a cross, and that through this sacrifice and our acceptance of the sacrifice, we have access to You.

Father, may we be ever grateful for all the things You do for us. Again, Father, we pray today that You would send much needed moisture to our State. In Christ's name, we pray, Amen.

The Journal for the last legislative day was declared approved.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 7 — Oil and Gas.

SB 39 — Insurance.

SB 235 — Revenue and Taxation.

SB 262 — Revenue and Taxation.

SB 278 — Revenue and Taxation, and be referred to Committee on County, State and Federal Government by previous order.

SJR 18 — Education, Common.

SJR 21 — Revenue and Taxation, and be referred to Committee on Constitutional Revision and Regulatory Services by previous order.

DO PASS, as amended:

CS for SB 46 — Revenue and Taxation. Remove Smith as Principal Senate Author and substitute Funston; and as coauthored by Crow and Green of the Senate and Smith of the House.

SB 179 — Public and Mental Health, as coauthored by Craighead of the House.

CS for SB 203 — Judiciary, as coauthored by Smith of the House.

SB 212 — Insurance, as coauthored by Duckett of the House.

CS for SJR 20 — Education, Common.

FIRST READING

The following were introduced and read the first time.

SB 301 — By Cate.

An Act relating to schools; amending 70 O.S. 1971, Section 5-129, as amended by Section 30, Chapter 234, O.S.L. 1974 (70 O.S. Supp. 1976, Section 5-129); providing for student activity funds and petty cash accounts; increasing expenditure limits of petty cash accounts; and setting an effective date.

SB 302 — By Cate of the Senate and Rogers of the House.

An Act relating to banks and trust companies; providing short title; declaring purpose; defining terms; setting requirements for bank holding companies; prohibiting certain acts; providing for registration and reporting by bank holding companies; prescribing powers of Commissioner; prescribing requirements concerning extended service facilities; fixing application fees; permitting drive-in and walk-up facilities; setting application requirements and application fees; prohibiting certain branch banking activities; setting penalties; declaring each day's violation a separate offense; directing codification; repealing 6 O.S. 1971, Sections 415, 501, as amended by Section 3, Chapter 31, O.S.L. 1976, and 502 (6 O.S.

Supp. 1976, Section 501); providing for inconsistent laws; providing for severability; and setting an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 292 — Business, Industry and Labor Relations and then to Agriculture.

SB 293 — Education, Higher and then to Appropriations and Budget.

SB 294 — Judiciary.

SB 295 — Business, Industry and Labor Relations.

SB 296 — County, State and Federal Government.

SB 297 — Judiciary.

SB 298 — Judiciary.

SB 299 — Professions and Occupations and then to Judiciary.

SB 300 — Judiciary.

HB 1051 — Judiciary.

HB 1278 — County, State and Federal Government.

HB 1307 — Revenue and Taxation.

HB 1436 — Revenue and Taxation.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1316 and HJR 1032.

HB 1316 — By Morgan, et al, of the House and Berrong of the Senate.

(Professions and Occupations — Amending 59 O.S. 1971, Sections 581, 584 and 588 — Effective date).

HJR 1032 — By Craighead, et al, of the House and Cate of the Senate.

A Joint Resolution relating to the Department of Transportation; and directing the Department to make the maximum utilization of funds available for planning a public transportation system.

The above numbered HB and HJR were read for the first time.

UNANIMOUS CONSENT REQUEST

Senator Wadley asked unanimous consent, which was granted, that SB 281 be withdrawn from the committee on County, State and Federal Government and continue on to the Appropriations and Budget Committee as originally assigned.

GENERAL ORDER

HB 1220 by Converse of the House and Martin of the Senate was read and considered.

Upon motion of Senator Martin, HB 1220 was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, HB 1220 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1220 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson and Wolfe.—43.

Excused: Lambert, Randle, Tinsley, York and Young.—5.

The bill and emergency passed.

HB 1220 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 138 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

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

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 6, as coauthored by Johnson (Don) of the House.

The above numbered Resolution was referred for enrollment.

GENERAL ORDER

SB 63 by Wadley was read and considered.

Upon motion of Senator Wadley, SB 63 was advanced to engrossment.

By unanimous consent, upon request of Senator Wadley, SB 63 was considered engrossed and placed on third reading and final passage.

Senator Cate presiding.

THIRD READING

SB 63 was read for the third time at length.

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

Aye: Butler, Cate, Clifton, Dahl, Field, Funston, Grantham, Holden, Howard, Howell, Lane, Luton, Porter, Rozell, Shatwell, Stipe, Taliaferro, Terrill, Vann and Wadley.—20.

Nay: Berrong, Birdsong, Boatner,

Capps, Crow, Dawson, Giles, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Smith, Tinsley, Watson and Wolfe.—24.

Excused: Lambert, Randle, York and Young.—4.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Wadley moved that the vote be reconsidered by which SB 63 failed of passage.

Senators Young and Randle asked to be shown present, which was the order.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Cate presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Wolfe, advised and consented to the confirmation of BETSY DOENGES, Tulsa, as a lay member of the State Textbook Committee to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Funston, advised and consented to the confirmation of PAUL FREEMAN, Broken Arrow, as a member of the War Veterans Commission to serve a 2-year term ending July 1, 1978, effective upon Senate confirmation. Mr. Freeman succeeds himself.

The Senate, in executive session, and upon motion of Senator Crow, advised and consented to the confirmation of ROBERT M. (Bob) KERR, Altus, as a member of the State Board of Agriculture, District 3, to serve an unexpired 5-year term ending April 26, 1977, and effective upon Senate confirmation. Mr. Kerr succeeds Ray Giles, Pocasset.

The Senate, in executive session, and upon motion of Senator Field, advised and consented to the confirmation of DAVE STORY, Guymon, as a member of the Oklahoma Educational Television Authority, District 6, to serve an unexpired 7-year term ending June 30, 1983, and effective upon Senate confirmation. Mr. Story succeeds Al Thomas, Enid.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 220 and SCR 8 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 138.

The above numbered Enrolled Bill was referred to the Governor.

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 159.

The above numbered Bill as amended in Conference was referred for enrollment.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the re-

quest of the Honorable House for further conference on HB 1071 was ordered granted, President Pro Tempore Howard naming same Senate conferees.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand ad-

journed to meet Monday, March 14, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 12:15 p.m. to meet Monday, March 14, 1977, at 1:30 p.m.



Fortieth Legislative Day

Monday, March 14, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—43.

Excused: Helm, Keating, Porter, Wadley and York.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Herbert Patterson, Pastor, Grandview Baptist Church, Muskogee, and incorporated into the Journal upon request of Senator Luton.

Our Father, which art in Heaven, hallowed be Thy name.

We come this afternoon to worship You, to love You and to praise You for what You have done. We thank You for the journeying mercies You have given in travel this day.

We thank You for the measure of health and strength that is each of ours for this time. We thank You for the rain that You have sent.

Then, our Father, we come to petition You for Your blessings upon the lives of each of these who have responsibilities. We would ask that You would cause us to vote the convictions of our hearts, that we would be responsible to those boys and girls, those young people, those men and women, those elderly ones back in our communities all across our state.

Our Father, as we come to this session today, we would not forget to pray for those dear ones who have been hit with this terrible snowstorm and blizzard in the Panhandle and, in Western Oklahoma. We praise and thank You for the moisture and we pray Your blessings upon those dear people.

We pray for each bill that comes before this body, that You will give clear thinking, that You will give the courage of conviction and we pray that the end results will be those which will not have to be coming back and corrected in a year or so, and that they will be far-reaching and will benefit the people of this great state.

We would pray for our Governor, for the House, and for the Senate and we would pray, our Father, that in some way, somehow, that this heavy burden of taxation

might be lifted, and that there would be coming before us, and that we would work on it, the question of restoring initiative to many of our people who have lost their initiative to work and in providing for more jobs for more people in the areas of our state.

We come this afternoon, asking for Your blessings, Your guidance and Your direction.

We would ask it in the name of Your son, our Lord Jesus Christ, and for his sake, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Crow introduced Pat Greer, R.N., Altus, as Nurse of the Day.

Senator Pierce introduced Carl H. Guild, M.D., Bartlesville, as Doctor of the Day.

Senator Capps introduced his wife, Wanda, and son, Gilmer John, to members of the Senate

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1047 — Public Safety and Penal Affairs, as coauthored by McDaniel, Johnson and Schuelein of the Senate, and be referred to Committee on County, State and Federal Government by previous order.

HB 1124 — Public Safety and Penal Affairs, as coauthored by Murphy of the Senate.

DO PASS, as amended:

CS for SB 6 — County, State and Federal Government.

SB 213 — Public Safety and Penal Affairs, as coauthored by Johnson of the Senate.

SB 243 — Revenue and Taxation, as coauthored by Green of the Senate and Nance of the House.

SJR 14 — Revenue and Taxation, as coauthored by Nance. Recorded roll call vote on amendment # 1, adopted; amendment # 2 tabled; on the resolution. (3 recorded votes.)

FIRST READING

The following were introduced and read the first time.

SB 303 — By Luton.

An Act relating to crimes and punishments; defining solicitation of a crime; proscribing solicitation of a crime; prescribing penalties for this crime; prohibiting conviction for both solicitation and attempt to commit or commission of same crime; specifying renunciation as affirmative defense; and directing codification.

SB 304 — By Luton.

An Act relating to taxation; exempting gross receipts from the conduct of bingo games from sales tax; directing codification; and declaring an emergency.

SB 305 — By Luton.

An Act relating to intoxicating liquors; amending 37 O.S. 1971, Section 539; authorizing the issuance of a search warrant for the purpose of searching, seizing and holding certain property; ordering the destruction of certain seized property; providing for a forfeiture proceeding for certain other property; specifying procedure; providing for notice of the proceeding; authorizing the filing of certain pleadings; providing for the detention of seized property prior to the forfeiture proceeding; providing for certain court or-

ders; authorizing certain appeals; authorizing the sale of certain forfeited property; and providing for distribution of proceeds.

SB 306 — By Murphy.

An Act relating to the Oklahoma State Regents for Higher Education for a facility for tick eradication research at Oklahoma State University and making an appropriation thereto; stating the purpose; providing for necessary office and laboratory space for further research; providing for certain other rooms; providing lapse date; providing severability; and declaring an emergency.

SB 307 — By Wolfe of the Senate and Smith of the House.

An Act relating to grand juries; amending 22 O.S. 1971, Section 329, and 38 O.S. 1971, Section 21, as amended by Section 1, Chapter 310, O.S.L. 1975 (38 O.S. Supp. 1976, Section 21); providing for the selection of certain jurors; providing procedures and methods for selection; providing for selection of alternate grand jurors; providing certain duties and responsibilities of certain officials and jurors; providing certain restrictions on alternate jurors; providing for the discharge of grand jurors under certain circumstances; providing for the filling of vacancies and procedures therefor; providing certain time limitations for certain juries; and declaring an emergency.

SB 308 — By Stipe.

An Act relating to roads, bridges and ferries; amending Section 4, Chapter 218, O.S.L. 1976 (69 O.S. Supp. 1976, Section 4004); authorizing certain divisions within the Department of Transportation; creating a Division of Water Transportation; providing powers and duties; authorizing the establishment of a water transfer system utilizing certain rights-of-way; providing for use of certain funds; providing for rules and regulations; directing codification; and declaring an emergency.

SB 309 — By Terrill of the Senate and Atkins of the House.

An Act relating to protective services for elderly persons; providing short title; stating purpose; providing definitions; providing duty to report situation of certain elderly persons; providing certain procedures for investigation of elderly persons alleged to be in need of protective services; providing for voluntary protective services for elderly persons in certain circumstances; providing for court order of involuntary protective services for elderly persons in certain circumstances; providing for petition, notice, right to counsel and hearing for emergency protective services for certain elderly persons; providing for court-appointed counsel in certain circumstances; specifying limitations on emergency order; providing for review of court order; providing procedure for continued services in certain circumstances; providing for immunity of petitioner in certain circumstances; providing for utilization of available services; providing for confidentiality of certain records, reports and papers; directing codification; providing severability; and declaring an emergency.

SB 310 — By Terrill of the Senate and Riggs and Morgan of the House.

An Act relating to public health and safety; providing for emergency medical services; defining terms; creating an Emergency Medical Services Division within the Department of Health; prescribing powers and duties of the Commissioner of Health; creating an Emergency Medical Services Advisory Council; providing for its composition, powers and duties; prescribing duties of the State Board of Health; directing codification; and declaring an emergency.

SB 311 — By Terrill.

An Act relating to poor persons; amending 56 O.S. 1971, Section 165, as amended by Section 1, Chapter 290, O.S.L. 1976 (56 O.S. Supp. 1976, Section 165); providing for

amount of assistance payments; modifying certain limitations on amounts of assistance payable to eligible persons; modifying provisions for exclusion of certain amounts of certain insurance policies and contracts from such persons' financial resources; providing for severability; and declaring an emergency.

SB 312 — By Smith of the Senate and Townsend of the House.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2484; prohibiting use of revenue from nonrecurrent sources in estimates of probable income; prohibiting consideration of gross production tax revenue as minimum program income for certain purposes; excluding shared revenues of federal government; imposing penalties; and declaring an emergency.

SJR 24 — By Terrill, Lane and Watson of the Senate and Matheson of the House.

A Joint Resolution directing the Board of Trustees of the University Hospital to issue revenue bonds for the construction of structures including but not limited to a multipurpose parking facility; providing prior approval of the Legislature; directing the Attorney General to assist the Board of Trustees in the issuance of such revenue bonds; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 301 — Education, Common.

SB 302 — Banks and Banking.

HB 1316 — Public and Mental Health.

HJR 1032 — County, State and Federal Government.

MESSAGE FROM THE GOVERNOR

Advising approval by him, March 10, 1977, of Enrolled SB 138.

MESSAGE FROM THE GOVERNOR

Advising approval by him, March 11, 1977, of Enrolled SB 194.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration engrossed **HBs 1064, 1121, 1148, 1149 and 1221.**

HB 1064 — By Parris of the House and Clifton of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 74, 76, 77, 78, 83 and 89.1; providing for application, registration, rules, regulations and fees relating to the Board of Barber Examiners; deleting certain physical examination requirements; providing certain requirements for certain licenses; providing for certain inspections and other guidelines by the Board of Barber Examiners; providing for enforcement of sanitary conditions by State Commissioner of Health and raising fees for such; and declaring an emergency.

HB 1121 — By Hood, Craig and Hammons.

An Act relating to children; amending 10 O.S. 1971, Sections 1102, as amended by Section 3, Chapter 122, O.S.L. 1972, 1103, as last amended by Section 1, Chapter 51, O.S.L. 1976, 1104, 1105, 1107, as last amended by Section 1, Chapter 102, O.S.L. 1976, 1108, 1109, 1110, 1113, 1115, 1120, 1127, 1128, 1130, as amended by Section 1, Chapter 250, O.S.L. 1975, 1131, 1133, 1134 and 1137, as amended by Section 1, Chapter 187, O.S.L. 1975 (10 O.S. Supp. 1976, Sections 1102, 1103, 1107, 1130 and 1137); granting district court jurisdiction in specified cases; providing for transfer or consolidation of proceedings involving juveniles; permitting inquiry without petition; directing form and content of petition and summons; prohibiting delay; providing for amendment of petitions; providing for issuance and service of summons, including service by publication; requiring court

appearance of child; providing for taking child into immediate custody; specifying time limitation on certain orders and for filing petition when child is in custody; providing for release and detention of child in custody before adjudicatory hearing; prohibiting specified confinement of children of certain ages; providing for temporary detention; permitting contracting for detention services; providing for questioning of child; limiting admissibility of evidence; providing for attorney for child; permitting prosecution by district attorney upon court order; granting right to jury trial; providing for dismissal of proceedings and destruction of files; providing for disposition hearings and orders; permitting court-ordered examination of child, orders directing treatment and apportioning treatment expenses; directing appellate titling of case by initials; restricting use of and providing for destruction of juveniles' records, including fingerprints; permitting fingerprinting; expanding judicial inquiry into home conditions; providing for termination of parental rights; declaring certain orders final and appealable; providing for notice of hearing to terminate parental rights; providing for consent to adopt child when parental rights have been terminated; setting time limit for attack on adoption decree; permitting combined actions to terminate parental rights and adopt in specified circumstances; providing for placement of certain children; deleting notice requirements; directing codification; and setting an effective date.

HB 1148 — By Miskelly, et al, of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Human Rights Commission and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of personnel; designating maximum salary limits for the director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; specifying the

number and compensation of authorized officials and employees; authorizing the filling of a designated job grade with a lower job grade; providing lapse date; making provisions of this act severable; and declaring an emergency.

HB 1149 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Indian Affairs Commission; making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of personnel; designating maximum salary limit for the Director; limiting the number of full-time-equivalent employees; limiting expenditure for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing the filling of a designated job grade with a lower job grade; limiting amount of funds for expenses of commission meetings; providing lapse date; providing severability; and declaring an emergency.

HB 1221 — By Cotner.

An Act relating to conveyances; amending 16 O.S. 1971, Section 20; providing for the recordation of power of attorney under certain circumstances; providing certain criteria for recordation; providing certain exceptions; 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 1008.

HCR 1008 — By Converse of the House and Field of the Senate.

A Concurrent Resolution designating the week of March 20 through March 26, 1977, as National Wildlife Week; urging a rededication to the principle that we all need clean water; expressing renewed

determination to achieve the clean water goal as quickly as possible; requesting the Governor to issue a proclamation recognizing March 20 through March 26, 1977, as National Wildlife Week in Oklahoma; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

GENERAL ORDER

SB 114 by Crow, Randle and Young of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Young, SB 114 was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 114 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 114 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—42.

Nay: Boatner.—1.

Excused: Helm, Keating, Porter, Wadley and York.—5.

The bill and emergency passed.

SB 114 was referred for engrossment.

Senators Wadley and Keating asked to be shown present, which was the order.

GENERAL ORDER

SB 186 by Young of the Senate and Poulos of the House was read and considered.

Senator Funston asked to be made a co-author of SB 186, which was the order.

Upon motion of Senator Young, SB 186, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SB 186, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 186 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Helm, Porter and York.—3.

The bill and emergency passed.

SB 186 was referred for engrossment.

GENERAL ORDER

SB 108 by Crow and Randle of the Senate

and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 108 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 108 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 108 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—44.

Nay: McCune.—1.

Excused: Helm, Porter and York.—3.

The bill and emergency passed.

SB 108 was referred for engrossment.

BILL WITHDRAWN — REASSIGNED

Senator Murphy asked unanimous consent, which was granted, that SJR 23 be withdrawn from the committee on Education, Common, and referred to the committee on Education, Higher.

COMMITTEE APPOINTMENT

Senator Howard appointed Senator But-

ler to the Joint Government Employees Retirement Study Committee to serve along with Senators Grantham and Young who had been appointed earlier.

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

GENERAL ORDER

SB 109 by Crow, Randle and Boatner of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Berrong, SB 109 was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, SB 109 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 109 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—44.

Nay: Grantham and Wolfe.—2.

Excused: Helm and York.—2.

The bill and emergency passed.

SB 109 was referred for engrossment.

SPECIAL COMMITTEE REPORT

Senator Terrill submitted the final report of the Special Committee on Health Care Delivery System and moved that the Senate adopt said report, which motion was declared adopted. Senator Terrill asked that the committee be discharged as having completed its duty, which was the order.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1220 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SB 159 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 6 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 77 and 89, each as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 77 were read as follows and consideration deferred.

AUTHORS: Add the following coauthor: WICKERSHAM of the House.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the Lieutenant Governor and making an appropriation thereto; stating the purpose; providing for appointment, duties and

compensation of employees; limiting number of employees; providing for travel expenses of Lieutenant Governor; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Lines 23 and 24, by deleting the words and figures "Eighty-two Thousand Five Hundred Seven Dollars (\$82,507.00)" and inserting in lieu thereof the words and figures "Eighty-seven Thousand Four Hundred Thirty-seven Dollars (\$87,437.00)".

HOUSE AMENDMENTS

HAs to SB 89 were read as follows and consideration deferred.

Authors: Add the following coauthor: WICKERSHAM of the House.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the State Treasurer and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 19, by striking the Enacting Clause.

Amendment No. 3. Amend Page 2, Line 2, by inserting after "1978" and before the period (.) the following language: "provided that if the First Session of the Thirty-sixth Oklahoma Legislature shall enact other legislation requiring additional personnel expenditures by the Office of the State Treasurer, then the Two Hundred Thirty-three Thousand Five Hundred Thirty Dollars (\$233,530.00) limit herein set out shall be increased accordingly".

GENERAL ORDER

SB 191 by Howard of the Senate and Townsend of the House was read and considered.

Senator Howard moved to amend SB 191, Page 1, Line 2, by adding after the word "Oklahoma" and before the word "may" the following: ", the member accounts of which are insured under Title II of the Federal Credit Union Act," which amendment was declared adopted.

Senator Howard moved to amend SB 191, Page 1, Line 4, through Page 2, Line 1, by striking after the word "state," and before the word "provided" the following: "notwithstanding any restrictions otherwise applicable to a state-chartered credit union;" which amendment was declared adopted.

Upon motion of Senator Howard, SB 191, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 191, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 191 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Helm, Porter and York.—3.

The bill and emergency passed.

SB 191 was referred for engrossment.

GENERAL ORDER

SB 277 by Dahl of the Senate and Converse of the House was read and considered.

Upon motion of Senator Dahl, SB 277, was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 277, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 277 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—43.

Nay: Boatner, Capps and Crow.—3.

Excused: Helm and York.—2.

The bill passed.

SB 277 was referred for engrossment.

GENERAL ORDER

SJR 18 by Howell, Porter and Berrong of

the Senate and Abbott of the House was read and considered.

Upon motion of Senator Howell, SJR 18 was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SJR 18 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 18, was read for the third time at length, as follows:

SJR 18 — By Howell, Porter and Ber-
rong of the Senate and Abbott 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 5 of Article I of the Oklahoma Constitution; providing for the establishment and maintenance of public schools; providing certain criteria; removing certain construction that did not prohibit the establishment of separate schools; providing for ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE
AND THE HOUSE OF REPRESENTA-
TIVES OF THE 1st SESSION OF THE
36TH 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 Section 5 of Article I of the Constitution of the State of Oklahoma to read as follows:

Section 5. Provisions shall be made for the establishment and maintenance of a system of public schools, which shall be open to all the 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].

SECTION 2. The Ballot Title for the proposed Constitutional amendment as 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 5 of Article I of the Constitution of the State of Oklahoma which provides for the establishment and maintenance of public schools open to all children by removing the construction that did not prohibit the establishment and maintenance of separate schools for white and colored children

be approved by the people?

SHALL THE PROPOSED AMEND-
MENT BE APPROVED?

☐ YES, FOR THE AMENDMENT

☐ NO, AGAINST THE AMENDMENT

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 the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Helm, Porter and York.—3.

The resolution passed.

SJR 18 was ordered referred for engrossment.

GENERAL ORDER

SJR 20 by Howell, Porter and Berrong of the Senate and Abbott of the House was read and considered.

Upon motion of Senator Howell, **SJR 20** was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, **SJR 20** was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 20 was read for the third time at length, as follows:

SJR 20 — By Howell, Porter and Berrong of the Senate and Abbott of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the repeal of Section 11 of Article XXIII of the Oklahoma Constitution, which defines certain terms; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 36TH 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 repeal of Section 11 of Article XXIII of the Constitution of the State of Oklahoma which defines certain racial terms.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as 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

repealing Section 11 of Article XXIII of the Constitution of the State of Oklahoma providing definitions for certain racial terms

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ **YES, FOR THE AMENDMENT**

☐ **NO, AGAINST THE AMENDMENT**

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 the Ballot Title set forth in **SECTION 2** hereof, with the Secretary of State and one copy with the Attorney General.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field,

Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—44.

Excused: Berrong, Helm, Porter and York.—4.

The resolution passed.

SJR 20 was ordered referred for engrossment.

Senator Murphy presiding.

GENERAL ORDER

SB 250 by Grantham of the Senate and Elder and Conaghan of the House was read and considered.

Senator Johnson asked to be made a co-author of SB 250, which was the order.

Senator Cate moved to amend SB 250, Page 5, Lines 7-16, by striking all of subsection D.

Senator Grantham moved to table the Cate amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Boatner, Capps, Dawson, Field, Giles, Grantham, Johnson, Lambert, McDaniel, Martin, Murphy, Porter, Shatwell, Taliaferro and Young.—16.

Nay: Birdsong, Butler, Cate, Clifton, Crow, Dahl, Funston, Green, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—30.

Excused: Helm and York.—2.

Senator Cate pressed his motion to amend, which amendment was declared adopted.

Upon motion of Senator Grantham, SB 250, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 250, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 250 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—46.

Excused: Helm and York.—2.

The bill and emergency passed.

SB 250 was referred for engrossment.

BILL REFERRED

Senator Lane asked unanimous consent, which was granted, that HB 1324 be referred to the committee on Public and Mental Health in addition to the committee on Agriculture.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 6.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 159.

The above numbered Enrolled Bill was referred to the Governor.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day:

SCR 9 — By Terrill, Lane and Watson of the Senate and Matheson of the House.

A Concurrent Resolution directing the Board of Trustees of the University Hospital to establish a tax-exempt foundation to exist for the benefit of the University Hospital; specifying powers of the foundation; and declaring an emergency.

MESSAGE FROM THE HOUSE

Advising rejection of 2nd CCR to En-grossed HB 1071, requesting further Conference and naming same Conferees.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, March 15, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 3:20 p.m. to meet Tuesday, March 15, 1977, at 1:30 p.m.



Forty-first Legislative Day

Tuesday, March 15, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Keller.—1.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Patterson and incorporated into the Journal upon request of Senator Luton.

O, Thou, Eternal God, "Thou who art our refuge and strength, a very present help in our needs."

Thou who art holy, the Lord God Almighty, the Creator of life and Ruler of the Universe. Before Thy Majesty and power we stand in awe, and yet in whose presence we call Thee Father. We raise to

Thee our grateful praise and worship and petitions.

Confront us, O God, with the truth, that in all the mystery of life and the immensity of space, we have a special place in Thy concern and the blessed privilege with deep responsibility to carry forth Your plans and purpose.

Give us contrite and repentant hearts for our sins, and thankful hearts for Thy forgiveness. Forgive us for our sins and failures of the past and strengthen us for our opportunities of usefulness for the future.

"Keep us back from presumptuous sins and let them not have dominion over us."

Make us deeply aware of the great cross-section of people we represent and serve, and grant us the will and wisdom to ever strive to encourage, strengthen and restore confidence and initiative that they will seek what they can do for Oklahoma and not altogether what Oklahoma can do for them.

Touch us this day, O God, where our need is greatest. Give us this day a clearer grasp of the things which belong unto our peace and a closer walk with Him who is our peace. Help us to weigh thoroughly, consider diligently, and prayerfully, every item for legislation that comes before us, that Thy will be done.

Gracious God, through this new day, help us — to be diligent in use of time; to be faithful to every trust; to be extravagant in Thy service; to be watchful of words we utter; to be God-conscious of every vote we cast; to be generous in our criticism of others; to be courageous in time of testing; to be aware of the needs of men; to be slow to expose; to be quick to believe the best; to be responsive to Thy voice; to be dependent upon Thy strength; to be accompanied by Thy presence.

Through Jesus Christ, our Lord, I pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lamb introduced Mark Holcomb, M.D., Enid, as Doctor of the Day.

Senator Capps introduced Esther Bowles, R.N., and Judy Schoenhals, R.N., both of Shattuck, as Nurses of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 253 — Judiciary, as coauthored by Davis (Don) of the House.

SB 258 — Judiciary, as coauthored by Davis (Don) of the House. Show Lambert voting "no".

SB 294 — Judiciary.

HB 1305 — Judiciary, as coauthored by Lamb and Lambert of the Senate.

HJR 1003 — Judiciary, as coauthored by Grantham of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 313 — By Capps.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 141.9; providing for responsibility of permit holders; fixing penalties; creating a felony of abandonment of an explosive charge; and declaring an emergency.

SB 314 — By Lamb.

An Act relating to revenue and taxation; amending Section 1, Chapter 313, O.S.L. 1974 (68 O.S. Supp. 1976, Section 2407.1); authorizing an additional homestead exemption for persons having a specified gross household income; prescribing procedures; increasing gross household income of eligible persons to five thousand dollars; and setting an effective date.

SB 315 — By Holden, Keller, Schuelein and Crow of the Senate and Duckett, et al, of the House.

An Act relating to State Capital and Capitol Building; amending Section 4, Chapter 144, O.S.L. 1975, as amended by Section 1, Chapter 158, O.S.L. 1976 (73 O.S. Supp. 1976, Section 163.2); providing for the deposit of monies from certain leases to the General Revenue Fund; excepting monies from certain lease agreements; and declaring an emergency.

SB 316 — By Howell.

An Act relating to civil procedure; providing counseling services in divorce actions; establishing duties and privileges of counselors; permitting the court to stay proceedings for certain periods; providing for costs of counseling; and directing codification.

SB 317 — By Howell.

An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 1052 through 1055, 1058, 1060 and 1061;

increasing requirements for a person to advertise or conduct a "closing out sale"; modifying required contents of an application for a license to conduct such sale; prohibiting the inclusion of goods, wares or merchandise on consignment at such sale; requiring a certain bond; providing for confidentiality; expanding scope of investigation by the clerk issuing the license; expanding conditions for issuance of the license; modifying provisions for renewal of the license; increasing certain penalties; and modifying provisions for a certain exemption.

SB 318 — By Keller.

An Act relating to damages; amending 23 O.S. 1971, Section 10; providing for recovery of damages from parents of minors; adding authority to recover damages for stolen property; and setting an effective date.

SB 319 — By Luton of the Senate and Harper of the House.

An Act relating to insurance; prohibiting reinsurance of consumer credit insurance under certain conditions; directing codification; and setting an effective date.

SB 320 — By Lambert.

An Act relating to professions and occupations; amending Section 14, Chapter 182, O.S.L. 1973 (59 O.S. Supp. 1976, Section 1564); providing for fees, procedures and requirements for hearing aid dealers' and fitters' licenses; allowing Board of Hearing Aid Dealers and Fitters to require continuing education as a condition for license renewal; and providing an effective date.

SB 321 — By Lambert.

An Act relating to criminal procedure; adopting the Interstate Agreement on Detainers Act; providing short title; setting out provisions of the agreement whereby detainees lodged may be cleared; providing procedures for implementation of the agreement; reserving right to amend;

directing codification; and providing an effective date.

SB 322 — By Lambert.

An Act relating to public finance; amending 62 O.S. 1971, Section 511; providing methods for depositing public funds; and repealing 62 O.S. 1971, Section 513.

SB 323 — By Lambert.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1040.51; prohibiting certain activities relating to obscene material; providing penalties; repealing 21 O.S. 1971, Section 1040.53; and providing an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 303 — Criminal Jurisprudence.

SB 304 — Revenue and Taxation and then to County, State and Federal Government.

SB 305 — County, State and Federal Government.

SB 306 — Agriculture and then to Appropriations and Budget.

SB 307 — Criminal Jurisprudence.

SB 308 — Roads and Highways.

SB 309 — Social Welfare.

SB 310 — Public and Mental Health.

SB 311 — Social Welfare.

SB 312 — Revenue and Taxation.

SJR 24 — Appropriations and Budget.

HB 1064 — Professions and Occupations.

HB 1121 — Criminal Jurisprudence.

HB 1148 — Appropriations and Budget.

HB 1149 — Appropriations and Budget.

HB 1221 — Judiciary.

RESOLUTION STRICKEN

Senator Terrill asked unanimous consent, which was granted, that SCR 9 be stricken from the Calendar.

MESSAGE FROM THE GOVERNOR

Advising approval by him, March 14, 1977, of Enrolled SB 60.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1067, 1335 and 1347.

HB 1067 — By Miskelly, Campbell, Cleveland and Monks of the House and Funston of the Senate.

An Act relating to taxation; amending 47 O.S. 1971, Sections 22, 22.1, as amended by Section 1, Chapter 174, O.S.L. 1976, 22.2, as last amended by Section 11, Chapter 241, O.S.L. 1976, 22.3, 22.3a, 22.4, as last amended by Section 2, Chapter 219, O.S.L. 1976, 22.4b, 22.5, 22.5-1, as amended by Section 1, Chapter 109, O.S.L. 1973, 22.5a, 22.5b, as amended by Section 1, Chapter 264, O.S.L. 1976, 22.5c, 22.5d-1, Section 1, Chapter 175, O.S.L. 1973, 22.5e, 22.5g, 22.5i, 22.5j, as amended by Section 1, Chapter 104, O.S.L. 1976, 22.5k through 22.5n, 22.5q, as amended by Section 2, Chapter 174, O.S.L. 1976, 22.6, as last amended by Section 1, Chapter 4, O.S.L. 1976, 22.6a, Section 1, Chapter 230, O.S.L. 1974, 22.7 through 22.11, 22.12, as amended by Section 7, Chapter 218, O.S.L. 1973, 22.12a through 22.14, 22.15A, as amended by Section 1, Chapter 104, O.S.L. 1974, 22.16 through 22.24, 22.26, 22.28, 22.30a, 22.30c, 22.30g, 22.30h, 22.30j, 22.30k, as amended by Section 1, Chapter 220, O.S.L. 1975, 22.30 1, Section 3, Chapter 169, O.S.L. 1975, Section 4, Chapter 169, O.S.L. 1975, 22.30m, 22.30n, Section 1, Chapter 95, O.S.L. 1976, 23.14, 38.1, as last amended by Section 2, Chapter 257, O.S.L. 1976, and 6-101, as last amended by Section 1, Chapter 359, O.S.L. 1975 (47 O.S. Supp. 1976, Sections 22.1, 22.2, 22.4, 22.5-1, 22.5b, 22.5d-4, 22.5j, 22.5q, 22.6, 22.6b, 22.12, 22.15A, 22.30k, 22.30 1-2, 22.30 1-3, 22.30r, 38.1 and 6-101), 63 O.S. 1971, Sections 804.4 and 804.9, and 68 O.S. 1971, Section 2102, as amended by Section 1, Chap-

ter 169, O.S.L. 1975 (68 O.S. Supp. 1976, Section 2102); modifying short title; modifying certain definitions; modifying the apportionment of certain monies; modifying provisions for application for certain registration; imposing certain due dates; modifying certain penalty provisions; providing for cancellation of certain registration; providing for certain notice; requiring certain reports; modifying provisions for issuance of certain certificates of registration and license plates; modifying certain requirements therefor; modifying certain exemptions; providing for certain expiration dates; providing for the issuance of certain temporary or special license plates; modifying provisions for certain fees and the disposition and purpose thereof; providing for certain minibikes; modifying provisions for the registration of certain vehicles in storage or owned by certain religious and nonprofit organizations; modifying provisions for registration and taxation of certain buses; providing for certain computation; modifying provisions for registration and licensing of certain recreational vehicles; imposing certain duties on sellers of recreational vehicles; modifying registration and licensing of certain ambulance service vehicles; providing for valuation of house trailers for excise tax purposes; expanding scope of certain motor vehicle license, registration, title and tax laws; providing for vehicles manufactured outside the United States; providing for proportional registration and licensing; providing for certain compacts or agreements; providing for certain trucks, tractors, trailers and semitrailers; providing for certain house trailers, travel trailers and mobile homes; providing for certain station wagons; providing for certain motor vehicles which transport forest products; providing for circus and carnival vehicles; providing for increased license fees, reregistration and refunds; specifying purpose of registration fees; providing for certain powers of local authorities; providing for certain nonresi-

dents; providing for a staggered system of registration and licensing; providing for certain publicly-owned vehicles; providing for certain manufacturers and dealers; providing for certain special delivery licenses or permits; requiring possession of current license plates and decals, under certain conditions; providing for failure to register certain vehicles; imposing certain duties on the Tax Commission; modifying provisions for motor license agents; enumerating certain offenses; providing for confidentiality of certain information; authorizing certain installment payments; providing for special mobilized machinery; providing for registration and licensing of new motor vehicles; creating a special agency clearing account and specifying the purpose thereof; providing for registration by members of the armed forces and their spouses; providing for personalized license plates; providing for certain payments; modifying provisions for bonding of motor license agents; providing for disposition of certain reserves; modifying provisions relating to certain fiscal matters; authorizing certain loans; providing for disabled veterans; providing for licensing of certain operators and chauffeurs; providing for issuance of color photo drivers' licenses; providing for certificates of title, licensing and registration of certain boats; and repealing 47 O.S. 1971, Sections 22.4-1, Section 1, Chapter 218, O.S.L. 1972, 22.5d-2, 22.5d-3, 22.5f, 22.5h, 22.5o, 22.5p, 22.25, 22.27, 22.29, 22.30b, 22.30d, 22.30i, as amended by Section 1, Chapter 51, O.S.L. 1975, Section 2, Chapter 396, O.S.L. 1967, Section 2, Chapter 169, O.S.L. 1975, 22.30o, 22.30p, Section 1, S. J. Res. No. 53, O.S.L. 1972, 6-101, as amended by Section 1, Chapter 30, O.S.L. 1974, and Section 5, Chapter 359, O.S.L. 1975 (47 O.S. Supp. 1976, Sections 22.4-2, 22.30i, 22.30 1-1, 22.30q and 6-101); directing codification; directing recodification; providing for severability; and declaring an emergency.

HB 1335 — By Matheson and Hood of the House and Smith of the Senate.

An Act relating to crimes and punishments; amending Section 5, Chapter 243, O.S.L. 1975 (21 O.S. Supp. 1976, Section 1869); exempting certain persons from prohibitions on the reproduction of certain sound recordings; deleting certain time limitations relating to exemptions; and declaring an emergency.

HB 1347 — By Hooper, Glover and Wickersham.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 1315; providing for a county, city, town or county hospital employee to join the State Employees Group Health and Life Insurance Act at the same premium rates in certain circumstances; and providing for the insurance carrier to perform certain services; providing an effective date; and declaring an emergency.

The above numbered HBs were read for the first time.

GENERAL ORDER

HJR 1006 by Sparkman, et al, of the House and Boatner of the Senate was read and considered.

Senators Schuelein, Luton, Birdsong, Porter, Stipe and Johnson asked to be made coauthors of HJR 1006, which was the order.

Upon motion of Senator Boatner, HJR 1006, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, HJR 1006, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1006 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Keller and Porter.—2.

The resolution and emergency passed.

Senator Boatner asked unanimous consent, which was granted, 'hat Senate Rule 19(f) be suspended.

Pursuant to the above request, HJR 1006 was properly signed and ordered returned to the Honorable House.

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

GENERAL ORDER

SB 86 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Crow moved to amend SB 86, Page 2, Lines 9 and 15, by changing the figures "659,942.00" on Line 9 to "735,942.00" and by changing the figures "\$2,898,062.00" on Line 15 to "\$2,974,062.00", which amendment was declared adopted.

Upon motion of Senator Crow, SB 86, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 86, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 86 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Nay: Keller.—1.

The bill and emergency passed.

SB 86 was referred for engrossment.

THIRD READING

SB 239 was read for the third time at length.

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

Aye: Birdsong, Clifton, Crow, Dahl, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lane, Luton, Martin, Pierce, Porter, Randle, Shatwell, Stipe, Taliaferro, Terrill, Vann, Wolfe and York.—25.

Nay: Berrong, Boatner, Butler, Capps, Cate, Dawson, Field, Funston, Green, Keating, Keller, Lamb, Lambert, McCune, McDaniel, Murphy, Rozell, Schuelein, Smith, Tinsley and Watson.—21.

Excused: Wadley and Young.—2.

The bill passed.

Senators Capps, Smith, McDaniel, Rozell, Keating, Tinsley and Schuelein desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 14. Excused: 2.

The emergency passed.

SB 239 was referred for engrossment.

GENERAL ORDER

SB 272 by Rozell was read and considered.

Senator Rozell, citing Rule 8(d), asked unanimous consent that Representative Parris be added as House author of SB 272, which was the order.

Upon motion of Senator Rozell, SB 272, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, SB 272, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Wadley presiding.

Senator Cate asked unanimous consent, which was granted, to amend SB 272 on Third Reading.

Senator Cate moved to amend SB 272, Page 2, Line 3, by striking after the word "not" and before the word "than" the word "less" and by inserting in lieu thereof the word "more"; and on Line 8½, by adding the following: "Provided, the liability of the Department, its agents, rangers, or employees, so indemnified, shall be limited to the face amount of the policy or bond."

Senator Crow raised a point of order

stating that the amendment could not be adopted by calling for the yeas and nays but could only be adopted by unanimous consent on Third Reading.

Senator Cate raised a point of order stating that he had requested the bill be backed up to General Order and that we were now on that order of business; to which point the Chair stated that the request was only to propose an amendment on Third Reading and that the order of business remained as Third Reading.

Addressing the Crow point of order, the Chair ruled that under Senate Rule 14(q) and Rule 15 the bill could be amended by calling for the yeas and nays either on General Order or on Third Reading, but that unanimous consent had to be given to propose an amendment on Third Reading.

Senator Crow moved to reconsider the vote by which SB 272 was considered engrossed and placed on Third Reading and final passage, which motion was declared adopted.

Senator Crow moved to reconsider the vote by which SB 272 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

Senator Cate stated that unless there was objection to his amendment containing more than one proposition he would move its adoption.

The Chair asked that the Cate amendment be divided, which was the order.

Senator Cate moved to amend SB 272, Page 2, Line 3, by striking after the word "not" and before the word "than" the word "less" and by inserting in lieu thereof the word "more", which amendment was declared adopted.

Senator Cate moved to amend SB 272,

Page 2, Line 8½, by adding the following: "Provided, the liability of the Department, its agents, rangers, or employees, so indemnified, shall be limited to the face amount of the policy or bond.", which amendment was withdrawn upon the unanimous consent request of Senator Cate.

Senator Berrong moved to amend SB 272, Page 2, Lines 3 and 4, by striking after the word "than" and before the word "for" the words and figures "One Hundred Thousand Dollars (\$100,000.00)" and substituting therefor the words and figures "Ten Thousand Dollars (\$10,000.00)".

Senator Rozell moved to table the Berrong amendment, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Field, Funston, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lane, Luton, McDaniel, Martin, Pierce, Porter, Rozell, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—30.

Nay: Berrong, Capps, Crow, Dahl, Dawson, Giles, Grantham, Helm, Howell, Keller, Lamb, Lambert, McCune, Murphy, Randle, Schuelein, Taliaferro and Watson.—18.

Senator Howell moved to amend SB 272, Page 2, Line 7, by striking after the word "discharging" on Line 6 and before the word "his" on Line 7, the words "or attempting to discharge", which amendment was declared adopted.

Senator Berrong moved to amend SB 272, Page 1, Line 4, by striking after the word "officer", and before the word "of" the words "or employee" and on Page 2, Line 4, by striking after the word "officer" and before the word "insured" the words "or employee", which amendment was declared adopted.

Senator Berrong moved to amend SB 272, Page 2, Lines 3 and 4, by striking after the word "than", and before the word "for", the words and figures "One Hundred Thousand Dollars (\$100,000.00)" and substituting therefor the words and figures "Twenty Thousand Dollars (\$20,000.00)".

Senator Rozell moved to table the Berrong amendment, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Butler, Clifton, Dawson, Funston, Grantham, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Luton, Martin, Randle, Rozell, Stipe, Terrill, Tinsley, Wadley, Wolfe, York and Young.—23.

Nay: Berrong, Boatner, Capps, Cate, Crow, Dahl, Field, Giles, Green, Helm, Keller, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Schuelein, Shatwell, Smith, Taliaferro, Vann and Watson.—24.

Excused: Porter.—1.

Senator Berrong pressed his motion to amend, which amendment was declared adopted.

Upon motion of Senator Rozell, SB 272, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, SB 272, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 272 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Cate,

Clifton, Dahl, Field, Funston, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lane, Luton, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—32.

Nay: Berrong, Capps, Crow, Dawson, Giles, Grantham, Helm, Howell, Keller, Lamb, Lambert, McCune, McDaniel, Schuelein and Watson.—15.

Excused: Porter.—1.

The bill passed.

Senator Giles desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33. Nay: 14. Excused: 1.

The emergency passed.

SB 272 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 108, 109, 114, 186, 191, 250, and 277 and SJRs 18 and 20 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MOTION TO RECONSIDER VOTE

Senator Young asked for consideration of his motion to reconsider the vote by which SB 43 passed, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Crow, Green, Holden, Howard, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Vann, Wadley, Wolfe, York and Young.—27.

Nay: Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Howell, Keating, Keller, McDaniel, Martin, Smith, Tinsley and Watson.—20.

Excused: Porter.—1.

SB 43 was placed on Third Reading.

RESOLUTION

Senator Luton introduced the following Resolution:

SR 6 — By Luton.

A Resolution memorializing the Governor to declare and designate "Oklahoma Azalea Week"; further memorializing the Governor to designate the Muskogee Azalea Festival the state's official festival for observance of said week; and directing distribution.

WHEREAS, the flame-red and other vivid hues of the flower of the azalea shrub are well recognized and known as among the most beautiful and eye-pleasing spectacles the horticultural world has to offer; and

WHEREAS, said azaleas bloom and blossom in great profusion at this time of the year in the State of Oklahoma; and

WHEREAS, the display of azaleas in full bloom is particularly notable in Honor Heights Park and in other gardens of Muskogee during the annual Muskogee Azalea Festival which has become one of the great tourist attractions of the Great Southwest and a mecca for nature lovers and photographers from all over the nation.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. The Senate memorializes the Governor to declare, designate and set aside by Executive Order the week of April 10 through April 16, 1977, as "Oklahoma Azalea Week" and to call upon and urge all Oklahomans to observe said week and to observe and enjoy the great beauty of the azalea flower.

SECTION 2. The Senate further memorializes the Governor to designate by Executive Order the Muskogee Azalea Festival the official festival for observance of said "Oklahoma Azalea Week".

SECTION 3. A copy of this Resolution shall be delivered immediately upon adoption to the Governor.

SR 6 was read at length, adopted upon motion of Senator Luton and ordered referred for enrollment.

GENERAL ORDER

SB 243 by Luton and Green of the Senate and Nance of the House was read and considered.

Upon motion of Senator Luton, SB 243 was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 243 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 243 was read for the third time at length.

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

Aye: Berrong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Keating, Keller, Kilpatrick,

Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Nay: Birdsong, Boatner, Holden, Johnson, Lambert, Pierce, Stipe and Wolfe.—8.

Excused: Porter.—1.

The bill passed.

SB 243 was referred for engrossment.

GENERAL ORDER

SB 235 by Capps was read and considered.

Senator Dawson moved to amend SB 235, Page 2, Line 17, by striking the sentence that begins with the word "Provided".

Senator Boatner moved to amend SB 235, as a substitute amendment, Page 2, Line 17, by adding after the word "that" and before the word "one" the following: "not more than".

Senator Lambert moved to amend SB 235, as an in lieu amendment, Page 2, Line 17, by adding after the word "that" and before the word "one" the words "at least", which amendment was declared adopted.

Upon motion of Senator Capps, SB 235, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 235, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Smith moved to reconsider the vote by which SB 235 was considered engrossed and placed upon third reading and

final passage, which motion was declared adopted.

Senator Smith moved to reconsider the vote by which SB 235 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

Senator Stipe moved to amend SB 235, Page 3, Line 1, by adding after the period the following: "Not more than one member shall live in any one county commissioner's district."

Senator Lane asked unanimous consent, which was granted, that further consideration of SB 235, with amendments attached, be deferred for this legislative day.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Pierce, advised and consented to the confirmation of HARRY E. BRUNO, Bartlesville, as a member of the Oklahoma State Bureau of Investigation Commission, as the Police Chief member, to serve an unexpired 2-year term ending July 1, 1978, and effective upon Senate confirmation. Mr. Bruno succeeds I. G. Purser, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Butler, advised and consented to the confirmation of

THOMAS GILMER, Okmulgee, as a member of the War Veterans Commission to serve a 1-year term ending July 1, 1977, and effective upon Senate confirmation. Mr. Gilmer succeeds himself.

The Senate, in executive session, and upon motion of Senator Smith, advised and consented to the confirmation of MRS. SHERRY MORGAN, Sand Springs, as a member of the State Textbook Committee to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mrs. Morgan succeeds Don Decker.

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of JACK NAIFEH, Tulsa, as a member of the War Veterans Commission to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Naifeh succeeds himself.

The Senate, in executive session, and upon motion of Senator McDaniel, advised and consented to the confirmation of BILL SANDMANN, Coalgate, as a member of the Solid Waste Management Advisory Committee, to serve at the Governor's pleasure, and effective upon Senate confirmation. Mr. Sandmann succeeds Bob Buchanan, Antlers.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HB 1071 was ordered granted, President Pro Tempore Howard appointing the same Senate conferees.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, March 16, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1220, as amended.

Upon motion of Senator Lane, the Senate
adjourned at 4:05 p.m. to meet Wednes-
day, March 16, 1977, at 1:30 p.m.

Forty-second Legislative Day

Wednesday, March 16, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Cate, Keating, Porter and Stipe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Patterson and incorporated into the Journal upon request of Senator Luton.

Eternal God, my Heavenly Father, I come through the merits of Thy Son, and through His everliving ministry as High Priest and Intercessor.

Thou art the ground of our being, the source of our strength, the center and foundation of our hope, and the sustainer and companion of our way. With gratitude

on our lips and praise within our hearts, we laud and magnify Thy Holy Name.

We come, confessing our sin in thinking too highly of ourselves. We know that we are weak and frail beings in great need of a Redeemer and Savior who can lift us out of our sordid selves. We have done those things which we ought not to have done and left undone those things which we ought to have done.

Call us back, we pray, to righteous living and to a closer walk with Thee. Move upon our hearts and lead in our lives that we will be instruments in Thy hands to a great spiritual renewal in each area of our great state.

Lift us, we pray, to higher levels of thinking and living; to new insights of truth and goodness; to new hopes and dreams of a better and fuller life; and to new strength in facing the demands of living.

We wait before Thee, assured that Thou knowest best what is good for us to do and dare.

Make known Thy ways and give us the will and grace to walk therein. Grant that it may ever be so, through Jesus Christ, our Lord, I pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Green, on behalf of Senator Keating, introduced Manuel J. A. Hinds, M.D., Tulsa, as Doctor of the Day.

Senator Watson introduced Mary Johnson, R.N., Oklahoma City, as Nurse of the Day.

Senator Dahl introduced his wife, Lucille, daughters, Sharron Stephens and Frances Berg, and her husband, Steve, to the members of the Senate. Also introduced were the following Dahl grandchildren: Johnny and Brady Stephens and Kelli and Ami Berg. Senator Wadley asked unanimous consent, which was granted, that the Dahl grandchildren be named Honorary Pages for this legislative day.

Senator Dawson introduced former Senator Allen Nichols and Senator Smith introduced former Senator Beau Selman to the members of the Senate.

REQUESTS FOR LOBBY PERMITS

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

Edward C. Bastow, Jr., 323 East Madison, Oklahoma City, 73118, representing Oklahoma Education Association.

Elmer R. Dennis, 104 South "L" Street, El Reno, representing Sheetmetal Workers' International and Chicago, Rock Island & Pacific Railroad.

James H. Paddleford, 5001 N. Penn., Suite 300, Oklahoma City, 73112, representing State Farm Insurance Company.

COMMITTEE REPORTS

The following were reported by the com-

mittees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 263 — Professions and Occupations, as coauthored by Craighead of the House.

SB 297 — Judiciary, as coauthored by Smith of the House.

DO PASS: as amended:

CS for SB 202 — Banks and Banking, as coauthored by Davis (Don) of the House. Roll call on motion.

HB 1051 — Judiciary, as coauthored by Butler and Stipe of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 324 — By Lambert.

An Act relating to fees; amending 28 O.S. 1971, Sections 81 and 82, as amended by Section 1, Chapter 227, O.S.L. 1975 (28 O.S. Supp. 1976, Section 82); providing rate for fees for certain witnesses; providing for certain restrictions; increasing certain witness fees; and providing an effective date.

SB 325 — By Lambert.

An Act relating to crimes and punishments; amending Section 1, Chapter 1, O.S.L. 1976, 1st Extraordinary Session (21 O.S. Supp. 1976, Section 701.7); defining murder in the first degree including the taking of a life while in the commission or attempted commission of certain prohibited acts; and providing for effective date.

SB 326 — By Lambert.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305, as amended by Section 1, Chapter 23, O.S.L. 1975 (68 O.S. Supp. 1976, Section 1305); providing for certain exemptions to the Sales

Tax Code; combining exemptions into one section; providing certain changes in agricultural products exemption; repealing 68 O.S. 1971, Sections 1305b, as last amended by Section 1, Chapter 5, O.S.L. 1976, and Section 1, Chapter 203, O.S.L. 1972, Section 1, Chapter 227, O.S.L. 1973 (68 O.S. Supp. 1976, Sections 1305b, 1305d and 1305e), and 1312; and declaring an emergency.

SB 327 — By Lambert.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 196, as amended by Section 1, Chapter 228, O.S.L. 1975 (22 O.S. Supp. 1976, Section 196); changing circumstances that permit arrests without warrants; and providing an effective date.

SB 328 — By Lambert.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1021; prohibiting certain indecent or obscene acts; providing for liberal enumeration of such prohibitions; providing for additional prohibited acts; and providing penalties.

SB 329 — By Grantham and Howell of the Senate and Holt and Conaghan of the House.

An Act relating to public finance; repealing Sections 1 through 7, Chapter 11, O.S.L. 1976 (62 O.S. Supp. 1976, Sections 571 through 577), relating to proceeds of bond issues.

SB 330 — By Wolfe of the Senate and Fitzgibbon and Matheson of the House.

An Act relating to intoxicating liquors; amending 37 O.S. 1971, Sections 540, 541, 543, 545, 546, 547, 549, 550 and 553; changing tax stamp method of evidencing payment of tax on intoxicating liquors; making certain requirements of wholesalers; providing for tax credit to suppliers; authorizing refunds and prescribing procedures therefor; authorizing adoption of rules and regulations; requiring reports; defining contraband and providing for examination

of licensed premises; providing for hearings; prescribing penalties; levying excise tax on alcoholic beverages and providing for payment thereof; repealing 37 O.S. 1971, Sections 544 and 558; providing operative date; and declaring an emergency.

SB 331 — By Martin of the Senate and Craighead of the House.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 2-210, as amended by Section 4, Chapter 291, O.S.L. 1976 (63 O.S. Supp. 1976, Section 2-210); listing Schedule IV controlled substances; authorizing exceptions of certain listed drugs by Board of Pharmacy; adding dextropropoxyphene to Schedule IV; and declaring an emergency.

SB 332 — By Stipe.

An Act relating to public health and safety; amending 63 O.S. 1971, Section 1058, as amended by Section 1, Chapter 97, O.S.L. 1974 (63 O.S. Supp. 1976, Section 1058); providing for appointment of commissioners of a housing authority; providing for terms of office, vacancies and qualification; modifying certain compensation; providing for conduct of meetings; and providing for employment of certain personnel.

SJR 25 — By Cate.

A Joint Resolution relating to the Oklahoma Medical Research Foundation; directing the Board of Public Affairs to convey a certain parcel of land to the Foundation; providing a land description; providing certain qualifications; and declaring an emergency.

SJR 26 — By Terrill, Lane and Watson of the Senate and Matheson of the House.

A Joint Resolution directing the Board of Trustees of the University Hospital to establish a tax-exempt foundation to exist for the benefit of the University Hospital; specifying powers of the foundation; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 313 — Criminal Jurisprudence.

SB 314 — Revenue and Taxation and then to County, State and Federal Government.

SB 315 — Appropriations and Budget.

SB 316 — Judiciary and then to County, State and Federal Government.

SB 317 — Professions and Occupations.

SB 318 — Judiciary.

SB 319 — Insurance.

SB 320 — Professions and Occupations.

SB 321 — Criminal Jurisprudence.

SB 322 — Banks and Banking.

SB 323 — Criminal Jurisprudence.

HB 1067 — Appropriations and Budget.

HB 1335 — Criminal Jurisprudence.

HB 1347 — Insurance and then to County, State and Federal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1090, 1110, 1141, 1287, 1304, 1321 and 1322.

HB 1090 — By Hammons and Frates of the House and Randle of the Senate.

An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 138; establishing a deposit formula for assets of the State Insurance Fund; vesting the Board of Managers with certain powers and duties relating to deposit of assets; limiting investment or loan of such assets; providing other matters properly relating thereto; directing codification; and declaring an emergency.

HB 1110 — By Sanders.

An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 1367, as amended by Section 1, Chapter 176, O.S.L. 1974, and 1368, as amended by Section 1, Chapter 305, O.S.L. 1974 (59 O.S. Supp. 1976, Sections 1367 and 1368); pro-

viding for licenses and fees for psychologists; and providing for an increase in such fees.

HB 1141 — By Miskelly, Davis (Don) and Wickersham of the House and Crow and Randle of the Senate.

(Oklahoma Arts and Humanities Council — Appropriation — Emergency).

HB 1287 — By Lawter.

An Act relating to insurance; amending 36 O.S. 1971, Section 3629; requiring insurer to furnish proof of loss forms; adding requirement that insurer submit written settlement offer within specified time; adding provision allowing costs to prevailing party and defining prevailing party; and setting an effective date.

HB 1304 — By Abbott, Draper and Duckett.

An Act relating to schools; amending 70 O.S. 1971, Section 16-102, as amended by Section 3, Chapter 99, O.S.L. 1976 (70 O.S. Supp. 1976, Section 16-102); providing for meetings of the State Textbook Committee; requiring the selection of certain textbooks; increasing the number of books to be selected; and declaring an emergency.

HB 1321 — By Rogers and Hammons of the House and Cate of the Senate.

An Act relating to contracts; amending 15 O.S. 1971, Sections 598.2, 598.3, 598.5 and 598.7; defining terms; providing that certain practices are unfair competition and against public policy; providing procedures for obtaining relief against certain prohibited acts; providing that Attorney General may maintain certain actions; adding certain remedies; providing exceptions; adding condition for issuance of temporary injunction; providing that retailer or wholesaler may sell below cost in certain cases; repealing 15 O.S. 1971, Sections 598.4 and 598.10; and declaring an emergency.

HB 1322 — By Craighead, Nance, Hammons, Henry, Arnold, Cowan, Cummings, Duckett, Baughman, Steward, Riggs, Wickersham, McCaleb, Hastings and Hood of the House and Crow of the Senate.

An Act relating to revenue and taxation; defining solar energy device; providing for a tax credit therefor; requiring an itemized accounting of certain costs; requiring certain inspections; authorizing the carrying forward of the tax credit to subsequent years under certain conditions; providing for the filing of joint returns; providing for depreciation and amortization; providing an expiration date; prohibiting public utility rate increases or surcharges under certain circumstances; directing codification; and providing an effective date.

The above numbered HBs were read for the first time.

PENDING SENATE ACTION — RESOLUTION

HCR 1008, introduced on page 331, was called up for consideration.

Senator Shatwell asked to be made a co-author of **HCR 1008**, which was the order.

HCR 1008, as coauthored, was read at length, adopted upon motion of Senator Field, properly signed and ordered returned to the Honorable House.

BILL REFERRED

Senator Kilpatrick asked unanimous consent, which was granted, that **HB 1170** be referred to the committee on Business, Industry and Labor Relations in addition to the committee on Education, Common.

GENERAL ORDER

SB 7 by Capps of the Senate and Wickersham and Bradshaw of the House was read and considered.

Senators Lamb, Giles, Field and Berrong asked to be made coauthors of **SB 7**, which was the order.

Senator Murphy moved to amend **SB 7**, Page 5, Line 14½, by inserting a new subsection (b) as follows and renumbering all subsequent subsections accordingly:

“(b) No application for spacing a land area for a gas well shall be considered unless the applicant or applicants possess an interest in the land area proposed to be spaced, said interest in land to be either as a lessee of an oil and gas lease covering the land area to be spaced or the owner of a mineral interest covering the land area to be spaced.”,

which amendment was declared adopted.

Upon motion of Senator Capps, **SB 7**, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, **SB 7**, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 7 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Lutton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Nay: Green, Keller and Wolfe.—3.

Excused: Cate, Keating, Porter and Stipe.—4.

The bill and emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Green moved that the vote be reconsidered whereby SB 7 passed.

Senators Cate and Porter asked to be shown present, which was the order.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1220 and HJR 1006.

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 passage of and returning Engrossed SBs 91 and 93, as amended.

HOUSE AMENDMENTS

HAs to SB 91 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 91 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 93 were read as follows and consideration deferred.

Authors: Add the following coauthor: WICKERSHAM of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 93 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 86, 239, 243 and 272 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 6 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SJR 1 by Lambert, Birdsong and Kilpatrick of the Senate and Hood of the House was read and considered.

Senators York, Smith, Clifton, Funston, Boatner and Shatwell asked to be made co-authors of SJR 1, which was the order.

Senator Dawson moved to amend SJR 1, Page 4, Line 16, by striking all words on that line and through the word "and" on Line 17 and by adding on Line 17 after the word "prescribe" the following: "for those persons convicted of three felonies arising out of separate and distinct transactions", which amendment was withdrawn upon the unanimous consent request of Senator Dawson.

Senator Lambert moved to amend SJR 1, Pages 4 and 5, by striking all of Lines 16,

17 and 18 on Page 4 and all of Lines 1 and 2 on Page 5 and substituting therefor: "shall have the authority to prescribe for those persons convicted of three felonies arising out of separate and distinct transactions minimum mandatory period of confinement which must be served prior to being eligible to be considered for parole", which amendment was declared adopted.

Senator Howell moved to amend SJR 1, Page 2, Line 6, by adding after the word "a" and before the word "Pardon" the words "full time", which amendment was withdrawn upon the unanimous consent request of Senator Howell.

Senator Crow presiding.

Senator Smith moved to amend SJR 1, Page 2, Line 10, by inserting after the word "successor" and before the word "The" the following: "An attorney member of the Board shall be prohibited from representing in the courts of this State persons charged with felony offenses.", which amendment was declared adopted.

Senator Keller moved to amend SJR 1, Page 3, Line 11, by substituting the word "two" for the word "three" and by conforming the remainder of said Resolution thereto.

Senator Grantham moved to table the Keller amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe and Young.—34.

Nay: Birdsong, Boatner, Capps, Funston, Helm, Keller, Kilpatrick, Lamb, Pierce, Shatwell, Watson and York.—12.

Excused: Keating and Stipe.—2.

Senator Cate moved to amend SJR 1, Page 3, Line 13, by adding after the word "transactions" and before the word "minimum" the following: "at least one of which constituted a violent crime against a person,".

Senator Lambert moved to table the Cate amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Clifton, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, McDaniel, Martin, Pierce, Rozell, Schuelein, Shatwell, Taliaferro, Tinsley, Watson and York.—27.

Nay: Butler, Cate, Crow, Dahl, Dawson, Howell, Lane, Luton, McCune, Murphy, Porter, Randle, Smith, Terrill, Vann, Wadley, Wolfe and Young.—18.

Excused: Capps, Keating and Stipe.—3.

Senators Smith and Lambert moved to amend SJR 1, Page 5, Line 2, by inserting after the word "parole" and before the word "be" the following: "and prohibiting attorney members of the Board from representing persons charged with felonies", which amendment was declared adopted.

Upon motion of Senator Lambert, SJR 1, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SJR 1, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Lamb presiding.

Senator Cate questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

SJR 1, was read for the third time at length, as follows:

SJR 1 — By Lambert, Birdsong, Kilpatrick, York, Smith, Clifton, Funston, Boatner and Shatwell of the Senate and Hood of the House.

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 Oklahoma Constitution relating to the powers and duties of the Pardon and Parole Board and the Governor concerning commutations, pardons and paroles; authorizing the Legislature to prescribe minimum and maximum terms of imprisonment for all criminal offenses and to prescribe that no person shall be eligible for consideration by the Board for commutation, pardon or parole until such person has served the applicable mandatory minimum term of incarceration; providing ballot title; and directing filing.

Be it resolved by the Senate and the House of Representatives of the 1st Session of the 36th 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 of Section 10 of Article VI of the Constitution of the State of Oklahoma, to read as follows:

Section 10. There is hereby created a Pardon and Parole Board to be composed of five members; three to be appointed by the Governor; one by the Chief Justice of the Supreme Court; one by the Presiding Judge of the Criminal Court of Appeals or its successor. **AN ATTORNEY MEMBER OF THE BOARD SHALL BE PRO-**

HIBITED FROM REPRESENTING IN THE COURTS OF THIS STATE PERSONS CHARGED WITH FELONY OFFENSES. The appointed members shall hold their office coterminous with that of the Governor and shall be removable for cause only in the manner provided by law for elective officers not liable to impeachment. It shall be the duty of the Board to make an impartial investigation and study of applicants for commutations, pardons or paroles, and by a majority vote make its recommendations to the Governor of all deemed worthy of clemency.

The Governor shall have the power to grant, after conviction and after favorable recommendation by a majority vote of the said Board, commutations, pardons and paroles for all offenses, except cases of impeachment, upon such conditions and with such restrictions and limitations as he may deem proper, subject to such regulations as may be prescribed by law. **THE LEGISLATURE SHALL HAVE THE AUTHORITY TO PRESCRIBE FOR THOSE PERSONS CONVICTED OF THREE FELONIES ARISING OUT OF SEPARATE AND DISTINCT TRANSACTIONS MINIMUM MANDATORY PERIODS OF CONFINEMENT WHICH MUST BE SERVED PRIOR TO BEING ELIGIBLE TO BE CONSIDERED FOR PAROLE.** The Governor shall have power to grant after conviction, reprieves, or leaves of absence not to exceed sixty days, without the action of said Board.

He shall communicate to the Legislature, at each regular session, each case of reprieve, commutation, parole or pardon, granted, stating the name of the convict, the crime of which he was convicted, the date and place of conviction, and the date of commutation, pardon, parole and reprieve.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as 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 10 of Article VI of the Constitution of the State of Oklahoma to provide that the Legislature shall have the authority to prescribe for those persons convicted of three (3) felonies arising out of separate and distinct transactions a minimum mandatory period of confinement which must be served prior to being eligible for parole and prohibiting attorney members of the Board from representing persons charged with felonies

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ YES, FOR THE AMENDMENT

☐ NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the effective date of this Resolution, prepare and file on 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. This 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 at the next statewide election for their approval or rejection as and in the manner provided by law.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—42.

Nay: McCune, Porter, Wolfe and Young.—4.

Excused: Keating and Stipe.—2.

The resolution was declared passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Stipe moved that the vote be reconsidered whereby SJR 1 passed.

Senator Boatner presiding.

GENERAL ORDER

SB 39 by Smith and Dawson of the Senate and Townsend of the House was read and considered.

Upon motion of Senator Smith, SB 39 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 39 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 39 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, But-

ler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Capps, Keating and Stipe.—3.

The bill and emergency passed.

SB 39 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 141 were called up for consideration.

Upon motion of Senator Keller, the Senate concurred in HAs to SB 141.

SB 141, as amended by the Honorable House, was read at length.

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

Aye: Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—34.

Nay: Boatner, Crow, Howell, Johnson, Lane, Rozell, Schuelein and Young.—8.

Excused: Berrong, Capps, Howard, Keating, Porter and Stipe.—6.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

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

GENERAL ORDER

SB 190 by Dahl, Holden, Capps, Taliaferro, Giles, Vann and McDaniel was read and considered.

Senator Funston moved to amend SB 190, Page 5, Lines 13 and 14, by restoring the stricken word and striking the word "elementary", which amendment was declared adopted.

Senator Crow moved to amend SB 190, Page 10, Line 5½, by adding a new subsection as follows:

"h. Notwithstanding any other provision of this section, any farmer who applies pesticide or herbicide for hire shall be regarded as a private applicator.",

which amendment was declared adopted.

Upon motion of Senator Dahl, SB 190, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 190, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 190 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Field, Giles, Grantham, Green, Howard, Keller, Kilpatrick, Lambert, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—30.

Nay: Crow, Dawson, Funston, Helm, Holden, Howell, Johnson, Lamb, Lane, Luton, McCune, Pierce, Schuelein, Smith, Wolfe and Young.—16.

Excused: Capps and Keating.—2.

The bill passed.

SB 190 was referred for engrossment.

RESOLUTION

Senator Randle introduced the following Resolution, consideration of which was deferred for this legislative day.

SR 7 — By Randle and Smith.

A Resolution naming former Senator Ed Bradley, of Tulsa, as "Honorary Leprechaun of the Oklahoma State Senate" in observance of St. Patrick's Day, March 17, 1977; expressing appreciation and best wishes; and directing distribution.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, March 17, 1977, at 12:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 4:40 p.m. to meet Thursday, March 17, 1977, at 12:30 p.m.



Forty-third Legislative Day

Thursday, March 17, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Berrong, Butler, Clifton, Keating and Taliaferro.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Patterson and incorporated into the Journal upon request of Senator Luton.

Our Father, which art in Heaven, hallowed by Thy Name.

We thank You for the great love where-with You loved us, that, while we were yet sinners, Christ died for us.

We thank You that as many as receive the Lord Jesus Christ to them You have

given the power to become the sons of God, even to them that believe in His Name.

We thank You that if any man be in Christ Jesus he is a new creation; old things are passed away; behold all things are become new.

We thank You that because of this regeneration relationship we can call You our Father and have this great privilege of prayer.

We would be still now and listen to Thy voice as Thou dost speak to us. We come assured that Thou art ready to meet us at our point of deepest need.

There are decisions to be made which affect not only our lives, but the lives of others.

Help us, O God, to know and experience that the fear of the Lord is the beginning of wisdom.

Give us knowledge, wisdom and integrity to understand that many things cannot be legislated.

As we go from this Senate Chamber back to our homes and churches, help us to pray and work for a Heaven-sent Holy Ghost revival which would do more than many acts of legislation.

O Lord, Thou hast said, "If my people

who are called by my Name shall HUMBLE themselves and PRAY and SEEK my face and TURN from their wicked ways, THEN will I HEAR from Heaven and will FORGIVE their sin, and will HEAL their land."

Grant mercies in travel to our homes and hear and answer our prayer, through Jesus Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Dahl introduced John G. Matt, M.D., Barnsdall, as Doctor of the Day.

Senators Pierce and Schuelein introduced Carolyn Simmons, R.N., Vinita, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 219 — Business, Industry and Labor Relations, as coauthored by Schuelein, and be referred to Committee on Rules by previous order.

SB 292 — Business, Industry and Labor Relations, and be referred to Committee on Agriculture by previous order.

HB 1166 — Appropriations and Budget.

HB 1211 — Municipal Government, as coauthored by Kilpatrick and York of the Senate and be referred to Committee on Public and Mental Health by previous order.

HB 1262 — Municipal Government, as coauthored by Watson of the Senate, and be referred to Committee on County, State and Federal Government by previous order.

HB 1332 — Elections and Privileges.

HB 1357 — Elections and Privileges.

DO PASS, as amended:

SB 118 — Business, Industry and Labor Relations, as coauthored by Kilpatrick.

CS for SB 174 — Public and Mental Health, and be referred to Committee on Municipal Government by previous order.

SB 231 — Criminal Jurisprudence, as coauthored by Lambert and Shatwell of the Senate and Elder and Henry of the House.

SB 292 — Agriculture.

FIRST READING

The following were introduced and read the first time.

SB 333 — By Lambert.

An Act relating to crimes and punishments; repealing 21 O.S. 1971, Section 41, which prohibits conviction for attempt where crime is perpetrated.

SB 334 — By Lambert.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 51, as amended by Section 1, Chapter 94, O.S.L. 1976 (21 O.S. Supp. 1976, Section 51); providing punishments for second and subsequent offenses; and providing for effective date.

SB 335 — By Terrill of the Senate and Atkins of the House.

An Act relating to child abuse; amending 21 O.S. 1971, Sections 843, as amended by Section 2, Chapter 250, O.S.L. 1975, 846, as last amended by Section 2, Chapter 98, O.S.L. 1975, and 847 (21 O.S. Supp. 1976, Sections 843 and 846); criminalizing child abuse; setting penalties; increasing age of child to eighteen; requiring and setting procedures for reporting of child abuse; additionally requiring appointment of guardian ad litem who is an attorney to represent child and prescribing duties of

guardian ad litem; granting immunity to persons making reports in good faith with due care; adding liability for wilful or reckless making of false reports; and setting an effective date.

SB 336 — By Funston.

An Act relating to children; declaring legislative intent; defining terms; granting specified economic incentives to certain adoptive parents of hard-to-place children; and directing codification.

SB 337 — Dawson of the Senate and Matheson of the House.

An Act relating to state government; regulating lobbying practices in Oklahoma; defining terms; requiring certain persons to register and making exclusions; specifying information required for registration; requiring reports of registrants and specifying contents; providing method for notifying of termination of activities registered; providing record procedures; prohibiting certain practices and providing penalties; providing for enforcement; repealing 21 O.S. 1971, Sections 313 and 314; directing codification; providing for severability; and providing effective date.

SB 338 — By York.

An Act relating to public health; authorizing the providing of certain hospital records to licensed chiropractors under certain conditions.

SB 339 — By Howell of the Senate and Davis (Don) and Johnston of the House.

An Act relating to insurance; amending 36 O.S. 1971, Sections 308 through 310; modifying procedure for examination of domestic document insurers; providing for examinations of foreign insurers; providing for certain expenses; specifying certain penalties; and modifying provisions for certain examination reports.

SB 340 — By Howell of the Senate and Davis (Don) and Johnston of the House.

An Act relating to insurance; prohibiting the appointment of certain personnel in delinquency proceedings, under certain conditions; prohibiting a company's acquisition of interest in an insurer, under certain conditions; and directing codification.

SB 341 — By Howell of the Senate and Davis (Don) and Johnston of the House.

An Act relating to insurance; requiring approval of costs incident to the conduct of certain delinquency proceedings by a full court hearing; and directing codification.

SB 342 — By Howell of the Senate and Davis (Don) and Johnston of the House.

An Act relating to insurance; amending 36 O.S. 1971, Sections 301, 307, as amended by Section 1, Chapter 162, O.S.L. 1972, and Sections 1, 3 through 8, 10, 11 and 14, Chapter 316, O.S.L. 1975, and 1801 through 1811, 1813 through 1815, 1822 through 1824, 1826, 1827, 1829, 1830 and 1833 through 1835, as renumbered by Section 12, Chapter 316, O.S.L. 1975 (36 O.S. Supp. 1976, Sections 307, 1801, 1803 through 1808, 1810 through 1812, 1901 through 1911, 1913 through 1915, 1922 through 1924, 1926, 1927, 1929, 1930 and 1933 through 1935); creating an Insurer Delinquency Board; providing for membership, terms, powers and duties; expanding composition of the Insurance Department; providing for certain delinquency proceedings; modifying powers and duties of the Insurance Commissioner with regard to the conduct of such proceedings; modifying certain legislative findings and purposes; modifying definitions; directing codification; and providing an effective date.

SB 343 — By Howell.

An Act relating to insurance; prohibiting the appointment of certain personnel in delinquency proceedings, under certain conditions; prohibiting a company's acquisition of interest in an insurer, under certain conditions; and directing codification.

SB 344 — By Capps of the Senate and Bradshaw of the House.

An Act relating to oil and gas; providing for the release of certain land subject to an oil and gas lease; providing certain criteria; and declaring an emergency.

UNANIMOUS CONSENT REQUEST

Senator Cate asked unanimous consent, which was granted, that when SJR 25 is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 324 — Judiciary.

SB 325 — Criminal Jurisprudence.

SB 326 — Revenue and Taxation and then to County, State and Federal Government.

SB 327 — Criminal Jurisprudence.

SB 328 — Criminal Jurisprudence.

SB 329 — Education, Common.

SB 330 — Revenue and Taxation.

SB 331 — Public and Mental Health.

SB 332 — Municipal Government.

SJR 25 — Direct to Calendar.

SJR 26 — Education, Higher.

HB 1090 — Insurance and then to County, State and Federal Government.

HB 1110 — Professions and Occupations.

HB 1141 — Appropriations and Budget.

HB 1287 — Insurance.

HB 1304 — Education, Common and then to County, State and Federal Government.

HB 1321 — Business, Industry and Labor Relations.

HB 1322 — Revenue and Taxation.

PENDING SENATE ACTION — RESOLUTION

SR 7, introduced on page 363, was called up for consideration.

Senator Field asked to be made a coauthor of SR 7, which was the order.

Senator Randle asked unanimous consent that all other Senators be made coauthors of SR 7, which was the order.

SR 7, as coauthored, was read at length as follows, adopted upon motion of Senator Randle and ordered referred for enrollment.

SR 7 — By Randle, Smith, Field, Berong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.

A Resolution naming Former Senator Ed Bradley, of Tulsa, as "Honorary Leprechaun of the Oklahoma State Senate" in observance of St. Patrick's Day, March 17, 1977; expressing appreciation and best wishes; and directing distribution.

WHEREAS, in Ireland and in all countries where true sons of Erin reside, the date of March 17 is set aside in commemoration of the death of St. Patrick, Ireland's beloved patron saint; and

WHEREAS, St. Patrick's Day is celebrated the world over with great joy and the gayest of ceremonies, including parades; speeches; religious observances; and the "wearin' of the green"; and the wearing of the shamrock, which, through its use by St. Patrick in his religious ministry, has been endeared to millions of people, past and present; and

WHEREAS, former Senator Ed "Faith and Begorrah" Bradley, who served the people of his district and state faithfully

and diligently as a member of the House of Representatives in the 27th and 28th Legislatures, epitomizes the spirit of the worldwide observances commemorating Ireland's beloved St. Patrick and evokes, through his very presence, images of the Blarney Stone and wearin' of the green and the shamrock.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. Former Senator Ed Bradley of Tulsa, our beloved friend and former colleague, shall be and hereby is designated as "Honorary Leprechaun of the Oklahoma State Senate" in observance of St. Patrick's Day, March 17, 1977.

SECTION 2. Former Senator Bradley shall be and hereby is officially recognized as a foremost son of Erin in the truest sense of that term and, in his life and works, as a person who has earned the love and respect of those who have been honored to know and work with him.

SECTION 3. The best wishes of this body shall be and hereby are extended to former Senator Ed Bradley for good health and boundless happiness and may he as a true leprechaun continue as an active influence for joy, good cheer and happiness for another 200 years in honor of his being named Leprechaun of the Oklahoma State Senate.

SECTION 4. A copy of this Resolution shall be presented to former Senator Bradley as a token of our high esteem and affection.

RESOLUTIONS

Senator Grantham introduced the following Resolution:

SCR 10 — By Grantham of the Senate and Elder of the House.

A Concurrent Resolution setting procedure for drafting a Uniform Class Actions Act for adoption by the Legislature.

SCR 10 was read at length, adopted upon motion of Senator Grantham and ordered referred for engrossment.

Senator Grantham introduced the following Resolution:

SCR 11 — By Grantham of the Senate and Elder of the House.

A Concurrent Resolution setting procedure for establishing a uniform system of recordkeeping in the court clerks' offices and standardizing forms for judicial proceedings in the district courts.

SCR 11 was read at length, adopted upon motion of Senator Grantham and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1012, 1091, 1351, 1356, 1360 and 1397.

HB 1012 — By Parris.

An Act relating to state officers and employees; amending 74 O.S. 1971, Section 452; describing duties of Legislative Council; creating divisions therein; providing for duties and responsibilities of the divisions; expanding duties of Legal Services Division to include preparation of procedural manuals for certain professions and occupations; prohibiting certain reproduction of statutes; directing codification; and declaring an emergency.

HB 1091 — By Hammons of the House and Wadley of the Senate.

An Act relating to county officers; amending 19 O.S. 1971, Sections 542, 545 and 547, and 28 O.S. 1971, Sections 40 and 41; modifying the appointment, number, designation, compensation and travel ex-

penses of certain personnel; changing the disposition of certain fees; modifying the preparation and approval of certain reports and statements; providing for the service of process and other work out of the sheriff's office; repealing 19 O.S. 1971, Section 541, and 28 O.S. 1971, Section 39.4; and declaring an emergency.

HB 1351 — By Davis (Guy).

An Act relating to cemeteries; amending 8 O.S. 1971, Section 203; providing for creation of State Burial Board; providing for appointment of membership and election of officers; providing certain rules regarding meetings and seal; and providing for surety bond.

HB 1356 — By Campbell of the House and Terrill of the Senate.

An Act relating to the inspection of certain institutions; amending 19 O.S. 1971, Section 741, 63 O.S. 1971, Section 474, and 74 O.S. 1971, Sections 179 and 180; providing certain inspection duties and powers to State Commissioner of Health; granting subpoena and investigatory powers to State Commissioner of Health; directing codification; and providing an effective date.

HB 1360 — By Rogers.

An Act relating to labor; amending 40 O.S. 1971, Section 213, as amended by Section 1, Chapter 302, O.S.L. 1974 (40 O.S. Supp. 1976, Section 213); modifying criteria and procedures for determining eligibility for certain benefits and training; and declaring an emergency.

HB 1397 — By Riggs, et al, of the House and Terrill of the Senate.

An Act relating to state government; providing for the inspection of city and county jail facilities by the Commissioner of Charities and Corrections; establishing guidelines for jail inspection standards; requiring Commissioner to initiate prosecution of criminal offenses revealed by said inspections; exempting certain fa-

cilities under enumerated conditions; providing for the publication and distribution of jail standards for the operation of jail facilities; providing for reports of results of inspections and publication of certain reports; providing for employment of inspectors and necessary personnel; allowing certain governmental entities to contract for certain services; making provisions of act applicable to successor agencies of Commissioner; directing codification; providing effective date; and declaring an emergency.

The above numbered HBs were read for the first time.

UNANIMOUS CONSENT REQUEST

Senator Crow asked unanimous consent, which was granted, that the members of the Appropriations and Budget Committee be excused from the Chamber to attend an important meeting of said committee.

Senator Smith presiding.

SPECIAL COMMITTEE REPORT

Senator Howell submitted the final report of the Special Committee on Insurance Receivership and Conservatorship Fees on behalf of the Committee which had been created by the Executive Committee of the Legislative Council on September 24, 1976, on a recommendation of the Judiciary Committee.

UNANIMOUS CONSENT REQUEST

Senator Crow asked unanimous consent, which was granted, that Senate Rule 7(p) be suspended so that the Senate might consider HB 1166 at this time.

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

GENERAL ORDER

HB 1166 by Miskelly and Davis (Don) of

the House and Crow and Randle of the Senate was read and considered.

Senator Funston moved to amend HB 1166, Pages 1 through 5, by striking Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 and 13 and renumbering the remaining sections.

Senator Crow moved to table the Funston amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Giles, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley and York.—26.

Nay: Dawson, Field, Funston, Green, Helm, Keller, Lamb, McCune, Murphy, Pierce, Randle, Vann, Watson, Wolfe and Young.—15.

Excused: Berrong, Butler, Clifton, Keating, Porter, Taliaferro and Wadley.—7.

THIRD READING

HB 1166 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Crow, Dahl, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann and York.—32.

Nay: Boatner, Dawson, Field, Funston, Keller, Murphy, Watson, Wolfe and Young.—9.

Excused: Berrong, Butler, Clifton, Keating, Porter, Taliaferro and Wadley.—7.

The bill and emergency passed.

HB 1166 was ordered withheld pursuant to Rule 19(f).

Senator Luton presiding.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 80, as amended.

HOUSE AMENDMENTS

HAs to SB 80 were read as follows and consideration deferred.

Amendment No. 1. Restore the Title to read as follows:

“An Act relating to the State Emergency Fund and making an appropriation thereto; stating the purpose; making appropriation nonfiscal; making provisions of this act severable; and declaring an emergency.”

Amendment No. 2. Amend Page 1, Line 21, by striking the Enacting Clause.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 8, as coauthored by all members of the House.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1008.

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

GENERAL ORDER

SB 202 by Howell of the Senate and Davis (Don) of the House was read and considered.

Senator Lamb presiding.

Senator Cate moved to amend SB 202, Page 2, Line 12½, by adding new Sections 3, 4, and 5 as follows and by renumbering subsequent sections:

"SECTION 3. A. Words and phrases used in the Banking Code shall have the following meanings unless qualified otherwise by context.

1. "Extended facility" means a facility or banking location owned or leased by a bank which is located within the county in which the home office is located and for which the bank has obtained an extended facility permit from the Oklahoma Banking Board.

2. "Home office" of a bank means the place designated in its Charter or Certificate of Organization.

B. Any bank chartered under the laws of this state may, subject to the approval of the Oklahoma Banking Board as evidenced by its certificate, in addition to any other facility now in valid operation under and in accordance with applicable statutes of this state prior to or subsequent to the adoption of the Banking Code, maintain and operate one "extended facility" which must be located within both the city limits and county in which the bank's home office is located, at which the bank may conduct any banking function save that of making loans.

1. In addition to the one extended facility that may be located within the city limits and county of the bank's home office, in counties having a population of less than two hundred fifty thousand (250,000) per-

sons according to the latest Federal Decennial Census, banks may establish an extended facility in other incorporated areas of that county which do not have a home office of an existing bank. Continued operation of the extended facility would be permitted in such other incorporated area even though a bank charter be subsequently granted to another bank.

2. No bank may install more than one extended facility during any calendar year.

3. No bank may install an extended facility within one thousand (1,000) feet of the home office of an existing bank.

C. The application for a certificate to maintain and operate an extended facility shall comply with the regulations of the Board. Within thirty (30) days after receipt of the application the Commissioner shall report the results of his investigation to the Board. Notice of hearing on the application shall be given in compliance with subsections C, D and E of Section 306 of Title 6 of the Oklahoma Statutes. Within twenty (20) days after the conclusion of the hearing, the Board shall, in its sole discretion, approve or deny the application and shall notify the applicant of its decision. The application for a certificate shall be accompanied with a fee of Five Hundred Dollars (\$500.00) payable to the Department to cover the expenses of investigation and hearing.

D. A violation of any portion of this section shall be and constitute a misdemeanor punishable upon conviction by a fine not exceeding Five Hundred Dollars (\$500.00). Each day's violation shall constitute a separate offense.

SECTION 4. 6 O.S. 1971, Section 415, as amended by Section 1, Chapter 132, O.S.L. 1971, and 6 O.S. 1971, Section 415, subsection A, as amended by Section 11, Chapter 352, O.S.L. 1971, are hereby repealed.

SECTION 5. This act shall become effective October 1, 1977."

Senator Howell moved to table the Cate amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Stipe, Tinsley, Watson, Wolfe and York.—33.

Nay: Cate, Helm, McCune, Pierce, Vann, Wadley and Young.—7.

Excused: Berrong, Butler, Clifton, Keating, Porter, Smith, Taliaferro and Terrill.—8.

Upon motion of Senator Howell, SB 202 was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 202 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 202 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—37.

Nay: Funston, Helm and McCune.—3.

Excused: Berrong, Butler, Clifton,

Keating, Porter, Smith, Taliaferro and Terrill.—8.

The bill and emergency passed.

SB 202 was referred for engrossment.

COMMUNICATION

The following communications were read at the request of Senator Howard.

By Jerry Scarbrough
Associated Press Writer

OKLAHOMA CITY AP — Former prosecutor Frank Grayson, who was fired from his state job on Gov. David Boren's orders, said today the governor's prison reform program means nothing unless people who have paid their debts to society are allowed to lead productive lives.

Grayson, a former district attorney for Ottawa and Delaware counties who served a federal prison term for being involved in an interstate conspiracy to promote gambling and prostitution, was fired Tuesday from his job with the State Welfare Department.

State Welfare Director L. E. Rader said he fired Grayson because Boren ordered the firing. Rader also said he employed Grayson because Senate President Pro Tem Gene Howard, D-Tulsa, recommended him.

Grayson said Boren's action was taken primarily to try to embarrass Howard and get good publicity.

Grayson, in a telephone call to The Associated Press, made this statement:

"It is unfortunate that Gov. Boren has used my efforts to rehabilitate myself and feed my family to his advantage. I very much resent his direction that I be fired because I served time in a federal prison.

"No state law forbids my employment.

"Although I have always maintained my innocence, I was adjudged guilty. As a result, I resigned my position as district attorney, my wife divorced me, the State Supreme Court disbarred me, my health was broken and I spent several months in Leavenworth Prison.

"I believe that I paid my debt to society in full. I did not secure my position with the department through political influence. I made one of the highest scores on the merit examination in the history of the State of Oklahoma.

"I earned every penny of my salary and was faithful to the trust placed in me by the department. I asked for no special favors and received none.

"Although Mr. Rader denied meeting me, the fact is that he personally interviewed and hired me. Mr. Rader knew of my conviction when I was hired. He did not do this because Sen. Howard pressured him.

"I was present when Mr. Rader telephoned Sen. Howard and asked him to write a letter recommending me. In retrospect, it appears Mr. Rader was protecting himself in the event my employment caused him embarrassment.

"Gov. Boren pledged prison reform. Governor, prison reform means nothing unless men and women who have paid their price to society are again able to work and earn an honorable living with dignity.

"That you sought to exploit my personal tragedy because of the pique with Sen. Howard lessens you, not me. It is no honor to you that you seek to embarrass a man who gave me a hand up, not a hand out, simply because he will not always do your bidding.

"You could have caused my dismissal by letting me know about it other than in

the press. By this small and graceless act, you have wounded me personally and probably removed forever all chance for me for further employment in Oklahoma.

"If you can sleep at night after this, then you are a man with no compassion."

Rob Pyron, Boren's press secretary, said the governor would have no additional comment on the Grayson firing.

Boren said Wednesday he forced the firing because he believes public officials who have violated their trust should not again be employed by the public.

November 9, 1976

Mr. Lloyd Rader, Director
Department of Institutions
Sequoyah Office Building
Oklahoma City, Oklahoma

Dear Mr. Rader:

It has been brought to my attention that Frank Grayson has made application for employment with DISRS and has passed the Merit Exam with a very high grade.

In spite of the trouble that Mr. Grayson has been in, I feel he will make an exceptional employee because of his education and work experience. He has always been a dedicated employee, and I'm happy to recommend him for employment.

Very truly yours,

Gene C. Howard
President Pro Tempore

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 39 and 190 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 141 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SR 7 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 218 by Tinsley was read and considered.

Senator Tinsley moved to amend SB 218, Page 5, Line 12, by striking after the word "a" and before the word "Road" on Line 13 the words "Farm to Market and Secondary" and inserting therefor the word "County", which amendment was declared adopted.

Senator Schuelein moved to amend SB 218, Page 6, Lines 1 and 2, by striking after the word "of" on Line 1 and before the word "or" on Line 2 all language and inserting "any method, incorporating materials for either sub-base or surface course, with specifications promulgated by the State Department of Transportation," which amendment was declared adopted.

Senator Schuelein moved to amend SB 218, Pages 8 and 9, by deleting all of subsection (h) beginning on Line 14 on Page 8 and continuing through Line 10 on Page 9, which amendment was declared adopted.

Upon motion of Senator Tinsley, SB 218, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, SB 218, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 218 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Dawson.—1.

Excused: Berrong, Butler, Clifton, Howard, Keating, Porter, Smith, Taliaferro and Terrill.—9.

The bill and emergency passed.

SB 218 was referred for engrossment.

UNANIMOUS CONSENT REQUEST

Senator Crow asked unanimous consent, which was granted, that Rule 19(f) be suspended and that HB 1166 be transmitted to the House immediately.

BILL RELEASED

HB 1166 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 213 by Capps and Johnson of the Senate and Weichel of the House was read and considered.

Upon motion of Senator Capps, SB 213 was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 213 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 213 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—39.

Excused: Berrong, Butler, Clifton, Howard, Keating, Porter, Smith, Taliaferro and Terrill.—9.

The bill and emergency passed.

SB 213 was referred for engrossment.

DECLARATION OF VOTE

Senator Capps asked that the record show had he been present at the time of Third Reading and Final passage of SB 190 and SB 39 he would have voted Aye on the bills.

GENERAL ORDER

SB 253 by Stipe of the Senate and Davis (Don) of the House was read and considered.

Upon motion of Senator Stipe, SB 253 was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 253 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 253 was read for the third time at length.

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

Aye: Birdsong, Boatner, Crow, Dahl, Giles, Grantham, Holden, Howard, Kil-

patrick, Lamb, Lambert, Lane, Martin, Randle, Rozell, Shatwell, Stipe, Tinsley, Vann, Wadley, Wolfe, York and Young.—23.

Nay: Capps, Cate, Dawson, Funston, Green, Helm, Howell, Johnson, Keller, Luton, McCune, McDaniel, Murphy, Pierce, Schuelein and Watson.—16.

Excused: Berrong, Butler, Clifton, Field, Keating, Porter, Smith, Taliaferro and Terrill.—9.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Stipe moved that the vote be reconsidered whereby SB 253 failed of passage.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, March 21, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 141.

The above numbered Enrolled Bill was referred to the Governor.

Senator Luton presiding.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1166.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:00 p.m. to meet Monday, March 21, 1977, at 1:30 p.m.

Forty-fourth Legislative Day

Monday, March 21, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Excused: Crow, Howell, Keating and Wolfe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend C. J. Willis, Pastor, First United Methodist Church, Sayre, and incorporated into the Journal upon request of Senator Capps.

Father, we come to You this afternoon with thankful hearts for the many blessings which You have bestowed upon us.

Now it is our turn to bless You in return by the actions we take to do Your will here

on earth. We ask You to open our minds and hearts toward being receptive to that will.

Guide us in our deliberations that all we endeavor to do will be pleasing in Your sight. Help us to think through clearly the legislation before us, that we might strive to meet the needs of all peoples and groups.

Give us the strength to withstand temptation, that we might not yield to any person or group which does not have the best interest of the State of Oklahoma and its people in mind.

We ask these things in the name of Jesus Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Vann introduced his wife, Erma Jean, and son, Bill, to members of the Senate.

Senator Luton introduced his wife, Jody.

Senator Giles introduced William S. Harrison, M.D., Chickasha, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 216 — County, State and Federal Government.

DO PASS, as amended:

SB 96 — Appropriations and Budget, as coauthored by Pierce.

CS for SB 101 — Appropriations and Budget.

SB 110 — Appropriations and Budget.

CS for SB 111 — Appropriations and Budget, as coauthored by Boatner.

SB 112 — Appropriations and Budget.

CS for SB 244 — Education, Common.

CS for SB 249 — Education, Common, as coauthored by Grantham of the Senate and Abbott of the House.

SB 285 — County, State and Federal Government.

FIRST READING

The following were introduced and read the first time.

SB 345 — By York.

An Act relating to liens; amending 42 O.S. 1971, Section 143; providing for liens upon land or improvements by subcontractors, artisans or laborers; providing for procedures for filing of lien; providing for notice to landowners; providing for liability of landowners and payment of liens; providing an exception for owners of dwelling houses; and declaring an emergency.

SB 346 — By Lane.

An Act relating to statutes and reports; amending 75 O.S. 1971, Sections 251, 255, 304 and 308, as amended by Section 1, Chapter 289, O.S.L. 1975 (75 O.S. Supp. 1976, Section 308); providing for filing of rules and regulations; prescribing manner thereof; requiring certain publication;

providing for adoption or approval of certain rules and regulations by the Legislature for validity thereof; providing exceptions; providing that rights, privileges and interests one has gained by an agency approval shall be unaffected by subsequent legislative disapproval; and declaring an emergency.

SB 347 — By Grantham of the Senate and Elder, Conaghan and Holt of the House.

An Act relating to revenue and taxation; providing for excluding marital deduction from the gross value of the estate of a non-resident decedent during the period of February 4, 1975, to June 17, 1976; and declaring an emergency.

SB 348 — By Grantham of the Senate and Elder and Holt of the House.

An Act relating to poor persons; payment of public assistance money for any child creates a debt to Department of Institutions, Social and Rehabilitative Services; specifying limitations; granting Department right to petition for modification of support orders; providing for notice of debt and service of notice; providing for determination and assessment of liability and appeals; directing codification; and declaring an emergency.

SJR 27 — By Boatner of the Senate and Davis (Guy) of the House.

A Joint Resolution creating a Special Committee on Federal Surplus Property; providing for membership and duties; requiring transmittal of a certain proposal to members of the Legislature; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 333 — Criminal Jurisprudence.

SB 334 — Criminal Jurisprudence.

SB 335 — Criminal Jurisprudence.

SB 336 — Social Welfare.
SB 337 — Rules.
SB 338 — Professions and Occupations.
SB 339 — Insurance.
SB 340 — Insurance.
SB 341 — Insurance.
SB 342 — Insurance.
SB 343 — Insurance.
SB 344 — Oil and Gas.
HB 1012 — County, State and Federal Government.
HB 1091 — County, State and Federal Government.
HB 1351 — Professions and Occupations.
HB 1356 — Public and Mental Health and then to County, State and Federal Government.
HB 1360 — Business, Industry and Labor Relations.
HB 1397 — Public Safety and Penal Affairs.

MESSAGE FROM THE GOVERNOR

Advising approval by him, March 18, 1977, of Enrolled SB 159.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1115, 1261, 1300 and 1338.

HB 1115 — By Bengtson and Duckett. (Schools — Amending 70 O.S. 1971, Section 509.2 — Emergency).

HB 1261 — By Weichel, et al.
An Act relating to schools; creating a continuing education program for public school teachers; establishing procedures for implementation of program; and directing codification.

HB 1300 — By Whorton.
An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 52; prescribing sheriff's duties toward prisoners; and providing for sheriff's compensation.

HB 1338 — By Peterson, et al.
(Public Health and Safety — Appropriation — Emergency).

The above numbered HBs were read for the first time.

RESOLUTION

Senator Dahl introduced the following Resolution:

SCR 12 — By Dahl of the Senate and Weichel of the House.

A Concurrent Resolution relating to agriculture; making March 27 through April 2, 1977, Agriculture Week in Oklahoma; and directing distribution.

Senator Dahl asked unanimous consent that all other Senators be made coauthors of SCR 12, which was the order.

SCR 12, as coauthored, was read at length, adopted upon motion of Senator Dahl and ordered referred for engrossment.

GENERAL ORDER

SJR 25 by Cate was read and considered.

Senator Watson asked to be made a coauthor of SJR 25, which was the order.

Upon motion of Senator Cate, SJR 25, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, SJR 25, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 25 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Excused: Crow, Howell, Keating and Wolfe.—4.

The resolution and emergency passed.

SJR 25 was referred for engrossment.

Senators Wolfe and Keating asked to be shown present, which was the order.

GENERAL ORDER

SB 262 by Smith was read and considered.

Senator Smith, citing Rule 8(d), asked unanimous consent that Representative Wiseman be added as House author of SB 262, which was the order.

Senator Smith moved to amend SB 262, Page 42, Line 16½, by inserting a new Section 13 as follows and renumbering following sections:

“SECTION 13. The costs of notice including postage as required by this Act shall be certified and collected in the same manner as unpaid taxes and such costs shall be reimbursed to the certifying entity upon collection.”,

which amendment was declared adopted.

Senator Smith moved to amend SB 262, Page 42, Line 16½, by inserting a new Section 14 as follows and renumbering following sections:

“SECTION 14. The operative date of this Act shall be January 1, 1978.”,

which amendment was declared adopted.

Upon motion of Senator Smith, SB 262, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 262, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 262 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Boatner.—1.

Excused: Crow, Howard and Howell.—3.

The bill and emergency passed.

SB 262 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 202, 213 and 218 and SCRs 10 and 11 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 8 was correctly enrolled, properly

signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 62 by Murphy of the Senate and Cotner and Hammons of the House was read and considered.

Senators Berrong, Capps and Field moved to amend SB 62, Page 2, Line 2, by striking after the word "vehicle" and before the word "the", the word "and" and inserting in lieu thereof a comma; and by inserting after the word "foundation" on Line 4 of Page 2 and before the word "as" the following: "the owner of a vehicle while said vehicle is stored or is not being used on the public streets or highways of this state", which amendment was declared adopted.

Senators Stipe, Wadley and Field moved to amend SB 62, Page 1, Line 2, by striking after "(Section 7-601)" and before the word "is" all of Sections 1 through 3 and substituting therefor the words "is hereby repealed".

Senator Keller moved to table the foregoing amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Capps, Clifton, Dawson, Funston, Grantham, Green, Helm, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Vann, Watson, Wolfe and York.—24.

Nay: Berrong, Birdsong, Boatner, Butler, Cate, Dahl, Field, Giles, Holden, Lane, Luton, Martin, Porter, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley and Young.—22.

Excused: Crow and Howell.—2.

Senator Helm moved to amend SB 62,

Page 2, Line 4, by adding after the Berrong amendment the following: "provided, however, that the owner of such vehicle shall file an affidavit with the appropriate motor license agent which states that the vehicle shall not be driven upon the public highways during the uninsured period. The form of the affidavit shall be prescribed by the Oklahoma Tax Commission and shall contain blanks for the owner to specify the length of time the vehicle shall not be driven upon the public highways and any other information deemed necessary by the Tax Commission.", which amendment was declared adopted.

Senator Berrong moved to amend SB 62, Page 3, Line 7, by adding after the word "title," and before the word "shall" the following: "the owner of a mobile home while on a foundation and the owner of a vehicle while said vehicle is stored or is not being used on the public streets or highways of this state", which amendment was declared adopted.

Upon motion of Senator Murphy, SB 62, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SB 62, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 62 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Field, Giles, Green, Helm, Holden, Howard, Luton, Martin, Murphy, Randle, Schuelein, Shatwell, Terrill, Tinsley, Wolfe and Young.—21.

Nay: Boatner, Butler, Dahl, Dawson,

Funston, Grantham, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Pierce, Rozell, Smith, Stipe, Taliaferro, Vann, Wadley and Watson.—23.

Excused: Crow, Howell, Porter and York.—4.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Murphy moved that the vote be reconsidered by which SB 62 failed of passage.

GENERAL ORDER

SB 6 by Cate was read and considered.

Upon motion of Senator Cate, SB 6 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, SB 6 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 6 was read for the third time at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Howard, Keating, Kilpatrick, Lamb, Lambert, Luton, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—35.

Nay: Berrong, Boatner, Green, Holden, Johnson, Keller, Lane, McCune, McDaniel and Randle.—10.

Excused: Crow, Howell and Porter.—3.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Boatner moved that the vote be reconsidered by which SB 6 passed.

GENERAL ORDER

SB 263 by McCune of the Senate and Craighead of the House was read and considered.

Upon motion of Senator McCune, SB 263 was advanced to engrossment.

By unanimous consent, upon request of Senator McCune, SB 263 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator McCune asked unanimous consent to amend SB 263, Page 2, Line 14, by inserting after the word "hair" the words "or body", which was the order.

Senator Smith presiding.

SB 263 was read for the third time at length.

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

Aye: Berrong, Butler, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, McCune, McDaniel, Martin, Randle, Rozell, Schuelein, Shatwell, Smith, Tinsley, Vann, Wolfe and Young.—31.

Nay: Birdsong, Boatner, Capps, Cate, Lambert, Luton, Murphy, Pierce, Porter, Stipe, Terrill, Wadley and Watson.—13.

Excused: Crow, Howell, Taliaferro and York.—4.

The bill passed.

SB 263 was referred for engrossment.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day:

SCR 13 — By Stipe, Taliaferro, Watson, Shatwell, Smith, Giles, Grantham and McCune of the Senate and Peterson, Hooper, McCaleb, Hardesty, Hopkins, Bernard, Conaghan and Holaday of the House.

A Concurrent Resolution relating to the 1977 Oklahoma State "Ability Counts" Contest sponsored by the Governor's Committee on Employment of the Handicapped; congratulating and commending those students who have achieved top recognition for essays on the subject of "A Profile of Achievement: How a Handi-

capped Person Approaches Life"; and directing that a copy of this Resolution be made a part of the permanent Journals of the 1st Session of the 36th Legislature.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, March 22, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 8.

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

Upon motion of Senator Lane, the Senate adjourned at 3:20 p.m. to meet Tuesday, March 22, 1977, at 1:30 p.m.



Forty-fifth Legislative Day

Tuesday, March 22, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Excused: Berrong, Howard, Howell, Porter and Young.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Willis and incorporated into the Journal upon request of Senator Capps.

Eternal Heavenly Father, we gather this afternoon to further Your kingdom here on earth. Help us to be wise in all that we try to accomplish.

We acknowledge that we have been entrusted with a great responsibility and that we need Thy divine guidance in order to fulfill our commitment to those who placed their trust in us.

We call upon the power of Thy Holy Spirit to lead us in our debates. May Thy Spirit teach us Thy ways and Thy will in order that all that is done this day will be pleasing in Your sight.

Bless the leadership both of state and nation, and if any temptation should be pressing in upon them please grant them the strength not to yield but to rise above it.

We ask these things in the name of Jesus Christ, our Lord and Saviour, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator York introduced Louise Pound, R. N., Oklahoma City, as Nurse of the Day. Senator Cate introduced Gerardo Bustillo, M. D., Norman, as Doctor of the Day.

Senator Field introduced his wife, Velma.

Senator Terrill introduced Mrs. Elaine Taliaferro, wife of Senator Taliaferro, and their daughters, Denise and Cynthia, and asked unanimous consent, which was granted, that Denise and Cynthia be named Honorary Journal Clerks for this legislative day. Senator Terrill also noted that Denise had, for the second time, achieved the distinction of having shown

her Grand Champion Lamb in competition.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 69 — Criminal Jurisprudence.

SJR 23 — Education, Higher.

SJR 26 — Education, Higher, as coauthored by Schuelein and Murphy of the Senate.

HB 1221 — Judiciary, as coauthored by Keating of the Senate.

DO PASS, as amended:

SB 153 — Criminal Jurisprudence.

SB 266 — Criminal Jurisprudence.

CS for SB 287 — Education, Higher, as coauthored by Crutcher of the House.

SB 289 — Judiciary, as coauthored by Clifton and Green of the Senate and Abbott and Townsend of the House.

SB 293 — Education, Higher, as coauthored by Watson, and be referred to Committee on Appropriations and Budget by previous order.

SB 323 — Criminal Jurisprudence.

SB 324 — Judiciary, as coauthored by Hood of the House.

SB 327 — Criminal Jurisprudence.

SB 328 — Criminal Jurisprudence.

FIRST READING

The following were introduced and read the first time.

SB 349 — By Lambert.

An Act relating to game and fish; amending Section 4-110, Chapter 17, O.S.L. 1974, as last amended by Section 1, Chapter 25, O.S.L. 1976 (29 O.S. Supp. 1976, Section 4-110); requiring a fishing license un-

der certain conditions; expanding exemptions from such a requirement; specifying certain fees; and providing penalty.

SB 350 — By Luton.

An Act relating to motor vehicles; amending 12A O.S. 1971, Section 9-302, and 47 O.S. 1971, Section 23.3; providing for filing for perfection of security interest; providing certain exceptions; expanding exceptions; restricting issuance of license plates; providing certain rules regarding titles; providing for content of forms; requiring security interest on forms and title; providing for vehicle identification numbers; providing fees; providing for certain miscellaneous requirements; and providing rules regarding perfection, release and filing of certain security interests, liens or encumbrances.

SB 351 — By Keating.

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1431; providing for and defining burglary in the first degree; expanding time when burglary in the first degree may be committed; repealing 21 O.S. 1971, Section 1440, which defines night time; and providing an effective date.

SB 352 — By Boatner.

An Act relating to wills and succession; amending 84 O.S. 1971, Section 55, as amended by Section 1, Chapter 46, O.S.L. 1976 (84 O.S. Supp. 1976, Section 55); providing formal requisites for execution of certain wills; providing for self-proved wills and codicils; and providing certain new condition upon admission to probate of certain wills.

SB 353 — By Cate.

An Act relating to the State Capital and Capitol Building; amending 73 O.S. 1971, Section 173, as amended by Section 1, Chapter 112, O.S.L. 1976, and Section 3, Chapter 161, O.S.L. 1973, as amended by Section 1, Chapter 50, O.S.L. 1975 (73 O.S. Supp. 1976, Sections 173 and 176); stating

purpose; creating the Oklahoma Capitol-Medical Center Parking Authority and prescribing the powers and duties thereof; providing for construction, equipment, operation and financing, through issuance of self-liquidating revenue bonds, of parking facilities in specified location; regulating sale, issuance, approval, purchase, delivery and redemption of bonds and deposit of proceeds; creating the Oklahoma Capitol-Medical Center Parking Authority Fund; authorizing purchase thereof by certain state agencies; restricting use of funds; empowering authority to execute agreements with state agencies and departments and the federal government; exempting bonds from taxation; prohibiting certain acts and setting penalties for violations thereof; transferring authority for issuing traffic and parking regulations; authorizing cooperative agreements; providing for permanent legislative liaison committee; directing codification; and setting an effective date.

SB 354 — By Lane.

An Act relating to state government; amending 74 O.S. 1971, Section 913, as last amended by Section 3, Chapter 207, O.S.L. 1976 (74 O.S. Supp. 1976, Section 913); providing for crediting of prior service; and modifying provisions for crediting of participating service.

SB 355 — By Crow.

An Act relating to the Oklahoma State Regents for Higher Education and providing for continuation and reappropriation of an appropriation previously made thereto; stating the purpose; and providing the amounts appropriated be nonfiscal.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 345 — Judiciary.

SB 346 — County, State and Federal Government.

SB 347 — Revenue and Taxation.

SB 348 — Social Welfare.

SJR 27 — County, State and Federal Government.

HB 1115 — Education, Common.

HB 1261 — Education, Common.

HB 1300 — Public Safety and Penal Affairs.

HB 1338 — Public and Mental Health and then to Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1150 and 1231.

HB 1150 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Cerebral Palsy Center; making an appropriation thereto; stating the purpose; authorizing appointment, duties and compensation of employees; fixing the salary of the administrative director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing the filling of a designated job grade with a lower job grade; providing lapse date; providing severability; and declaring an emergency.

HB 1231 — By Cleveland.

An Act relating to labor; amending 40 O.S. 1971, Sections 165.9, 197.2, as last amended by Section 1, Chapter 53, O.S.L. 1976 (40 O.S. Supp. 1976, Section 197.2), and 197.4; specifying rights and procedures in actions to recover unpaid wages and increasing maximum wage claims; increasing established minimum wage; adding minimum wage requirements for certain employers; prescribing certain actions against employees; setting penalties; directing codification; and providing an effective date.

The above numbered HBs were read for the first time.

RESOLUTION

Senator Field introduced the following Resolution:

SCR 14 — By Field and Dahl of the Senate and Bradshaw of the House.

A Concurrent Resolution memorializing the Oklahoma Congressional Delegation to initiate efforts in the Congress to investigate the administration of Public Law 93-205, amend said law with regard to the designation of certain areas as critical habitats, and take certain remedial actions; and directing distribution.

SCR 14 was read at length, adopted upon motion of Senator Field and ordered referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Green asked for consideration of his motion to reconsider the vote whereby **SB 7** passed. Senator Capps moved to table the Green motion, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Holden, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Watson and York.—37.

Nay: Green, Keller, McCune and Wolfe.—4.

Excused: Berrong, Howard, Howell, Porter, Taliaferro, Wadley and Young.—7.

BILL RELEASED

SB 7 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Boatner asked for consideration

of his motion to reconsider the vote whereby **SB 6** passed. Senator Cate moved to table the Boatner motion, which motion to table was declared adopted.

BILL RELEASED

SB 6 was referred for engrossment.

PENDING SENATE ACTION — RESOLUTION

SCR 13, introduced on page 383, was called up for consideration.

Senator Stipe asked unanimous consent that all other members of the Senate be made coauthors of **SCR 13**, which was the order.

SCR 13, as coauthored, was read at length as follows, adopted upon motion of Senator Stipe and ordered referred for engrossment.

SCR 13 —By Stipe, Taliaferro, Watson, Shatwell, Smith, Giles, Grantham, McCune, Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young of the Senate and Peterson, Hooper, McCaleb, Hardesty, Hopkins, Bernard, Conaghan and Holaday of the House.

A Concurrent Resolution relating to the 1977 Oklahoma State "Ability Counts" Contest sponsored by the Governor's Committee on Employment of the Handicapped; congratulating and commending those students who have achieved top recognition for essays on the subject of "A Profile of Achievement: How a Handicapped Person Approaches Life"; and directing that a copy of this resolution be made a part of the permanent journals of the 1st Session of the 36th Legislature.

WHEREAS, the National Employment of the Handicapped "Ability Counts" Contest has been for twenty-seven consecutive years the only combined state and federally sponsored contest approved by the National Association of Secondary School Principals and the National Catholic Education Association; and

WHEREAS, the National and State Associations of Secondary School Principals have placed said contest on the approved list of national contests and activities for 1977; and

WHEREAS, through the years this contest, through its sponsors and participants, has made a real contribution to better understanding concerning equal employment opportunities for the handicapped workers; and

WHEREAS, the Oklahoma State Contest, sponsored by the Governor's Committee on Employment of the Handicapped, was open to all Oklahoma high school junior and senior students; and

WHEREAS, Governor David Boren has recognized the significance of said contest and has actively participated in its administration; and

WHEREAS, the Chancellor of the State Regents for Higher Education, Dr. E. T. Dunlap; the Superintendent of Public Instruction, Dr. Leslie Fisher; the Oklahoma Association of Secondary School Principals; and the Oklahoma Council of Teachers of English have encouraged all high school junior and senior students to participate in the contest; and

WHEREAS, said contest is an effective means of acquainting the youth of our state with the importance of providing rehabilitation and employment to the disabled of the State of Oklahoma; and

WHEREAS, certain students, herein-

after listed, have achieved outstanding recognition for themselves and for their respective high schools by winning top honors in said state contest.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. This 1st Session of the 36th Legislature of the State of Oklahoma hereby congratulates and commends, both individually and collectively, the outstanding students who have distinguished themselves by writing essays in the 1977 Oklahoma State "Ability Counts" Contest, sponsored by the Governor's Committee on Employment of the Handicapped.

SECTION 2. This resolution, after consideration and enrollment, shall be made a part of the permanent journals of the 1st Session of the 36th Legislature, therefore recognizing the following:

First-Place Winner: Mr. Jimmy Denny, Stigler High School, Quinton, Oklahoma; Mrs. Carolyn Benham, Teacher; Mr. J. E. Dorris, Principal.

Second-Place Winner: Miss Glynis Tejada, Lawton High School, Lawton, Oklahoma; Mrs. Barbara Moore, Teacher; Mr. Kenneth Bridges, Principal.

Third-Place Winner: Miss Karen Smith, Edmond Memorial High School, Edmond, Oklahoma; Mrs. Jean McBride, Teacher; Dr. Bill E. Martin, Principal.

Fourth-Place Winner: Miss Michele Gibson, Owasso High School, Owasso, Oklahoma; Mrs. Chris Maricle, Teacher; Mr. Vernon Harmon, Principal.

Fifth-Place Winner: Mr. Kevin Hunt, Webster High School, Tulsa, Oklahoma;

Mrs. Maida Johnson, Teacher; Mr. Ed Coffey, Principal.

Sixth-Place Winner: Miss Rene Finley, Verden High School, Verden, Oklahoma; Mrs. Thelma Pettijohn, Teacher; Mr. Sidney Bivins, Principal.

Seventh-Place Winner: Mr. Jay Dowell, Deer Creek-Lamont High School, Lamont, Oklahoma; Mrs. Evalynn Hobbs, Teacher; Mr. Charles King, Principal.

Eighth-Place Winner: Miss Tresa Hohmann, Deer Creek-Lamont High School, Deer Creek, Oklahoma; Mrs. Evalynn Hobbs, Teacher; Mr. Charles King, Principal.

Ninth-Place Winner: Mr. Johnny Conatzer, Owasso High School, Owasso, Oklahoma; Mrs. Chris Maricle, Teacher; Mr. Vernon Harmon, Principal.

Tenth-Place Winner: Miss Susan Kirch, Heritage Hall High School, Oklahoma City, Oklahoma; Mrs. Laura Shaffner, Teacher; Mr. Tom Weldon, Principal.

GENERAL ORDER

SB 118 by York and Kilpatrick of the Senate and Fried of the House was read and considered.

Senator Lambert asked to be made a co-author of SB 118, which was the order.

Senator York moved to amend SB 118 by striking the title, which amendment was declared adopted.

Upon motion of Senator York, SB 118, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator York, SB 118, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 118 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Funston, Helm, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—28.

Nay: Capps, Crow, Dawson, Field, Giles, Grantham, Green, Holden, Johnson, Lane, McCune, McDaniel, Rozell, Taliaferro and Vann.—15.

Excused: Berrong, Howard, Howell, Porter and Young.—5.

The bill passed.

Senators Lane, Crow, Green, McDaniel, Taliaferro and Rozell desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 9. Excused: 5.

The emergency passed.

SB 118 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 262 and 263, SJR 25, and SCRs 12 and 13 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MOTION TO RECONSIDER VOTE

Senator Stipe asked for consideration of his motion to reconsider the vote whereby SJR 1 passed.

Senator Wadley presiding.

Senator Lambert moved to table the Stipe motion, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—37.

Nay: Butler, Lane, McCune, Stipe and Wolfe.—5.

Excused: Berrong, Clifton, Howard, Howell, Porter and Young.—6.

BILL RELEASED

SJR 1 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 90, as amended.

HOUSE AMENDMENTS

HAs to SB 90 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to Oklahoma Capitol Improvement Authority and making appropriations thereto; stating the purposes; stating the number and compensation by job title for authorized officials and employees; authorizing filling of a designated position with a position in a lower job level; limiting the number of agency employees; limiting expenditures for salaries and wages; providing lapse date; and making provisions of this act severable.”

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 27 and 28, by deleting the words and figures “Ninety Thousand Nine Hundred Thirty-one Dollars (\$90,931.00)” and inserting in lieu thereof the words and figures “Ninety-two Thousand One Hundred Thirty-one Dollars (\$92,131.00)”.

Amendment No. 4. Amend Page 1, Line 31½, by adding new Sections 3 and 4 to read as follows:

“SECTION 3. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number by job title authorized below.

JOB TITLE	MERIT SYSTEM NO.			
	GRADE	AUTH.	MIN.	MAX.
Property Manager	U	1	\$17,640	\$26,880
Stenographer Clerk II	16	1	7,140	10,620
Steno Clerk II	U	1	7,140	10,620
Stock Clerk III	16	3	7,140	10,620
Supply Officer I	24	1	10,140	15,420
Custodial Worker I	12	54	6,060	8,880
Custodial Worker III	14	4	6,540	9,720

Chief of Police, Oklahoma Capitol Improvement Authority	23	2	9,720	14,760
Capitol Policeman I	17	41	7,440	11,160
Capitol Policeman II	18	2	7,800	11,700
Secretary to the Director	U	1	8,160	12,240
Operating Engineer I	19	18	8,160	12,240
Operating Engineer II	22	7	9,300	14,100
Building Maintenance Superintendent I	26	4	11,160	16,860
Building Maintenance Superintendent II	29	2	12,840	19,380
Building Maintenance Superintendent III	33	2	15,420	23,340
Assistant Superintendent of Oklahoma Capitol Improvement Authority	34	2	16,140	24,480
Carpenter II	23	3	9,720	14,760
Electrician I	23	4	9,720	14,760
Electrician II	25	1	10,620	16,140
Gardener I	14	2	6,540	9,720
Gardener II	16	3	7,140	10,620
Gardener III	19	2	8,160	12,240
Maintenance Repairman I	18	2	7,800	11,700
Maintenance Repairman II	20	10	8,520	12,840
Maintenance Repairman III	22	4	9,300	14,100
Painter I	20	2	8,520	12,840
Painter II	22	1	9,300	14,100
Plumber I	22	3	9,300	14,100
Refrigeration Mechanic I	22	2	9,300	14,100
Welder I	21	2	8,880	13,440
Equipment Operator II	19	3	8,160	12,240
Laborer I	12	9	6,060	8,880
Laborer II	14	2	6,540	9,720
Total		201		

SECTION 4. The Oklahoma Capitol Improvement Authority is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class."

and by renumbering the present Section 3 to read "Section 5" and renumbering succeeding sections accordingly.

Amendment No. 5. Amend Page 2, Lines 14 through 17, by deleting all language on said lines.

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

GENERAL ORDER

SB 203 by Wolfe of the Senate and Smith of the House was read and considered.

Upon motion of Senator Wolfe, SB 203 was advanced to engrossment.

By unanimous consent, upon request of Senator Wolfe, SB 203 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 203 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and York.—38.

Nay: Crow, Dawson, Johnson, Schuelein and Stipe.—5.

Excused: Berrong, Howell, Porter, Terrill and Young.—5.

The bill passed.

SB 203 was referred for engrossment.

GENERAL ORDER

SB 216 by Murphy was read and considered.

Senator Dawson moved to amend SB 216, Page 2, Line 4, by adding after the word "Payne" and before the word "Tulsa" the words "Lincoln, Logan," which amendment was declared adopted.

Senator Stipe moved to amend SB 216, Page 2, Line 5, by inserting after the word "Sequoyah" and before the word "McIntosh", the words "Haskell, Latimer, Pittsburg," which amendment was declared adopted.

Upon motion of Senator Murphy, SB 216, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SB 216, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 216 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—41.

Nay: Keating, Schuelein and Wolfe.—3.

Excused: Berrong, Howell, Porter and Young.—4.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Schuelein moved that the vote be reconsidered by which SB 216 passed.

GENERAL ORDER

SB 234 by Capps, Crow, Dahl, Taliaferro, Vann, Field and Giles of the Senate and Bernard of the House was read and considered.

Senator Smith moved to amend SB 234, Page 2, Line 6, by inserting after the word "corporation" the words "or trust or domestic trust", which amendment was declared adopted.

Upon motion of Senator Capps, SB 234, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 234, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 234 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York — 39.

Nay: Funston, Helm, McCune and Schuelein.—4.

Excused: Berrong, Howard, Howell, Porter and Young.—5.

The bill passed.

SB 234 was referred for engrossment.

GENERAL ORDER

SB 179 by Watson and Terrill of the Senate and Craighead of the House was read and considered.

Senator Lambert asked to be made a co-author of SB 179, which was the order.

Senator Dawson moved to amend SB 179, Page 3, Line 3, by striking all language up to the period on Page 4, Line 3, and substituting the following: "The contract shall provide that in the event the recipient breaches the terms of the contract by not serving the designated community for the specified period of time he shall pay liquidated damages in an amount agreed upon by the commission and the recipient and representing a reasonable estimate of the damage or loss to the community or the state. Said damages shall not exceed

fifty percent (50%) of the principal.", which amendment was declared adopted.

Upon motion of Senator Watson, SB 179, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Watson, SB 179, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 179 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Excused: Berrong, Howell, Porter, Taliaferro and Young.—5.

The bill and emergency passed.

SB 179 was referred for engrossment.

GENERAL ORDER

SB 187 by Crow and Holden of the Senate and Craighead of the House was read and considered.

Senators Lamb, Terrill, Stipe and Funston asked to be made coauthors of SB 187, which was the order.

Senator McDaniel moved to amend SB 187, Page 2, Line 13, by adding after the

word "lawyers" and before the semicolon the following: "who are actively engaged in the practice of water law", which amendment was tabled upon motion of Senator Crow.

Upon motion of Senator Crow, SB 187, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 187, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator McCune presiding.

SB 187 was read for the third time at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Pierce, Randle, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—38.

Nay: Boatner, McCune, Rozell and Schuelein.—4.

Excused: Berrong, Howard, Howell, Murphy, Porter and Young.—6.

The bill and emergency passed.

SB 187 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 13, as coauthored by all members of the House.

The above numbered Resolution was referred for enrollment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, March 23, 1977, at 1:30 p.m., which motion prevailed.

Senator Lane presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 13 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 13.

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

Upon motion of Senator Lane, the Senate adjourned at 4:20 p.m. to meet Wednesday, March 23, 1977, at 1:30 p.m.



Forty-sixth Legislative Day

Wednesday, March 23, 1977

Pursuant to adjournment, the Senate was called to order by Senator Cate, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Excused: Berrong, Helm, Howell, Keller and Young.—5.

Senator Cate declared a quorum present.

The following prayer was offered by Reverend Willis and incorporated into the Journal upon request of Senator Capps.

O Lord, who did create us in Thy image, help us this day to take on all of Thy characteristics, that we truly become heirs with Thy Son, Jesus Christ.

You have called each of us to a special service where we truly take on the servant role. This is in keeping with Your teachings, but we need Your strength and

guidance in order that we might fulfill the task assigned to us.

Bless our families during the days we must be away from our homes. Protect each of them and give them the reassurance that we are called by Thee to do the job at hand.

Help each of us to place our loyalty in You, that any debt we might owe will be only to You and not to any individual or group or party.

Help each of us understand the various viewpoints which will be presented this afternoon, that we might truly work in harmony and unity.

We ask these things in the name of Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Boatner introduced Zoe Cail, R. N., Tishomingo, as Nurse of the Day. Senator Capps introduced James Rhymer, M.D., Clinton, as Doctor of the Day. Senator Wadley introduced former Senator John Russell and his wife, Sally. Senator York introduced his daughter, Heather, and asked unanimous consent, which was granted, that she be named Honorary Journal Clerk for this legislative day.

Senator Boatner introduced his daughter, Rhonda Arlene, and son, Alton Ray. Senator Holden introduced his grandson, Jeff, son of Mr. and Mrs. David Wayne Holden, Tulsa.

SPECIAL INTRODUCTION

The ten young people who were the winners of the "Ability Counts" contest were, on request of Senator Stipe, granted privileges of the floor and escorted to the Senate Chamber. The following were presented copies of Enrolled SCR 13 by their respective Senators: Jimmy Denny, first place; Glynis Tejada, second place; Karen Smith, third place; Michele Gibson, fourth place; Kevin Hunt, fifth place; Rene Finley, sixth place; Jay Dowell, seventh place; Tresa Hohmann, eighth place; Johnny Conatzer, ninth place; and Susan Kirch, tenth place.

The parents, teachers and principals of the winners were also introduced by the Senators presenting the Resolutions.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 284 — Appropriations and Budget, as coauthored by Fitzgibbon of the House.

SB 318 — Judiciary, as coauthored by Lambert, Lamb, Clifton, Helm and Green of the Senate and Twidwell of the House.

HB 1129 — Appropriations and Budget.

HB 1167 — Appropriations and Budget.

DO PASS, as amended:

SB 320 — Professions and Occupations, as coauthored by Sanders of the House.

HB 1149 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 356 — By Young and Dawson.

An Act relating to professions and occupations; providing an exemption for certain persons to the provisions of "The State Dental Act"; directing codification; and declaring an emergency.

SB 357 — By York of the Senate and Davis (Don) of the House.

An Act relating to torts; amending Section 3, Chapter 44, O.S.L. 1976 (76 O.S. Supp. 1976, Section 19); providing for access to certain medical records; providing for waiver of certain privilege; limiting waiver to certain cases; governing admissibility of certain records subject to enumerated procedures; and providing an effective date.

SB 358 — By Porter and Smith.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 501; defining terms; adding the term taxicab; exempting taxicab operators having taxicab exemption permits from payment of certain gasoline taxes; providing application, sale and deduction procedures; prohibiting non-taxicab use of tax-exempt gasoline; prohibiting fraudulent invoices and other acts; providing sanctions; directing codification; and declaring an emergency.

SB 359 — By Keller.

An Act relating to children; providing for prosecution of certain minors as adults charged with violating state statutes or municipal ordinances; providing for certification as a child; repealing 10 O.S. 1971, Section 1112, as last amended by Section 2, Chapter 272, O.S.L. 1974 (10 O.S. Supp. 1976, Section 1112); providing for juvenile proceedings for children charged with violating state or municipal ordinance; directing codification; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 349 — Wildlife.

SB 350 — Revenue and Taxation and then to County, State and Federal Government.

SB 351 — Criminal Jurisprudence.

SB 352 — Judiciary.

SB 353 — County, State and Federal Government.

SB 354 — County, State and Federal Government.

SB 355 — Education, Higher.

HB 1150 — Appropriations and Budget.

HB 1231 — Business, Industry and Labor Relations.

MESSAGE FROM THE GOVERNOR

Advising approval by him, March 22, 1977, of Enrolled SB 141.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1125, 1127, 1184, 1194, 1279, 1285, 1311, 1343 and 1411; and HJR 1018, the special election section having received the constitutional two-thirds majority of votes of members elected to and constituting the House of Representatives, and HJR 1024.

HB 1125 — By Hood, et al, of the House and Cate of the Senate.

An Act relating to children; amending 10 O.S. 1971, Sections 1101, as amended by Section 1, Chapter 122, O.S.L. 1972, 1112, as last amended by Section 2, Chapter 272, O.S.L. 1974, 1116 and 1123, as amended by Section 1, Chapter 192, O.S.L. 1975 (10 O.S. Supp. 1976, Sections 1101, 1112 and 1123); defining terms and modifying the definition of "child in need of supervision"; providing for certification of certain children to be prosecuted as adults; prohibiting dismissal of juvenile proceeding before crim-

inal proceeding commences; directing notification of certification hearing; providing that child certified as adult and convicted be prosecuted as adult forevermore; modifying permissible disposition orders for and placement of certain non-delinquent children; providing for appeals in juvenile proceedings, including appeals from orders denying certification to stand trial as an adult; providing for dispositional hearings and commencement of criminal proceedings during pendency of certain appeals; and fixing time limits for submission of record and perfection of appeal.

HB 1127 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Attorney General and making an appropriation thereto; stating the purpose; authorizing use of all funds appropriated for federal matching purposes; providing for appointment, duties, compensation and number of employees; limiting expenditures for salaries and wages; stating the number and compensation by job title for authorized officials and employees; authorizing filling of a designated position with a position in a lower job level; providing lapse date; making provisions of this act severable; and declaring an emergency.

HB 1184 — By Draper and Wilson of the House and Kilpatrick of the Senate.

An Act relating to state officers and employees; repealing 74 O.S. 1971, Sections 351b, 351c, 351h, 351i, 351j, 351 1, 351 1.2, 351m, 351n, 351o, 351p, 351s, 351u, 351v, 351w, 351x, 351y, 351z, 352.1, 352.2, 352.3, 352.4, 352.5 and 352.13, which provide powers and duties of the Oklahoma Planning and Resources Board.

HB 1194 — By Draper of the House and Kilpatrick of the Senate.

An Act relating to townships and township officers; repealing 77 O.S. 1971, Sec-

tions 1 through 3, 11, 12, 53, 54 and 68, relating to township government.

HB 1279 — By Hammons and Hood of the House and Funston of the Senate.

An Act relating to landlord and tenant; amending Section 2, Chapter 269, O.S.L. 1973 (41 O.S. Supp. 1976, Section 42) and 12 O.S. 1971, Sections 1148.1 and 1148.14; providing a short title; defining terms; exempting certain types of occupancy; imposing duties on certain parties; specifying remedies; allowing settlement of claims; imposing obligations of good faith; specifying place and time for rental payments in absence of agreement; providing for procedures of termination; prohibiting certain acts; requiring escrow accounts for deposits; specifying regulations and procedures governing deposits; establishing procedures for service of certain process; imposing obligations on landlords; providing for rental payments upon sale of property; specifying penalties for withholding possession of certain premises; providing for notices and procedures for termination; allowing repair of premises under certain conditions; providing for recovery of possession; allowing injunctive relief; providing for reporting of defective conditions; governing rules of conduct; allowing certain inspections and for right of entry; providing for sale or storage of abandoned articles and disposition of funds; changing jurisdiction in forcible entry and detainer cases; providing for liberal construction; and providing an effective date.

HB 1285 — By Hooper, et al.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 991a, as amended by Section 1, Chapter 160, O.S.L. 1976 (22 O.S. Supp. 1976, Section 991a); prescribing sentencing powers of court; providing for restitution and for administration of restitution program; modifying court's sentencing powers to prohibit suspended sentences for second and subsequent felonies; and setting an effective date.

HB 1311 — By Draper, et al.

An Act relating to banks and trust companies; amending 6 O.S. 1971, Sections 209, 211, as amended by Section 3, Chapter 109, O.S.L. 1975, 306, as amended by Section 6, Chapter 109, O.S.L. 1975, 410, 416, 706, 707, 711, 712, 803, as amended by Section 1, Chapter 84, O.S.L. 1975, and 1202 (6 O.S. Supp. 1976, Sections 211, 306 and 803); providing for banks and trust companies to make application to become members of F.D.I.C. or federal reserve system; providing certain limitation on their loaning money; allowing certain bank services; defining terms; prohibiting banks and trust companies from obtaining loans on their stock with exception; providing procedure for issuing preferred stock; providing for certain banks and trust companies' officers and boards of directors and their terms in office; prescribing penalties for violations of certain banks and trust companies' laws; providing for State Banking Commissioner to examine banks and trust companies concerning their admission in the F.D.I.C. or federal reserve system; providing rules and regulations in determining examination and admission; providing alternative examination; providing special examination; allowing Commissioner to collect certain fees from banks and trust companies; and allowing Commissioner to take possession of banks and trust companies under certain conditions.

HB 1343 — By Elder, et al, of the House and Grantham of the Senate.

An Act relating to probate procedure; amending Section 1, Chapter 240, O.S.L. 1974, as amended by Section 1, Chapter 12, O.S.L. 1975 (58 O.S. Supp. 1976, Section 912); establishing procedures for termination of joint tenancy by surviving spouse; deleting requirement of Tax Commission release; and setting an effective date.

HB 1411 — By Elder of the House and Grantham of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section

244; prescribing duties of county clerk; and changing requirement concerning recording of certain board's votes.

HJR 1018 — By McIntyre and Monks of the House and Randle 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 by adding a new Section to Article X thereof to be designated as Article X, Section 9D; authorizing certain county commissioners or certain voters to provide for, organize, maintain, operate and dissolve hospital districts by way of an election; providing election procedures; providing for expansion of districts; providing for appointment, manner of appointment, duties and powers of the trustees; providing for certain controls by the Legislature and authorizing certain legislation; providing for certain charges and audits; providing for special annual recurring ad valorem taxes and issuance of bonds upon approval at an election for such purposes; providing for interest, selling procedures and refunding of bonds; providing for cancellation of the millage levy under certain circumstances; providing for legal status of board, collection of fees; providing city or town be authorized to form districts; providing ballot title; directing filing; and ordering a special election.

HJR 1024 — By Craighead, et al.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed constitutional amendment to Section 15 of Article IX of the Oklahoma Constitution; providing for the addition of four more members to the Oklahoma Corporation Commission; providing for a reduction in the length of terms of office; providing for the existing Commissioners to serve out their current terms; providing for the selection of terms of new members; designating membership seats by specifying office

numbers; providing for the filling of vacancies; providing a ballot title; and directing filing.

The above numbered HBs and HJRs were read for the first time.

RESOLUTION

Senator Boatner introduced the following Resolution:

SCR 15 — By Boatner.

A Concurrent Resolution designating the week of October 16 through October 22 as National Business Women's Week in Oklahoma; and directing distribution.

SCR 15 was read at length, adopted upon motion of Senator Boatner and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 12, as coauthored by all members of the House.

The above numbered Resolution was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 6, 7, 118, 179, 187, 203 and 234 and SCR 14 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 231 by Luton, Lambert and Shatwell of the Senate and Elder and Henry of the House was read and considered.

Senators Grantham and Cate asked to be made coauthors of SB 231, which was the order.

Senator Luton, citing Rule 8(d), asked

unanimous consent that Representative Cleveland be made a coauthor of SB 231, which was the order.

Senator Crow moved that SB 231 be referred to the Appropriations and Budget Committee.

Senator Luton asked unanimous consent, which was granted, that the Rules be suspended in order to debate the Crow motion.

Senator Wadley presiding.

Senator Luton moved to table the Crow motion to commit, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Lamb, Lambert, Luton, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Wadley, Watson, Wolfe and York.—30.

Nay: Capps, Crow, Dawson, Field, Kilpatrick, Lane, McCune, McDaniel, Porter, Randle, Taliaferro, Tinsley and Vann.—13.

Excused: Berrong, Helm, Howell, Keller and Young.—5.

Senator Cate moved to amend SB 231, by crippling the title, which amendment was declared adopted.

Senator Stipe moved to amend SB 231, Page 6, Lines 10 and 11, by striking after "1970" and before the word "The" on Line 11 all language and placing a period after "1970".

Senator Smith questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

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

Senator Smith moved to amend SB 231, as a substitute amendment to the Stipe amendment, Page 6, Line 5, by striking after "duties" all language to the word "Compensation" on Line 17, which substitute amendment was declared adopted.

Senator Crow moved to amend SB 231, Page 2, Line 8, by striking the words and figures "Thirty-two Thousand Dollars (\$32,000.00)" and inserting in lieu thereof the words and figures "Twenty-five Thousand Dollars (\$25,000.00)".

Senator Giles moved to amend SB 231, Page 2, Line 8, by striking the words and figures "Thirty-two Thousand Dollars (\$32,000.00)" and inserting in lieu thereof the words and figures "Twenty-eight Thousand Dollars (\$28,000.00)".

Senator Crow raised a point of order inquiring of the Chair whether the Senate Rules provided for the consideration of the greater or lesser amount first. The Chair ruled that the greater amount would be considered first in accordance with Rule 14(i).

Senator Lambert moved to table the Giles amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Funston, Howard, Keating, Kilpatrick, Lamb, Lambert, Luton, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—25.

Nay: Capps, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Lane, McCune, McDaniel, Pierce, Randle, Stipe, Taliaferro and Vann.—17.

Excused: Berrong, Holden, Howell, Johnson, Keller and Young.—6.

Senator Lambert moved to table the

Crow amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Howard, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—32.

Nay: Boatner, Capps, Crow, Field, Green, Helm, Holden, Johnson, Lane, McDaniel, Porter and Vann.—12.

Excused: Berrong, Howell, Keller and Young.—4.

Senator Keating moved to amend SB 231, Page 8, Line 2, by striking the words and figures "sixty percent (60%)" and substituting "forty percent (40%)", which amendment was declared adopted.

Senator Giles moved to amend SB 231, Page 2, Line 8, by striking the words and figures "Thirty-two Thousand Dollars (\$32,000.00)" and inserting in lieu thereof the words and figures "Thirty Thousand Dollars (\$30,000.00)".

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

Senator Lambert moved to table the Giles amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Clifton, Funston, Keating, Kilpatrick, Lamb, Lambert, Luton, Martin, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Wadley, Wolfe and York.—18.

Nay: Boatner, Butler, Capps, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Johnson, Lane, Mc-

Cune, McDaniel, Murphy, Pierce, Porter, Schuelein, Stipe, Tinsley, Vann and Watson.—24.

Excused: Berrong, Cate, Howard, Howell, Keller and Young.—6.

Senator Giles pressed his motion to amend, which amendment was declared adopted upon roll call as follows:

Aye: Boatner, Butler, Capps, Crow, Dawson, Field, Giles, Grantham, Green, Helm, Howard, Johnson, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Porter, Schuelein, Taliaferro and Tinsley.—22.

Nay: Birdsong, Cate, Clifton, Dahl, Funston, Holden, Keating, Kilpatrick, Lamb, Luton, Martin, Randle, Rozell, Shatwell, Smith, Stipe, Terrill, Wadley, Watson, Wolfe and York.—21.

Excused: Berrong, Howell, Keller, Vann and Young.—5.

Senator Cate moved to amend SB 231, Page 8, Lines 13 and 14, by striking after the word "than" the words "sixty-five" and all language on Line 14 and inserting in lieu thereof the following: "forty-five percent (45%) of the", which amendment was declared adopted.

Senator Crow moved to amend SB 231, Page 10, Line 14¹/₂, by adding a new section as follows:

"SECTION 3. No county whose official population in 1970 was less than forty thousand (40,000) shall have a part-time district attorney if that county has a full-time assistant district attorney."

and by renumbering subsequent sections.

Senator Lambert presiding.

Senator Clifton moved to table the Crow

amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Butler, Clifton, Dahl, Dawson, Funston, Lamb, Lambert, Luton, McDaniel, Martin, Schuelein, Shatwell, Smith, Terrill, Wadley and Watson.—17.

Nay: Boatner, Cate, Crow, Field, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lane, McCune, Murphy, Pierce, Porter, Randle, Rozell, Stipe, Taliaferro, Tinsley, Vann, Wolfe and York.—25.

Excused: Berrong, Capps, Giles, Howell, Keller and Young.—6.

Senator Crow pressed his motion to amend, which amendment was declared adopted.

Senator Keating moved to amend SB 231, Page 8, Lines 1 and 2, by striking the words "in excess of forty percent (40%)" and inserting "forty percent (40%) or more", which amendment was declared failed of adoption upon roll call as follows:

Aye: Crow, Green, Helm, Keating, Kilpatrick, Lambert, Lane, Vann and Wolfe.—9.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Johnson, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson and York.—33.

Excused: Berrong, Capps, Howell, Keller, Pierce and Young.—6.

The Chair ruled that Senator Pierce be shown voting "no" on the question of adoption of the Keating amendment in accordance with Senate Rule 1(b).

Senators Cate and Terrill moved to amend SB 231, Page 10, Line 15, by adding a new Section 3 as follows:

"SECTION 3. A. 1. In addition to other methods and causes prescribed by the Constitution and laws, the district attorneys of any district, exercising prosecutorial power under the provisions of 19 O.S. § 215, or under any other provision of the laws or Constitution of Oklahoma, shall be subject to removal from office, or to compulsory retirement from office, for causes herein specified, by proceedings in the District Attorney Review Board.

2. Cause for removal from office shall be: Gross neglect of duty; corruption in office; habitual drunkenness; commission while in office of any offense involving moral turpitude; gross partiality in office; oppression in office; or other grounds as may be specified hereafter by the Legislature.

3. Cause for compulsory retirement from office, with or without compensation, shall be mental or physical disability preventing the proper performance of official duty, or incompetence to perform the duties of the office.

B. 1. There is created a District Attorney Review Board, hereinafter referred to as the Board. The Board is vested, subject to the provisions of this Act, with sole and exclusive jurisdiction to hear and determine causes arising thereunder.

2. The Board shall be comprised of seven (7) members, five (5) of whom shall be the District Attorney's Training Coordination Council, ex officio, and (2) two active members of the Oklahoma Bar Association, chosen by its Executive Council or other body exercising similar powers.

3. Within thirty (30) days after the adoption of this Act, and hereafter prior to the first day in February of each odd-numbered year, the Executive Coordinator of

the District Attorney's Training Coordination Council and the President of the Bar Association shall certify to the Secretary of State, the names of the members who are chosen, respectively, by the said Council and by the Oklahoma Bar Association. Promptly thereafter he shall notify the members of the respective divisions to meet at the State Capitol on a day certain, within thirty (30) days, for purposes of organization and of making or amending rules of procedure.

4. Members so designated shall serve until March First of the odd-numbered year next after the year in which they are named.

C. 1. Subject to the provisions of this Act, the Board shall select its presiding member, and shall be judge of the qualifications and the disqualification of its own members and shall make and publish its own rules of procedure. The Board shall meet on call of its presiding member or three (3) of its members; a majority of the authorized membership of the Board shall constitute a quorum for the exercise of any or all of the jurisdiction of the Board, regardless of whether or not vacancies exist in the membership of the Board.

2. In the exercise of its jurisdiction, the Board shall have power to hold hearings, administer oaths or affirmations, receive testimony and other evidence, issue and serve or cause to be served subpoenas requiring testimony or the production of books, records, papers or other tangible evidence. In the event of contemptuous refusal to obey its lawful orders, it may take such steps as are necessary to maintain order in its session; as to contempts not affecting the maintenance of order, it shall certify the matter to the Chief Justice of the Supreme Court who shall assign the case for trial and appropriate disposition to a judge of a district court. In such proceeding, the General Counsel of the Oklahoma Bar Association shall act as

prosecutor against the alleged contemnor. Failure of the prosecutor against whom a complaint has been lodged to comply with an order of the Board shall constitute additional grounds for removal from office.

D. 1. The jurisdiction of the Board may be invoked by a petition, filed either by the Supreme Court or the Chief Justice thereof; by the Governor; by the Attorney General; or by the Executive Secretary of the Oklahoma Bar Association when directed so to do by a vote of majority of all members of its Executive Council, or by Resolution of its House of Delegates; or by the Council on Prosecutor Complaints; or by Resolution of the House of Representatives of the State of Oklahoma. The petition shall state the name of the respondent; the grounds upon which his removal from office or compulsory retirement from office is sought; and such other matters as may be specified by the rules of the Board. It shall be subject to amendment by order of the Board.

2. Immediately upon the filing of the petition, the presiding member of the Board shall be notified, and the respondent named therein, in accordance with the rules of the Board. The presiding member of the Board shall secure from the Executive Council of the Oklahoma Bar Association, a panel of five (5) active members of the Association from which the presiding member shall designate the prosecutor, and any necessary assistant, to conduct the proceeding against the respondent.

3. The Board or the presiding member shall set the matter for hearing, not less than sixty (60) days after notice of the filing of the petition shall have been given the respondent. In all procedural matters not covered by rule of the Board, the provisions of the Code of Civil Procedure, or of the common law of Oklahoma, shall be followed, so far as they may be applicable.

4. Pending the determination of the proceedings, the Board in its discretion may

suspend the respondent from the exercise of his office. After full hearing, the Board shall render such judgment as the facts may justify. No judgment shall extend further than: (1) to removal of the respondent from office, with or without disqualification to hold any public office of honor, trust, or profit under this State, or (2) to compulsory retirement from office; but such a proceeding, regardless of result, shall not bar or prejudice any other proceeding, civil or criminal, authorized by law. A district attorney who is a member of the retirement compensation system prescribed by statute and is compulsorily retired shall receive the retirement compensation to which his term of service entitled him. If he is not qualified for full retirement compensation, he may receive such compensation as the Board may decree, in proportion to time served and in accordance with principles of justice and equity, alike as to amount, commencement of payment, terms of payment, or other relevant conditions or limitations.

E. 1. From any judgment of the Board, the respondent or the prosecutor may appeal to the Supreme Court, by filing a notice of appeal with the Clerk of the Supreme Court, within ten days after entry of the judgment. The notice shall be served upon the opposite party in the manner prescribed by the rules of the Supreme Court.

2. The preparation and certification of the record upon appeal and all proceedings upon the appeal, not prescribed by this act, shall be governed by the rules of the Supreme Court.

F. 1. In all proceedings before the Board, the established rules for disqualification of judges for interest, prejudice or partiality shall apply to the members of the Board. In the event of the disqualification or failure to act of a member of the Board, a member pro tem to sit in his place shall be named by the authority appointing him.

2. Members of the Board shall serve without compensation, but shall receive the allowance for expenses permitted district attorneys serving outside their districts.

3. The prosecutors shall receive such fair and just compensation as the respective division of the Board shall award for service before that division.

4. The Legislature shall appropriate such sums as may be necessary to carry out the provisions of this Act.

G. It hereby is declared to be the public policy of the State of Oklahoma to afford a means whereby complaints by any person concerning the conduct of persons occupying positions in the office of district attorney and subject to the jurisdiction of the District Attorney Review Board may be efficiently and impartially investigated; to provide an agency which can determine whether such complaints should be made the subject of action before the District Attorney Review Board, or should be dismissed; to provide means for procuring necessary information to enable such agency to perform its functions, including the power to issue and enforce subpoenas to testify and to produce tangible evidentiary materials; to provide for the designation of complaining authorities in those cases which should be prosecuted before the District Attorney Review Board; to better the administration of justice in this state through the means enumerated in this Act.

H. There is created a Council on Prosecutor Complaints, hereinafter referred to as the Council, to carry into effect the public policy established in paragraph G of this section.

I. The Council shall consist of three (3) members, only two of whom shall be members of the Bar of the State of Oklahoma and only two of whom shall constitute a

quorum. One member shall be appointed by the President Pro Tempore of the Senate; one member shall be appointed by the Speaker of the House of Representatives; and one member shall be appointed by the President of the Oklahoma Bar Association.

J. Of the members first appointed, one shall serve for three (3) years and until his successor shall be appointed and qualified; one shall serve for four (4) years and until his successor shall be appointed and qualified; one shall serve for five (5) years and until his successor shall be appointed and qualified. The respective terms of the first members shall be determined by lot at the first meeting of the Council, and the results thereof shall be certified to the Secretary of State and to the appointing authority for each individual member. Thereafter, each appointee shall serve for a term of (5) years and until his successor is selected and qualified. No person shall be eligible to succeed himself on the Council.

K. There is created the position of Secretary to the Council. He shall receive and file all complaints received concerning the conduct of persons occupying positions in the office of district attorney and subject to the jurisdiction of the District Attorney Review Board. He shall notify the members of the Council of each complaint filed with him. The Executor Director of the Oklahoma Center for Criminal Justice shall act ex officio as Secretary to the Council. He shall attend all meetings of the Council and shall keep its minutes and perform such other tasks as the Council shall direct.

L. The Council shall meet promptly after its appointment. The members shall qualify by taking the constitutional oath of office. They shall elect a Chairman and Vice Chairman. The Chairman and Vice Chairman shall serve for such terms as the Council shall specify, not exceeding their

terms as members of the Council. The Council shall make rules governing the transaction of business and the performance of their functions in accordance with this Act, and subject to the provisions of the Act.

M. The members of the Council shall receive for their services the sum of Twenty-five Dollars (\$25.00) for each day, or fraction thereof, of attendance at its session, and the statutory allowances for travel reimbursement within the state.

N. The Council shall promptly investigate all complaints received by it, and shall determine the proper disposition thereof, as provided in this act. To that end, it shall have power to hold hearings, administer oaths or affirmations, receive testimony and other evidence, issue and serve or cause to be served subpoenas requiring testimony or the production of books, records, papers or other tangible evidence. The Council is hereby authorized to require in aid of its investigatory functions the services of the Oklahoma Bureau of Investigation or of any governmentally supported investigatory agency or, upon authorization of the Board of Governors of the Oklahoma Bar Association, of the services of the Oklahoma Bar Association. In the event of contemptuous refusal to obey its lawful orders, it may take such steps as are necessary to maintain order in its session; as to contempts not affecting the maintenance of order, it shall certify the matter to the Chief Justice of the Supreme Court, who shall assign the case for trial and appropriate disposition to a judge of a district court. In such proceeding, the General Counsel of the Oklahoma Bar Association shall act as prosecutor against the alleged contemnor. All proceedings under this paragraph shall be held in secrecy to the same extent as proceedings before a grand jury.

O. In the event the Council finds that the complaint should be made the subject of

proceedings before the District Attorney Review Board, it shall forward all papers concerning the same, together with its findings, to the said Board for appropriate action. Thereafter, the matter shall proceed in accordance with the applicable statutes and rules of the said District Attorney Review Board.

P. The Legislature shall appropriate such sums as may be necessary to carry out the provisions of the Act.

Q. If, in any matter pending before the Council, a council member is disqualified to act for the same reasons that would disqualify a judicial officer from sitting in a matter, the Council shall so certify to the officer having the appointment of that member, who shall thereupon immediately appoint a special member to sit in that case, only. If the appointing officer makes no such appointment within ten (10) days after the mailing of the certification of disqualification to him, the Council shall appoint a special member.”,

and by renumbering present Section 3 as Section 4 and by renumbering subsequent sections.

Senator Dawson moved that SB 231 be rereferred to the committee from whence it came with instructions to consider the Cate amendment for Page 10, Line 15.

Senator Luton moved to table the Dawson motion to commit, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Funston, Giles, Green, Helm, Holden, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—37.

Nay: Dawson, Grantham, Johnson and Vann.—4.

Excused: Berrong, Capps, Field, Howard, Howell, Keller and Young.—7.

President Pro Tempore Howard presiding.

Senator McDaniel moved to amend the Cate amendment by striking subsection D.

Senator Cate moved to table the McDaniel amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Crow, Funston, Giles, Grantham, Green, Howard, Keating, Kilpatrick, Lamb, Lambert, McCune, Martin, Randle, Rozell, Schuelein, Terrill, Vann, Wadley, Watson, Wolfe and York.—25.

Nay: Boatner, Dahl, Dawson, Helm, Holden, Johnson, Lane, Luton, McDaniel, Murphy, Pierce, Porter, Shatwell, Smith, Stipe, Taliaferro and Tinsley.—17.

Excused: Berrong, Capps, Field, Howell, Keller and Young.—6.

Senator McDaniel moved to amend the Cate amendment, subsection C, paragraph 1, by striking the following language at the end thereof which reads: “regardless of whether or not vacancies exist in the membership of the Board”, which amendment to the Cate amendment was declared adopted.

Senator Luton moved to table the Cate amendment, as amended, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Por-

ter, Rozell, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Watson and York.—27.

Nay: Cate, Clifton, Crow, Dahl, Dawson, Funston, Kilpatrick, Lambert, Randle, Schuelein, Terrill, Vann, Wadley and Wolfe.—14.

Excused: Berrong, Capps, Field, Howell, Keller, Lane and Young.—7.

Upon motion of Senator Luton, SB 231, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 231, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 231 was read for the third time at length.

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

Aye: Birdsong, Butler, Clifton, Dahl, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Watson, Wolfe and York.—32.

Nay: Boatner, Cate, Crow, Dawson, Helm, McCune, Vann and Wadley.—8.

Excused: Berrong, Capps, Field, Howell, Keller, Lane, Pierce and Young.—8.

The bill passed.

The Chair advised the Senate that Senator Pierce, having been present in the Chamber during the vote would be shown voting "no" on SB 231 in compliance with Rule 1(b). The vote thereby resulted as follows: Aye: 32. Nay: 9. Excused: 7.

Senators Dawson and Wadley desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 7. Excused: 7.

The emergency passed.

SB 231 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SJR 1 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MOTION TO RECONSIDER VOTE

Senator Stipe asked unanimous consent, which was granted, that the time be extended two legislative days until Monday, March 28, 1977, for consideration of his motion to reconsider the vote whereby SB 253 failed of passage.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, March 24, 1977, at 12:30 p.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 5:10 p.m. to meet Thursday, March 24, 1977, at 12:30 p.m.



Forty-seventh Legislative Day

Thursday, March 24, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Berrong, Butler, Howell and Keller.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Willis and incorporated into the Journal upon request of Senator Capps.

Well, Father, we have come to the end of another week. As we reflect back on our deliberations we can see times when we were not the kind of servants Thou would have us to be. Please forgive us any trespass we might have committed.

As we prepare to wind up the business at hand for this week, please help us to do

Thy will. We strive, Lord, to be the kind of representatives that You would have us to be, but sometimes the path we are traveling becomes long and rough.

Thank You for all that You have done for us this week. The blessings which You have bestowed upon our state and its people are appreciated.

Be with each of us as we return to our homes and bring us back safely together that we might continue in Thy service.

Lead us not into temptation but deliver us from evil. For Thine is the kingdom and the power and the glory forever, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Clifton introduced C. F. Paramore, M.D., Shawnee, as Doctor of the Day; and introduced his son, Mark Clifton, to the members of the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 19 — Revenue and Taxation, as co-authored by Cate and Green of the Senate and Morgan of the House.

SB 164 — Education, Common.

SB 304 — Revenue and Taxation, and be referred to committee on County, State and Federal Government by previous order.

SB 308 — Roads and Highways.

SB 321 — Criminal Jurisprudence.

SJR 19 — Roads and Highways.

HB 1118 — Roads and Highways, as co-authored by Shatwell.

DO PASS, as amended:

SB 245 — Criminal Jurisprudence.

SB 291 — Education, Common, as co-authored by Twidwell of the House.

SB 312 — Revenue and Taxation.

SB 314 — Revenue and Taxation, and be referred to committee on County, State and Federal Government by previous order.

SB 334 — Criminal Jurisprudence.

FIRST READING

The following were introduced and read the first time.

SB 360 — By Field of the Senate and Dunn and McKee of the House.

An Act relating to public health and safety; allowing registered nurses to sign certain death certificates; limiting application to certain counties; specifying procedures; directing codification; and providing an effective date.

SB 361 — By Terrill.

An Act relating to professions and occupations; amending 59 O.S. 1971, Section 498; providing for reciprocal registration by the State Board of Medical Examiners of applicants without examination, under certain conditions; providing for certain fees; waiving a certain reciprocal registration fee under certain conditions; providing for certain temporary licenses;

providing for issuance of a certificate of limited medical practice; and declaring an emergency.

SB 362 — By Capps.

An Act relating to waters and water rights; amending 32 O.S. 1971, Sections 932, as amended by Section 1, Chapter 125, O.S.L. 1976, and 932.1, as amended by Section 1, Chapter 78, O.S.L. 1974 (82 O.S. Supp. 1976, Sections 932 and 932.1); creating the State Department of Pollution Control; providing certain duties; creating the Pollution Control Coordinating Board; providing for payment of travel and other expenses; providing certain rules regarding meetings; providing legal counsel; adding penalty provision; providing certain definitions; modifying definition of pollution; and declaring an emergency.

SB 363 — By Lamb.

An Act relating to schools; amending 70 O.S. 1971, Section 22-104; providing for standards for school audits; providing for certain qualifications of such accountants; providing certain exceptions to requirement of licensing accountants; providing additional extension of period for certain persons to qualify; and providing guidelines for liability insurance.

SB 364 — By Crow.

A Bill making a supplemental appropriation to a state agency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 356 — Professions and Occupations.

SB 357 — Judiciary.

SB 358 — Revenue and Taxation.

SB 359 — Social Welfare and then to Criminal Jurisprudence.

HB 1125 — Social Welfare and then to Criminal Jurisprudence.

HB 1127 — Appropriations and Budget.

HB 1184 — County, State and Federal Government.

HB 1194 — County, State and Federal Government.

HB 1279 — Judiciary.

HB 1285 — Criminal Jurisprudence and then to County, State and Federal Government.

HB 1311 — Banks and Banking.

HB 1343 — Judiciary.

HB 1411 — County, State and Federal Government.

HJR 1018 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government.

HJR 1024 — Constitutional Revision and Regulatory Services and then to County, State and Federal Government and then to Rules.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1328.

HB 1328 — By Matheson, Fitzgibbon, Riggs, Denman, Hammons, McCaleb and Wickersham of the House and Dawson of the Senate.

An Act relating to the practice of optometry and the sale and advertising of optical goods; amending 59 O.S. 1971, Sections 585, 589, 593 and 942 through 944; providing for ethical and unethical conduct of optometrists; specifying prohibited acts related to sale and advertising of optical goods; adding certain exemptions from such prohibited acts; providing for giving of prescription for optical goods to certain persons; repealing 59 O.S. 1971, Sections 594 and 596; providing effective date; and providing method of recording results of examination and contents of prescription.

The above numbered HB was read for the first time.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1010.

HCR 1010 — By Atkins, et al, of the House and Cate of the Senate.

A Concurrent Resolution noting the special contributions of Ralph H. Funk to the field of library science during his lifetime; expressing sadness on his recent death; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 92, 103 and 105, as amended.

HOUSE AMENDMENTS

HAs to SB 92 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Oklahoma Department of Libraries and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees and fixing the salary of the Director; limiting the number of employees; limiting expenditures for salaries and wages; stating the number and compensation by job title for authorized officials and employees; authorizing filling of a designated position with position in lower job grade; providing lapse date; making provisions of this act severable; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 25, by deleting the figure "\$670,889.00" and substituting in lieu thereof the figure "\$708,849.00".

Amendment No. 4. Amend Page 1, Line 28, by deleting the figure "119,231.00" and substituting in lieu thereof the figure "149,283.00".

Amendment No. 5. Amend Page 1, Line

30, by deleting the figure "125,725.00" and substituting in lieu thereof the figure "600,000.00".

Amendment No. 6. Amend Page 1, Line 31, by deleting the figure "\$1,113,749.00" and substituting in lieu thereof the figure "\$1,656,036.00".

Amendment No. 7. Amend Page 1, Line 36 and Page 2, Line 1, by deleting the words and figures "Twenty-three Thousand One Hundred Forty Dollars (\$23,140.00)" and substituting in lieu thereof the words and figures "Twenty-four Thousand Dollars (\$24,000.00)".

Amendment No. 8. Amend Page 2, Line 3, by striking the words and figures "sixty-four (64)" and substituting in lieu thereof the words and figures "seventy-three (73)".

Amendment No. 9. Amend Page 2, Lines 7 and 8, by deleting the words and figures "Seven Hundred Three Thousand Ninety-five Dollars (\$703,095.00)" and substituting in lieu thereof the words and figures "Seven Hundred Sixty-one Thousand Two Hundred Ninety Dollars (\$761,290.00)".

Amendment No. 10. Amend Page 2, Line 9½, by adding new Sections 3 and 4 to read as follows:

"SECTION 3. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	MERIT SYSTEM NO.		MIN.	MAX.
	GRADE	AUTH.		
Director	U	1	\$22,480	\$24,000
Secretary to Director	U	1	9,720	14,760
Utility Office Worker	12	4	6,060	8,880
Clerk I	13	4	6,300	9,300
Clerk II	14	3	6,540	9,720
Secretary I	21	1	8,880	13,440
Stenographer Clerk II	16	1	7,140	10,620
Typist Clerk I	14	3	6,540	9,720
Typist Clerk II	15	11	6,840	10,140
Typist Clerk III	17	4	7,440	11,160
Records Preservation Technician	21	1	8,880	13,440
Librarian Assistant I	17	4	7,440	11,160
Librarian I	25	2	10,620	16,140
Librarian II	27	6	11,700	17,640
Librarian III	29	5	12,840	19,380
Librarian IV	31	6	14,100	21,240
Librarian V	33	4	15,420	22,890
Library Technician	24	4	10,140	15,420
Archivist II	27	1	11,700	17,640
Archivist III	29	1	12,840	19,380
Equipment Operator	16	2	7,140	10,620
Laborer I	12	1	6,060	8,880
Account Clerk II	17	1	7,440	11,160

Account Clerk III	19	1	8,160	12,240
Research Statistician III	28	1	12,240	18,480
Total		73		

SECTION 4. The Oklahoma Department of Libraries is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class."

and by renumbering present Section 3 to read "Section 5" and renumbering succeeding sections accordingly.

HOUSE AMENDMENTS

HAs to SB 103 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the State Bureau of Investigation and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees; fixing the salary of the Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; allocating funds for the purchase of automobiles; allocating funds for use as evidence funds; appropriating funds for renovation of Oklahoma City laboratory; specifying number and compensation of authorized employees; authorizing the filling of a designated position with a position in a lower grade; prohibiting expenditure of certain funds for certain fees and services; appropriating funds for construction of satellite laboratories; expressing

legislative intent; authorizing use of all appropriated funds for federal matching purposes; providing lapse dates; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 21, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 25 and 26, by deleting the words and figures "Two Million Six Hundred Twenty-four Thousand Three Hundred Sixty-one Dollars (\$2,624,361.00)" and substituting in lieu thereof the words and figures "Two Million Six Hundred Twenty-six Thousand Seven Hundred Nine Dollars (\$2,626,709.00)".

Amendment No. 4. Amend Page 2, Lines 3 and 4, by deleting the words and figures "One Million Five Hundred Thirty-three Thousand Ten Dollars (\$1,533,010.00)" and substituting in lieu thereof the words and figures "One Million Five Hundred Thirty-three Thousand Seven Hundred Dollars (\$1,533,700.00)".

Amendment No. 5. Amend Page 2, Line 29½, by adding new Sections 6, 7, 8, 9 and 10 to read as follows:

"SECTION 6. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number by job title authorized below.

JOB TITLE	MERIT		MIN.	MAX.
	SYSTEM	NO. AUTH.		
Director	U	1	\$25,480	\$26,200
Deputy Director	U	1	20,000	20,480
Executive Secretaries	U	2	9,720	14,760
Coordinator Technical Services	35	1	16,860	25,680
Darkroom Technician	18	1	7,800	11,700
Legal Counsel	35	1	16,860	25,680
Accountant I	25	1	10,620	16,140
Account Clerk III	19	1	8,160	12,240
Agent I	26	6	11,160	16,860
Agent II	29	17	12,840	19,380
Agent III	32	20	14,760	22,260
Agent IV	35	6	16,860	25,680
Agent V	38	1	19,380	25,800
Chief Forensic Chemist	35	1	14,760	22,260
Data Processing Encoder II	18	2	7,800	11,700
Data Processing Programmer I	27	1	11,700	17,640
Document Examiner	29	1	12,840	19,380
Field Representative I — Uniform Crime Reporting	23	3	9,720	14,760
Field Representative II — Uniform Crime Reporting	26	1	11,160	16,860
Fingerprint Technician I	23	2	9,720	14,760
Fingerprint Technician II	26	1	11,160	16,860
Fingerprint Technician III	29	3	12,840	19,380
Fingerprint Technician IV	32	1	14,760	22,260
Firearms Specialist	29	1	12,840	19,380
Firearms Technician	25	1	10,620	16,140
Fiscal and Administrative Officer	30	1	13,440	20,280
Forensic Chemist I	28	6	12,240	18,480
Forensic Chemist II	32	11	14,760	22,260
Receptionist	16	2	7,140	10,620
Secretary II	22	2	9,300	14,100
Stenographer Clerk III	18	1	7,800	11,700
Typist Clerk I	14	7	6,540	9,720
Typist Clerk II	15	7	6,840	10,140
Typist Clerk III	17	10	7,440	11,160
Custodial Worker III	14	1	6,540	9,720
Total		125		

SECTION 7. The Oklahoma State Bureau of Investigation is authorized to fill a designated position, as authorized by Section 6 of this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of

employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class.

SECTION 8. The expenditure of monies from the appropriation made by this act

for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited.

SECTION 9. There is hereby appropriated to the Oklahoma State Bureau of Investigation, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1976, not otherwise appropriated, the sum of One Hundred Seventy Thousand Dollars (\$170,000.00), or so much thereof as may be required for planning, design, purchase of land and construction of two (2) Satellite Laboratories as specified:

Satellite Laboratory Location	Amount
Northeastern Oklahoma (Tahlequah)	\$ 85,000.00
Northwestern Oklahoma (Enid)	85,000.00
Total	\$170,000.00

SECTION 10. It is the intent of the Legislature that, should funds become available to the Bureau of Investigation, authorization be granted for that agency, to establish a Satellite Laboratory at Woodward, Oklahoma."

and by renumbering the present Section 6 to read "Section 11" and renumbering succeeding sections accordingly.

Amendment No. 6. Amend Page 3, Lines 10 and 11, by striking the language "appropriation made by Section 5" and substituting in lieu thereof the language "appropriations made by Sections 5 and 9".

HOUSE AMENDMENTS

HAs to SB 105 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Office of the Civil Defense and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; fixing the salary of the Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; specifying number and compensation of authorized employees; authorizing the filling of a designated position with a position in a lower grade; prohibiting expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 19, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 27, by deleting the figure "\$126,405.00" and substituting in lieu thereof the figure "\$125,617.00".

Amendment No. 4. Amend Page 1, Line 29, by deleting the figure "\$151,549.00" and substituting in lieu thereof the figure "\$150,761.00".

Amendment No. 5. Amend Page 2, Lines 5 and 6, by deleting the words and figures "Three Hundred Forty-six Thousand Two Hundred Sixty Dollars (\$346,260.00)" and substituting in lieu thereof the words and figures "Three Hundred Forty-three Thousand Five Hundred Ninety-six Dollars (\$343,596.00)".

Amendment No. 6. Amend Page 2, Line 7½, by adding new Sections 3, 4 and 5 to read as follows:

"SECTION 3. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed

for the purpose of establishing salary | valent employees shall not exceed the
ranges only. The number of full-time-equi- | number by job title authorized below.

JOB TITLE	MERIT		MIN.	MAX.
	SYSTEM	NO.		
	GRADE	AUTH.		
Director	U	1	\$20,760	\$21,780
Deputy Director	U	1	18,480	21,500
Secretary	U	1	8,520	12,840
Disaster Preparedness Officer	34	1	16,140	21,500
Civil Defense Shelter Engineer	33	1	15,420	21,500
Disaster Preparedness Assistant	31	1	14,100	21,240
Civil Defense Coordinator of Local Emergency Resources Planning	32	1	14,760	21,500
Civil Defense Operations Officer III	30	1	13,440	20,280
Radiological Systems Development Officer	30	1	13,440	20,280
Assistant Civil Defense Coordinator of Local Emergency Resources Planning	29	1	12,840	19,380
Civil Defense Operations Officer II	27	1	11,700	17,640
Civil Defense Operations Officer I	25	4	10,620	16,140
Administrative Assistant	25	1	10,620	16,140
Radiological Instrument Maintenance and Calibration Technician	24	2	10,140	15,420
Civil Defense Communications Officer II	23	1	9,720	14,760
Account Clerk III	19	1	8,160	12,240
Stenographer Clerk III	18	2	7,800	11,700
Stenographer Clerk II	16	3	7,140	10,620
Receptionist	16	1	7,140	10,620
Information Representative II	25	1	10,620	16,140
Total		27		

SECTION 4. The Office of Civil Defense is authorized to fill a designated position, as authorized by Section 3 of this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class.

SECTION 5. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to in-

clude medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and renumbering the current Section 3 to read "Section 6" and renumbering the succeeding sections accordingly.

GENERAL ORDER

SB 324 by Lambert of the Senate and Hood of the House was read and considered.

Senator Funston moved to amend SB 324, Page 1, Line 4, by striking after the word "attending" and before the word

“per” on Line 5 on Page 2, all language and inserting “any court, before any judge, or commissioner of courts of record less than sixty (60) miles from his residence, per day [Two Dollars (\$2.00)] Five Dollars (\$5.00); for attending any court before any judge, or commissioner, of courts of record more than sixty (60) miles from his residence,” which amendment was declared adopted.

Senator Lamb moved to amend SB 324, Page 1, Line 3, by inserting after the word “Witnesses” and before the word “shall” the words “when subpoenaed”, which amendment was declared adopted.

Upon motion of Senator Lambert, SB 324, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 324, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 324 was read for the third time at length.

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

Aye: Birdsong, Cate, Clifton, Dahl, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe and York.—33.

Nay: Boatner, Capps, Crow, Dawson, Field, Helm, Lamb, Lane, Smith, Watson and Young.—11.

Excused: Berrong, Butler, Howell and Keller.—4.

The bill passed.

SB 324 was referred for engrossment.

GENERAL ORDER

SB 285 by Rozell of the Senate and Townsend of the House was read and considered.

Senator Lane moved to amend SB 285, Page 23, Line 13½, by adding a new Section 10 as follows:

“SECTION 10. It is hereby declared to be the policy of the State of Oklahoma to develop in an orderly and expeditious manner the Scenic River Commissions contemplated in this act. For such purposes, the provisions of this act, for a period of three (3) years from and after its passage and approval, shall apply only to the Illinois River, Barren Fork Creek, Flint Creek and the areas surrounding and contiguous thereto, as delineated herein and in other provisions of law,”

which amendment was declared adopted.

Senator McDaniel moved to amend SB 285, Page 14, Line 13, by inserting after the word “act” and before the word “and” a period and striking the following language on Lines 13 through 18 on Page 14 and Line 1 on Page 15, which amendment was declared failed of adoption.

Senator Helm moved to amend SB 285, Page 15, Lines 14, 15 and 16, by striking after the word “granted” on Line 14 and before the word “and” on Line 16 all language and substituting a semicolon for the period on Line 14, which amendment was declared failed of adoption.

Senator McDaniel moved to amend SB 285, Page 15, Line 16, by striking after the word “bond” the word “and” and the following subsection 17.

Senator Rozell moved to table the McDaniel amendment, which motion to table was declared adopted.

Senator Cate moved to amend SB 285, Page 23, Line 17½, by adding a severability clause, which amendment was declared adopted.

Upon motion of Senator Rozell, SB 285, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, SB 285, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 285 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—39.

Nay: Helm, Randle and Schuelein.—3.

Excused: Berrong, Butler, Howell, Keller, Porter and Vann.—6.

The bill and emergency passed.

SB 285 was referred for engrossment.

GENERAL ORDER

SB 284 by Schuelein of the Senate and Fitzgibbon of the House was read and considered.

Upon motion of Senator Schuelein, SB 284 was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, SB 284 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 284 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley and Watson.—37.

Nay: Dawson, Lambert and Wolfe.—3.

Excused: Berrong, Butler, Howell, Keller, Porter, Vann, York and Young.—8.

The bill and emergency passed.

SB 284 was referred for engrossment.

GENERAL ORDER

SB 96 by Crow, Randle and Pierce of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Pierce moved to amend SB 96, Page 10, Line 12, by striking the word and figure "and 6" and inserting the word "and" between the letters "4," and "5"; and on Line 17 by changing "Section 11" to be "Section 10", which amendment was declared adopted.

Upon motion of Senator Pierce, SB 96, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Pierce, SB 96, as amended, was

considered engrossed and placed on third reading and final passage.

THIRD READING

SB 96 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and Young.—40.

Excused: Berrong, Boatner, Butler, Howell, Keller, Porter, Vann and York.—8.

The bill and emergency passed.

SB 96 was referred for engrossment.

GENERAL ORDER

SB 111 by Crow, Randle and Boatner of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Johnson asked to be made a co-author of SB 111, which was the order.

Senator Wadley presiding.

Senator Smith moved to amend SB 111, Page 7, Lines 6 and 7, by striking after the word "Department" the words "Forestry Division" and by making the word "Department's" singular, which amendment was declared adopted.

Senators Wolfe and Smith moved to amend SB 111, Pages 8 and 9, Lines 8 and 9

on Page 8 and Lines 6 and 7 on Page 9, by striking the clause "or by the president in the absence of the Board" at both places on Pages 8 and 9.

Senator Crow asked unanimous consent that further consideration of SB 111 be deferred for this legislative day.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 231 and SCR 15 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 12 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 110 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 110 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 110 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 110 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune,

McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and Young.—40.

Excused: Berrong, Butler, Crow, Howell, Keller, Porter, Vann and York.—8.

The bill and emergency passed.

SB 110 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Murphy asked unanimous consent, which was granted, that the time for consideration of his motion to reconsider

the vote by which SB 62 failed of passage be extended until Monday, March 28, 1977.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, March 28, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 12.

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

Upon motion of Senator Lane, the Senate adjourned at 2:25 p.m. to meet Monday, March 28, 1977, at 1:30 p.m.

Forty-eighth Legislative Day

Monday, March 28, 1977

Pursuant to adjournment, the Senate was called to order by Senator Wadley, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Howell, Keller, Lane and Smith.—5.

Senator Wadley declared a quorum present.

The following prayer was offered by Reverend W. Wallace Faris, Pastor, First Presbyterian Church, Claremore, and incorporated into the Journal upon request of Senator Wadley.

Eternal God, Our Father, we give thanks for the State of Oklahoma, the people who live here, the good land, the lakes, the resources, for the government of the state, thanking You for those who are willing to offer themselves for public office and responsibility, with its praise and criticism. We thank You for the treasure of

self-government, when it has proved hard to practice in many nations, and the rule of a few results.

We would ask Your blessings upon each Senator and his family, upon each one carrying out a supportive role in the work of this body, the young people present, and other guests.

Guide in decisions where the interests and concerns conflict as those who seek to promote the public good have to decide what does this best.

We thank You for the promise of Your Presence here today when we ask it, as we do, in Your Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Murphy introduced Tim Baldwin, M.D., Stillwater, as the Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1104 — Public Safety and Penal Af-

fairs, as coauthored by Watson and McCune.

DO PASS, as amended:

SB 160 — Oil and Gas, as coauthored by Bradshaw of the House.

SB 280 — Public and Mental Health, as coauthored by Funston and Wolfe and be referred to Committee on County, State and Federal Government by previous order.

HB 1103 — Public Safety and Penal Affairs, as coauthored by Watson and McCune of the Senate.

HB 1281 — Public Safety and Penal Affairs.

FIRST READING

The following were introduced and read the first time.

SB 365 — By Randle.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 24100; allowing certain temporary appropriations by excise boards to certain governmental entities; providing for procedures for temporary appropriations; fixing limits of temporary appropriations; changing limits for certain cities and towns; providing for merger with annual appropriations; and providing effective date.

SB 366 — By Funston of the Senate and Bennett of the House.

An Act relating to public health and safety; amending 63 O.S. 1971, Sections 1-704, 1-706, 1-805 and 1-807; providing for licensing of certain hospitals and domiciliary facilities; providing for fees and criteria therefor; restricting use of licenses; providing for revocation and renewal of licenses and criteria therefor; providing certain exceptions; providing certain time limitations; and providing an effective date.

SB 367 — By Funston of the Senate and Bennett of the House.

An Act relating to public health and safety; amending 63 O.S. 1971, Sections 1-1118, 1-1119, 1-1201 and 1-1314; increasing certain license and permit fees of hotels, milk importers and wholesale and retail dealers in food; providing for adoption of certain rules, regulations and standards; restricting the sale of certain beverages and foods and providing exceptions thereto; defining terms; providing for certain inspections; providing for forfeiture of certain permits; providing certain time limitations; providing penalties; and providing an effective date.

SB 368 — By Funston.

An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 1004, 1008, 1009, 1013 and 1017; establishing the Committee of Plumbing Examiners and specifying membership; providing for remuneration for services; providing a fee schedule for certain members of the plumbing business; providing for duration and expiration of certain licenses; providing for registration of and issuance of certificates to plumbers' apprentices; providing certain criteria; providing inapplicability of provisions to certain activities; removing certain activities from exemptions; and providing an effective date.

SB 369 — By Funston.

An Act relating to securities; amending 71 O.S. 1971, Sections 405, 411 and 412; providing for certain investigations and examinations; specifying certain powers of the Administrator of the Securities Commission or his designee relating thereto; modifying provisions for payment of certain charges; providing for files and copies of certain information; modifying provisions for interpretive opinions; modifying provisions for deposit of certain fees and charges; and modifying provisions for certain expenditures.

SB 370 — By Shatwell.

An Act relating to oil and gas; defining terms; prohibiting the use of certain contractual provisions relating to fuel allocations or allotments; specifying limits of prohibitions; providing penalties; directing codification; and providing an effective date.

SB 371 — By Wolfe.

An Act relating to actions for wrongful death; amending 12 O.S. 1971, Section 1053; defining damages recoverable in actions for wrongful death in addition to damages recoverable for death of minor as provided in 12 O.S. 1971, Section 1055; and declaring an emergency.

SB 372 — By Wolfe of the Senate and Brunton of the House.

An Act relating to financial privacy; providing short title; limiting permissible disclosure of specific credit information of individuals by certain businesses; providing for implied waiver of rights; specifying exemptions; directing codification; and setting an effective date.

SB 373 — By Howard of the Senate and Ford of the House.

An Act relating to state government; providing for meetings and terms of members of the Board on Legislative Compensation; providing procedures for implementing the Board's duties; providing procedures for Board to advise Legislature on other matters under certain conditions; directing codification; and declaring an emergency.

SB 374 — By York, Kilpatrick, Terrill, Birdsong, Dawson, Randle, Watson, Boatner, Butler, Capps, Cate, Clifton, Funston, Johnson, Keller, Lane, Murphy, Porter, Rozell, Schuelein, Shatwell, Taliaferro, Tinsley, Vann, Wadley and Young of the Senate and Weichel, Denman and Townsend of the House.

An Act relating to the Corporation Commission; providing for advertising expenses by public utility companies; and directing codification.

SB 375 — By York, Kilpatrick, Terrill, Rozell, Dawson, Randle, Birdsong, Porter, Funston, and Tinsley of the Senate and Weichel, Denman and Townsend of the House.

An Act relating to the Corporation Commission; prohibiting promotional payments by public utilities; and directing codification.

SB 376 — By Clifton.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2497, and 70 O.S. 1971, Section 24-108; prescribing procedure for computation of ad valorem tax levies; reducing permissible reserve for delinquent taxes; setting an effective date; and declaring an emergency.

SB 377 — By Clifton.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 24101, as amended by Section 1, Chapter 93, O.S.L. 1973 (68 O.S. Supp. 1976, Section 24101); prescribing and modifying procedures for making supplemental and additional appropriations for current expenses of counties, cities, towns and school districts; and setting an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 360 — Public and Mental Health and then to Professions and Occupations.

SB 361 — Professions and Occupations.

SB 362 — County, State and Federal Government.

SB 363 — Education, Common.

SB 364 — Appropriations and Budget.

HB 1328 — Constitutional Revision and Regulatory Services.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1134.

HB 1134 — By Miskelly, Davis (Don),

Deatherage and Draper of the House and Crow and Randle of the Senate.

(Oklahoma State Regents for Higher Education — Emergency).

The above numbered HB was read for the first time.

SPECIAL COMMITTEE REPORT

Senator Terrill submitted Part III of the final report and recommendations of the Special Committee on Utility Service Companies pursuant to SJR 70 of the 35th Legislature and moved that same be accepted by the Senate, which motion was declared adopted.

MOTION TO RECONSIDER VOTE

Senator Stipe asked for consideration of his motion to reconsider the vote whereby SB 253 failed of passage. The vote occurring on the Stipe motion, it was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Wadley, Wolfe, York and Young.—35.

Nay: Johnson, McCune, Pierce, Schuelein, Terrill and Watson.—6.

Excused: Butler, Crow, Dahl, Howell, Keller, Lane and Smith.—7.

THIRD READING

SB 253 was read for the third time at length.

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

Aye: Birdsong, Cate, Clifton, Dawson,

Field, Funston, Giles, Grantham, Green, Holden, Howard, Kilpatrick, Lamb, Lambert, Luton, Martin, Murphy, Randle, Shatwell, Stipe, Taliaferro, Tinsley, Wadley, Wolfe, York and Young.—26.

Nay: Boatner, Capps, Helm, Johnson, Keating, McCune, McDaniel, Pierce, Rozell, Schuelein, Terrill, Vann and Watson.—13.

Excused: Berrong, Butler, Crow, Dahl, Howell, Keller, Lane, Porter and Smith.—9.

The bill passed.

SB 253 was referred for engrossment.

GENERAL ORDER

SB 292 by Taliaferro was read and considered.

Upon motion of Senator Taliaferro, SB 292 was advanced to engrossment.

By unanimous consent, upon request of Senator Taliaferro, SB 292 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 292 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—39.

Excused: Butler, Crow, Dahl, Howell, Keller, Lane, Porter, Shatwell and Smith.—9.

The bill and emergency passed.

SB 292 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Murphy asked for consideration of his motion to reconsider the vote by which SB 62 failed of passage. The vote occurring on the Murphy motion, it was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—38.

Excused: Butler, Crow, Dahl, Howell, Keller, Lane, Porter, Smith, Stipe and Young.—10.

SB 62 was placed on the Calendar on Third Reading.

GENERAL ORDER

SB 294 by Grantham and Taliaferro of the Senate and Elder, et al, of the House was read and considered.

Upon motion of Senator Grantham, SB 294 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 294 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 294 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—40.

Excused: Butler, Crow, Howell, Keller, Lane, Smith, Stipe and Young.—8.

The bill passed.

SB 294 was referred for engrossment.

PENDING SENATE ACTION — RESOLUTION

HCR 1010, introduced on page 413, was called up for consideration.

Senator Cate asked unanimous consent that all other Senators be made coauthors of HCR 1010, which was the order.

HCR 1010, as coauthored, was read at length, adopted upon motion of Senator Cate, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 320 by Lambert of the Senate and Sanders of the House was read and considered.

Upon motion of Senator Lambert, SB 320 was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 320 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 320 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—34.

Nay: Boatner, Helm, Keating, Luton, Pierce and Wolfe.—6.

Excused: Butler, Crow, Howell, Keller, Lane, Smith, Stipe and Young.—8.

The bill passed.

SB 320 was referred for engrossment.

GENERAL ORDER

SB 69 by Keating was read and considered.

Senator Keating, citing Rule 8(d), asked unanimous consent that Representative Manning be added as House author of SB 69, which was the order.

Upon motion of Senator Keating, SB 69, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 69, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 69 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Fun-

ston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—39.

Nay: Boatner.—1.

Excused: Butler, Howell, Keller, Lane, Smith, Stipe, Taliaferro and Young.—8.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Terrill moved that the vote be reconsidered whereby SB 69 passed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 96, 110, 284, 285 and 324 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SJR 17 by Funston was read and considered.

Senators Watson and Lambert asked to be made coauthors of SJR 17, which was the order.

Senator Funston, citing Rule 8(d), asked unanimous consent, which was granted, that Representative Craighead be made House author of SJR 17.

Upon motion of Senator Funston, SJR 17, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, SJR 17, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 17 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—40.

Nay: Boatner.—1.

Excused: Butler, Howell, Keller, Lane, Smith, Stipe and Young.—7.

The resolution passed.

SJR 17 was referred for engrossment.

BILL REFERRED

Senator Howard asked unanimous consent that SB 355 be referred to the Committee on Appropriations and Budget in addition to the previous assignment to the Committee on Education, Higher, in compliance with Senate Rule 13(b), which was the order.

GENERAL ORDER

SB 321 by Lambert was read and considered.

Senator Lamb asked to be made a coauthor of SB 321, which was the order.

Senator Lambert, citing Rule 8(d), asked unanimous consent that Representative Elder be added as House author of SB 321, which was the order.

Upon motion of Senator Lambert, SB 321, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 321, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 321 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Boatner.—1.

Excused: Butler, Field, Howell, Keller, Lane and Smith.—6.

The bill passed.

SB 321 was referred for engrossment.

GENERAL ORDER

HB 1129 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1129 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1129 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1129 was read for the third time at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Butler, Field, Howell, Keller, Lane and Smith.—6.

The bill and emergency passed.

HB 1129 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HB 1149 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1149 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1149 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1149 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McDaniel,

Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Nay: McCune and Wolfe.—2.

Excused: Butler, Clifton, Field, Howell, Keller, Lane and Smith.—7.

The bill and emergency passed.

HB 1149 was referred for engrossment.

GENERAL ORDER

HB 1167 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1167 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1167 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1167 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Butler, Dawson, Field, Howell, Keller, Lane and Smith.—7.

The bill and emergency passed.

The Chair ruled that Senator Dawson be shown voting "no" on HB 1167 and the emergency in compliance with Senate Rule 1(b).

HB 1167 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

SB 112 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Grantham asked to be made a coauthor of SB 112, which was the order.

Senator Stipe moved to amend SB 112, Page 3, Line 14½, by inserting a new sentence as follows: "Water line construction at Robbers Cave state park — \$25,000.00", which amendment was declared adopted.

Senator Stipe moved to amend SB 112, Page 6, Line 6, by striking after the word "Country" the figure "25,000.00" and inserting in lieu therefor the figure "32,000.00", which amendment was declared adopted.

Senator Stipe moved to amend SB 112, Page 3, Line 13½, by adding a new sentence as follows: "For road maintenance and construction within the park system — \$2,000,000.00", which amendment was declared adopted.

Senator Martin moved to amend SB 112, Page 2, Line 2, by adding after the word "required" the following: "to purchase Turner Falls and", which amendment was declared adopted upon roll call as follows:

Aye: Birdsong, Cate, Clifton, Dahl, Dawson, Funston, Giles, Green, Holden, Howard, Lambert, Luton, McDaniel, Martin, Shatwell, Taliaferro, Vann, Wadley, Watson and York.—20.

Nay: Berrong, Boatner, Capps, Crow,

Field, Grantham, Helm, Johnson, Kilpatrick, Lamb, McCune, Murphy, Pierce, Randle, Rozell, Schuelein, Stipe, Wolfe and Young.—19.

Excused: Butler, Howell, Keating, Keller, Lane, Porter, Smith, Terrill and Tinsley.—9.

Senator Dahl moved to amend SB 112, Page 3, Line 13½, by adding the following: "\$10,000.00 for construction of tennis court at Osage Hills state park.", which amendment was declared adopted.

Upon motion of Senator Crow, SB 112, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 112, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 112 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Terrill, Vann, Wadley, Watson, York and Young.—37.

Excused: Butler, Crow, Howell, Keller, Lane, Porter, Smith, Stipe, Taliaferro, Tinsley and Wolfe.—11.

The bill and emergency passed.

SB 112 was referred for engrossment.

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

GENERAL ORDER

SB 101 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Cate moved to amend SB 101, Page 5, Line 14, by adding after the period and before the word "It" the following language: "The Commissioner of Public Safety shall establish salary steps for each classification within the minimums and maximums set out above.", which amendment was declared adopted.

Senator Cate moved to amend SB 101, Page 7, Line 16, by adding after the word "salaries" and before the comma the following language: "and establish salary steps for each classification within the minimums and maximums set out below", which amendment was declared adopted.

Senator Cate moved to amend SB 101, Page 8, Lines 4 through 6, by striking the following language: "in accordance and conformity with the Merit System of Personnel Administration Salary Schedule," which amendment was declared adopted.

Senator Cate moved to amend SB 101, Page 21, Line 12, by adding after the period and before the word "The" the following language: "The Commissioner of Public Safety shall establish salary steps for each classification within the minimums and maximums set out above.", which amendment was declared adopted.

Senator Cate moved to amend SB 101, Page 29, Line 9½, by adding the following language: "The Commissioner of Public Safety shall establish salary steps for each classification within the minimums and

maximums set out above.", which amendment was declared adopted.

Senator Cate moved to amend SB 101, Page 32, Line 11, by inserting after the word "and" and before the word "prescribe" the following: "to establish salary steps for each classification and", which amendment was declared adopted.

Senator Cate moved to amend SB 101, Page 34, Line 5, by adding after the period and before the word "Subject" the following language: "The Commissioner of Public Safety shall establish salary steps for each classification within the minimums and maximums set out below.", which amendment was declared adopted.

Senator Crow moved to amend SB 101, Page 12, Line 3, by changing the word "discharge" to "discharged", which amendment was declared adopted.

Senator Crow moved to amend SB 101, Page 20, Line 12, by striking the figure "8,300.00" under the heading "Minimum" and inserting the figure "8,340.00", which amendment was declared adopted.

Upon motion of Senator Crow, SB 101, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 101, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 101 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner,

Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, York and Young.—42.

Excused: Butler, Howell, Lane, Smith, Tinsley and Wolfe.—6.

The bill and emergency passed.

SB 101 was referred for engrossment.

GENERAL ORDER

SB 111, previously considered, coauthored and amended on page 421, was considered further.

Senator Boatner moved to amend SB 111, as a substitute amendment to the Smith-Wolfe amendment, (see page 421) Page 8, Line 9, by adding after the word "Board" the following: "may approve disbursements made pursuant to lawfully authorized purposes", which amendment was declared adopted.

Senator Giles moved to amend SB 111, Page 9, Line 5, by placing a period after the word "Board" and striking all language on Lines 6 and 7, which amendment was withdrawn upon the unanimous consent request of Senator Giles.

Upon motion of Senator Boatner, SB 111, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 111, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Boatner asked unanimous con-

sent to amend SB 111, Page 8, Line 8, by striking after the word "or" and before the word "the" the word "by", which was the order.

SB 111 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, York and Young.—41.

Excused: Butler, Howell, Lane, Porter, Smith, Tinsley and Wolfe.—7.

The bill and emergency passed.

SB 111 was referred for engrossment.

MESSAGE FROM THE HOUSE

Transmitting following Bill together with Third Conference Committee Report thereon, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed HB 1071 (3rd CCR)

CONFERENCE COMMITTEE REPORT

The following Third CCR on HB 1071 was read and consideration deferred.

Mr. Speaker
and
Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1071, and Engrossed Senate Amendments thereto, by Abbott and Parris of the

House and McDaniel of the Senate, entitled:

An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Sections 1705, as amended by Section 1, Chapter 225, O.S.L. 1973 (69 O.S. Supp. 1976, Section 1705) and 1709; *** 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:

1. That the House concur in Engrossed Senate Amendments Nos. 1, 2, and 5.

2. That the Senate recede from Engrossed Senate Amendments Nos. 3 and 4.

3. That the following Conference Committee Amendments be adopted:

Amendment No. 1. Page 16, Section 2, Line 18 and Page 17, Section 2, Line 1, after the word "exceeding" and before the word "per", restore the following stricken words and figures: "seven and one-half percent (7½%)" and strike the following words and figures "EIGHT PERCENT (8%)"

Amendment No. 2. Page 18, Section 2, Line 18 and Page 19, Section 2, Line 1, after the word "than" on Page 18, Line 18 and before the word "per" on Page 19, Line 1, restore the following stricken words and figures: "seven and one-half percent (7½%)" and strike the following words and figures "EIGHT PERCENT (8%)"

Respectfully submitted,

FOR THE HOUSE: Abbott, Bennett and Converse.

FOR THE SENATE: McDaniel, Holden and Martin.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, March 29, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

SB 216 was referred for engrossment.

HBs 1129 and 1167 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Luton, the Senate adjourned at 4:15 p.m. to meet Tuesday, March 29, 1977, at 1:30 p.m.

Forty-ninth Legislative Day

Tuesday, March 29, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Lane, Porter and Smith.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Faris, and incorporated into the Journal upon request of Senator Wadley.

Eternal God, Our Father, we thank You for the gift of life, which comes from You. We thank You for the opportunity of living out these lives in this state, in this country. We thank You for the people of our state, men and women, boys and girls, business people, educators, students, farmers and ranchers, legislators, young and old, rich and poor, people of many different backgrounds. We thank You for those who seek

justice, and those who seek to legislate between conflicting demands and expectations. We thank You for the opportunity of service, open to us all.

We ask Your blessings on this assembly, upon each Senator and his family, upon all whose work enables this body to function. We pray for all visitors to the Senate, the young people, the women, the men, while thanking You for their interest in this their State.

“Except the Lord build the house, they labor in vain that build it,” so we ask Your help in the affairs of this day. Bless us this day that we may be a blessing to others through serving them, we ask in Your Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Terrill introduced Zachary Kraker, son of Patty Kraker, and asked unanimous consent, which was granted, that young Zachary be made Honorary President Pro Tempore for this legislative day. XX

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 352 — Judiciary, as coauthored by Davis (Guy) of the House.

SB 357 — Judiciary.

HB 1146 — Appropriations and Budget.

DO PASS, as amended:

SB 5 — Education, Higher.

CS for HB 1142 — Appropriations and Budget.

HB 1143 — Appropriations and Budget.

CS for HB 1147 — Appropriations and Budget.

WITHOUT RECOMMENDATION, as amended:

SB 316 — Judiciary, as coauthored by Duckett of the House and be referred to Committee on County, State and Federal Government by previous order.

FIRST READING

The following were introduced and read the first time.

SB 378 — By Keller.

An Act relating to schools; requiring certain proofs of English proficiency of nonimmigrant aliens applying for admission to institutions of the Oklahoma State System of Higher Education; directing codification; and setting an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 365 — Municipal Government.

SB 366 — Public and Mental Health.

SB 367 — Public and Mental Health.

SB 368 — Professions and Occupations and then to County, State and Federal Government.

SB 369 — County, State and Federal Government.

SB 370 — Oil and Gas.

SB 371 — Judiciary.

SB 372 — Banks and Banking.

SB 373 — Rules.

SB 374 — County, State and Federal Government.

SB 375 — County, State and Federal Government.

SB 376 — Revenue and Taxation.

SB 377 — Revenue and Taxation.

HB 1134 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1140, 1250, 1269, 1296, 1342, 1398, and 1401; and HJR 1025.

HB 1140 — By Miskelly, et al, of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Educational Television Authority and making appropriations thereto; stating the purposes; providing for the appointment, duties and compensation of employees; providing for maximum salary for the Director; limiting number of employees; limiting expenditures for salaries and wages; stating the number and compensation by job title for authorized officials and employees; authorizing filling of a designated position with position in lower job level; providing lapse dates; providing severability; and declaring an emergency.

HB 1250 — By Lancaster of the House and Rozell of the Senate.

An Act relating to banks and trust companies; amending 6 O.S. 1971, Section 1404, as amended by Section 2, Chapter 207, O.S.L. 1972 (6 O.S. Supp. 1976, Section 1404); prohibiting loans to managing officers of banks; providing for certain exceptions; expanding loan exceptions; providing penalties; and declaring an emergency.

HB 1269 — By Nance and Camp.

An Act relating to securities; amending 71 O.S. 1971, Section 401, as last amended by Section 2, Chapter 89, O.S.L. 1976 (71 O.S. Supp. 1976, Section 401); and exempting certain securities and materials from registration and approval procedures.

HB 1296 — By McCaleb, et al, of the House and Dawson of the Senate.

An Act relating to the Corporation Commission; declaring policy; amending 17 O.S. 1971, Section 152; providing certain powers and duties for the Corporation Commission; authorizing inspections and examinations; requiring rate determinations to include activities of subsidiaries; and declaring an emergency.

HB 1342 — By Elder of the House and Smith of the Senate.

An Act relating to the Consumer Credit Code; providing that certain discounts shall not constitute a credit service charge under certain circumstances; prohibiting the imposition of surcharges for the use of credit cards; directing codification; and declaring an emergency.

HB 1398 — By Riggs.

An Act relating to damages; amending 23 O.S. 1971, Section 10; establishing parental liability for destruction of property by certain minor children; expanding liability to include other torts; and providing effective date.

HB 1401 — By Riggs.

An Act relating to grand jurors; amending 22 O.S. 1971, Section 329, and 38 O.S. 1971, Section 21, as amended by Section 1, Chapter 310, O.S.L. 1975 (38 O.S. Supp. 1976, Section 21); providing for the selection of certain jurors; providing procedures and methods for selection; providing for selection of alternate grand jurors; providing certain duties and responsibilities of certain officials and jurors; providing certain restrictions on alternate jurors; providing for the discharge of grand jurors under certain cir-

cumstances; providing for the filling of vacancies and procedures therefor; providing certain time limitations for certain juries; and declaring an emergency.

HJR 1025 — By Draper, Duckett and Vaughn.

A Joint Resolution directing the Secretary of State to refer to the people a proposed amendment to the Oklahoma Constitution; repealing Article III thereof and establishing a new Article III; reducing required qualifications of elector to being United States citizen, over age of eighteen, who is bona fide resident of state; eliminating certain conditions for residency of members of United States Army or Navy; requiring Legislature to create State Election Board charged with supervision of such elections as Legislature directs; providing for a mandatory primary system; providing for the holding and conducting of elections; eliminating literacy test requirements for elector registration; authorizing Legislature to provide for election registration; eliminating requirement of certification of nominees for office of presidential elector; augmenting right of people to place nonpartisan candidates for office, including office of presidential elector; providing for free and equal elections but eliminating elector's privilege from arrest; eliminating requirement that under certain conditions Legislature must provide for election of United States Senators as for election of elective officers; providing ballot title; and directing filing.

The above numbered HBs and HJR were read for the first time..

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1009.

HCR 1009 — By Craighead of the House and Watson of the Senate.

A Concurrent Resolution recognizing the

new Oklahoma Cancer Center; noting the concerted efforts and plans for the Center's development; encouraging the fostering of all efforts of this kind; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

GENERAL ORDER

SB 327 by Lambert was read and considered.

Senator Johnson asked to be made a co-author of SB 327, which was the order.

Senator Lambert, citing Rule 8(d), asked unanimous consent that Representative Twidwell be made House author of SB 327, which was the order.

Senator York presiding.

Senator Cate moved to amend SB 327, Page 2, Line 18, by placing a period after the word "Statutes" and striking all remaining language in the sentence, which amendment was declared adopted.

Senator Luton presiding.

Senator Stipe moved to amend SB 327, Page 2, Line 18, by striking after the word "Statutes" the remainder of the Section and asked unanimous consent, which was granted, that his amendment be made a part of the previously adopted Cate amendment.

Upon motion of Senator Lambert, SB 327, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 327, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 327 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dawson, Funston, Giles, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Rozell, Schuelein, Taliaferro, Terrill, Vann, Watson, York and Young.—28.

Nay: Boatner, Butler, Crow, Dahl, Field, Grantham, Holden, Howard, Howell, Luton, Murphy, Randle, Shatwell, Stipe, Tinsley, Wadley and Wolfe.—17.

Excused: Lane, Porter and Smith.—3.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Boatner moved to reconsider the vote whereby SB 327 passed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 101, 111, 112, 216, 253, 292, 294, 320 and 321; and SJR 17 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1149 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 287 by Wadley of the Senate and Crutcher of the House was read and considered.

Upon motion of Senator Wadley, SB 287 was advanced to engrossment.

By unanimous consent, upon request of Senator Wadley, SB 287 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 287 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—42.

Nay: Dawson, Watson and Wolfe.—3.

Excused: Lane, Porter and Smith.—3.

The bill and emergency passed.

SB 287 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1129 and 1167.

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 1010.

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

GENERAL ORDER

SB 308 by Stipe was read and considered.

Senators Crow and Funston asked to be made coauthors of SB 308, which was the order.

Senator York presiding.

Senator Berrong moved to amend SB 308, Page 2, Line 16, by adding after the word "system" and before the word "that" the words "for public use", which amendment was declared adopted.

Senator Berrong moved to amend SB 308, Page 3, Line 4, by adding after the word "system" the words "wherever feasible", which amendment was declared adopted.

Senator Helm moved to amend SB 308, Page 3, Line 9, by adding after the word "projects." the following sentence: "Provided that before any federal funds are accepted for the purpose of this act, the Division shall ascertain that the acceptance of such funds will not endanger the right of the State of Oklahoma to determine the destination and use of transported water.", which amendment was declared adopted.

Senator Funston moved to amend SB 308, Page 2, Lines 15 and 16, by striking after the word "study" and before the word "a" on Line 16 all language.

Senator Stipe moved to table the Funston amendment, which motion to table was declared failed of adoption.

Senator Funston pressed his motion to amend, which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Capps, Clifton, Dawson, Field, Funston, Giles, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, Martin, Pierce, Randle, Rozell, Schuelein, Taliaferro, Terrill, Wadley, Watson, Wolfe, York and Young.—28.

Nay: Birdsong, Boatner, Cate, Crow, Dahl, Grantham, Green, Holden, Howard, Howell, Luton, McDaniel, Murphy, Shatwell, Stipe, Tinsley and Vann.—17.

Excused: Lane, Porter and Smith.—3.

BILL WITHDRAWN — REREFERRED

Senator Stipe moved that SB 308 be rereferred to the Committee on Roads and Highways, which motion was declared adopted.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, March 30, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 3:35 p.m. to meet Wednesday, March 30, 1977, at 1:30 p.m.

Fiftieth Legislative Day

Wednesday, March 30, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Excused: Funston, Martin, Smith and Wolfe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Faris, and incorporated into the Journal upon request of Senator Wadley.

Eternal God, Our Father, we thank You for the gift of this day and its opportunity of service. We thank You for the greatest resource of this State, her people. Help us to respect each one as You respect them, to labor for their good, to protect their rights, to offer them opportunities to become what You have in mind for them. We thank You for all who have labored for the

best interests of this state and made it what it is today.

Grant us Your vision to see what we may become with Your help, to labor with Your patience in adversity, Your hope in times of despair, Your confidence in times of doubt, Your love on all occasions.

Bless each member of this assembly, each Senator and his family, each one working to enable this body to function, each visitor and guest.

Help us to fulfill our duties this day with Your help and Your guidance, with Your Presence, we pray in Christ's Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Capps introduced Gwen Stafford, R.N., and Connie Nicholson, R.N., Shattuck, as Nurses of the Day and Senator Murphy introduced Don Cooper, M.D., Stillwater, as Doctor of the Day.

SPECIAL INTRODUCTION

Senator Giles asked unanimous consent, which was granted, that privileges of the floor be given to Miss Mary Ballard and Miss Lori Ann Laing.

Senator Giles congratulated and

presented citations to Miss Ballard commending her as "Little Miss Peanut 1977-1978" and to Miss Laing commending her as "Rush Springs Watermelon Queen 1977-1978".

Each young lady spoke briefly on the value of the agricultural products represented.

REQUESTS FOR LOBBY PERMITS

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

Edwin C. Loosley, Box 1267, Ponca City, representing Continental Oil Company.

Don D. Millirons, 3525 N.W. 23rd, Oklahoma City, representing American Automobile Association.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 304 — County, State and Federal Government.

SB 309 — Social Welfare.

SB 311 — Social Welfare.

SB 317 — Professions and Occupations.

SB 336 — Social Welfare, as coauthored by Cleveland of the House.

SB 348 — Social Welfare.

HB 1077 — Wildlife, as coauthored by Dahl.

DO PASS, as amended:

SB 335 — Criminal Jurisprudence.

SB 349 — Wildlife.

WITHOUT RECOMMENDATION, as amended:

SB 280 — (Amended by the committee

on Public and Mental Health) County, State and Federal Government and be referred to committee on Appropriations and Budget for further consideration.

FIRST READING

The following were introduced and read the first time.

SB 379 — By Young.

An Act relating to crimes and punishments; prohibiting the exposure of certain parts of the human body by certain persons; prohibiting causing or assisting certain acts; delineating scope of act; fixing penalties; directing codification; and providing an effective date.

SB 380 — By Keating.

An Act relating to state legislators; requiring legislators to file annual financial statements on specified date with specified contents; directing codification; and setting an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 378 — Education, Higher.

HB 1140 — Appropriations and Budget.

HB 1250 — Banks and Banking.

HB 1269 — Banks and Banking.

HB 1296 — County, State and Federal Government.

HB 1342 — County, State and Federal Government.

HB 1398 — Criminal Jurisprudence.

HB 1401 — Criminal Jurisprudence.

HJR 1025 — Elections and Privileges and then to Constitutional Revision and Regulatory Services.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1137 and 1381.

HB 1137 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

(State Board of Education — Emergency).

HB 1381 — By Hammons, et al, of the House and Funston and Dawson of the Senate.

An Act relating to probate procedure; providing for establishment of certain procedures of the Uniform Probate Code as to the affairs of decedents and others; providing cumulativeness to certain laws; repealing 58 O.S. 1971, Sections 5, 23, 25, 28, 32, 34, 52, as amended by Section 1, Chapter 265, O.S.L. 1975, 53, 63, 102 through 109, 122, 127 through 132, 171 through 188, 211 through 221, 231 through 238, 241, as last amended by Section 1, Chapter 78, O.S.L. 1976, 242, 243, 251 through 254, 263 through 267, 281, 282, as amended by Section 2, Chapter 9, O.S.L. 1975, 283, 287 through 291, and 333 through 337 (58 O.S. Supp. 1976, Sections 52, 241 and 282); and providing for severability.

The above numbered HBs were read for the first time.

PENDING SENATE ACTION — RESOLUTION

HCR 1009, introduced on page 437, was called up for consideration.

Senator Watson asked unanimous consent, which was granted, that all other Senators be made coauthors of **HCR 1009**.

HCR 1009, as coauthored, was read at length, adopted upon motion of Senator Watson, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 266 by Cate was read and considered.

Senator Helm asked to be made a coauthor of **SB 266**, which was the order.

Senator Berrong moved to amend **SB 266**, Page 2, Line 16, by adding after the word "her" and before the word "relatives" the word "immediate" and by striking subparagraph 6, which amendment was withdrawn upon the unanimous consent request of Senator Berrong.

Senator Dawson moved to amend **SB 266**, Page 2, Line 16, by adding after the word "apparent" and before the word "power", the following: "inclination to carry out that threat and", which amendment was declared failed of adoption.

Senator Dawson moved to amend **SB 266**, Page 2, Line 18, by striking subparagraph 6, which amendment was declared adopted.

Upon motion of Senator Cate, **SB 266**, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, **SB 266**, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Wadley presiding.

SB 266 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—38.

Nay: Butler, Dawson, Kilpatrick, Stipe and Young.—5.

Excused: Funston, Martin, Porter, Smith and Wolfe.—5.

The bill and emergency passed.

SB 266 was referred for engrossment.

GENERAL ORDER

SB 258 by Stipe of the Senate and Davis (Don) of the House was read and considered.

Senators Capps and McDaniel asked to be made coauthors of SB 258, which was the order.

Upon motion of Senator Stipe, SB 258, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 258, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 258 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Holden and Lambert.—2.

Excused: Funston, Martin, Smith and Wolfe.—4.

The bill passed.

SB 258 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 287 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 352 by Boatner of the Senate and Davis (Guy) of the House was read and considered.

Upon motion of Senator Boatner, SB 352 was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 352 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 352 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Excused: Crow, Funston, Howard, Martin, Smith, Stipe and Wolfe.—7.

The bill passed.

SB 352 was referred for engrossment.

GENERAL ORDER

SB 328 by Lambert was read and considered.

Senator Lambert, citing Rule 8(d), asked unanimous consent that Representative Twidwell be made House author of SB 328, which was the order.

Senator Lambert moved to amend SB 328, Page 3, Line 10, by deleting "five (5)" and inserting "ten (10)".

Senator Cate moved to table the Lambert amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Butler, Cate, Crow, Dahl, Dawson, Grantham, Green, Holden, Howard, Keating, Lane, Luton, Murphy, Randle, Schuelein, Stipe and Young.—17.

Nay: Berrong, Birdsong, Boatner, Capps, Clifton, Field, Giles, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Pierce, Porter, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—26.

Excused: Funston, Helm, Martin, Smith and Wolfe.—5.

Senator Lambert pressed his motion to amend, which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Clifton, Field, Giles, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, McDaniel, Pierce, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—26.

Nay: Butler, Cate, Crow, Dahl, Dawson, Grantham, Green, Helm, Howard, Keating, Lane, Luton, McCune, Murphy, Porter, Randle, Schuelein and Stipe.—18.

Excused: Funston, Martin, Smith and Wolfe.—4.

Senator Keller moved to amend SB 328, Page 3, Line 11, by adding after the word "imprisonment." the following:

"(5) In cases involving books, writings, pictures, motion pictures, or any similar material, if the business is operated by a corporation, the penalties herein shall be equally against all officers and directors of such corporation as well as those employees carrying out the actual sale or showing of such materials.",

which amendment was declared adopted.

Upon motion of Senator Lambert, SB 328, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 328, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 328 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Clifton, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Pierce, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—35.

Nay: Butler, Cate, Crow, Dawson, Howard, Lane, Porter, Randle and Stipe.—9.

Excused: Funston, Martin, Smith and Wolfe.—4.

The bill passed.

SB 328 was referred for engrossment.

Senator Terrill presiding.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 15 as coauthored by Bengtson of the House.

The above numbered Resolution was referred for enrollment.

GENERAL ORDER

SB 318 by Keller, Lambert, Lamb, Clifton, Helm and Green of the Senate and Tidwell of the House was read and considered.

Senator Johnson asked to be made a co-author of SB 318, which was the order.

Senator Dawson moved to amend SB 318, Page 2, Line 4, by striking after the word "of" the word and figure "eighteen (18)" and inserting "sixteen (16)".

Senator Keller moved to table the Dawson amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Pierce, Rozell, Shatwell, Taliaferro, Terrill, Tinsley and Vann.—30.

Nay: Birdsong, Butler, Dawson, Holden, Porter, Randle, Schuelein, Stipe, Watson, York and Young.—11.

Excused: Funston, Howard, Lane, Martin, Smith, Wadley and Wolfe.—7.

Senator Wadley presiding.

Senator Keating moved to amend SB 318, Page 2, Line 2, by striking "One Thousand Five Hundred Dollars (\$1,500.00)" and inserting "Two Thousand Five Hundred Dollars (\$2,500.00)", which amendment was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Capps, Clifton, Dahl, Giles, Green, Howard, Keating, Keller, Kilpatrick, Lambert, Luton, McCune, Pierce, Taliaferro, Vann, Wadley and Young.—18.

Nay: Berrong, Boatner, Butler, Cate, Crow, Dawson, Grantham, Helm, Holden, Howell, Johnson, Lamb, Lane, McDaniel, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Watson and York.—25.

Excused: Field, Funston, Martin, Smith and Wolfe.—5.

Upon motion of Senator Keller, SB 318, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Keller, SB 318, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 318 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—37.

Nay: Butler, Crow, Dawson, Lane, Porter, Stipe and York.—7.

Excused: Funston, Martin, Smith and Wolfe.—4.

The bill passed.

SB 318 was referred for engrossment.

GENERAL ORDER

SB 164 by Tinsley and Taliaferro was read and considered.

Senators Shatwell, Holden and Boatner asked to be made coauthors of SB 164, which was the order.

Senator Berrong moved to amend SB 164, Page 1, Line 5, by striking after the word "grounds" the following: "The expense of operation and maintenance of the machinery and equipment may be paid from any county funds." and substituting therefor the following: "The expense of operation, including operating personnel, shall be billed to the school district requesting such improvements on an actual cost basis.", which amendment was declared adopted.

Senator Berrong moved to amend SB 164, Page 1, Lines 3 and 4, by striking after the word "equipment" and before the word "to" the words "as can be used by the schools", and by striking after the word "upon" and before the word "school" on Line 4 the word "their", which amendment was declared adopted.

Upon motion of Senator Tinsley, SB 164, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, SB 164, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 164 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Excused: Funston, Martin, Smith and Wolfe.—4.

The bill passed.

SB 164 was referred for engrossment.

GENERAL ORDER

SB 160 by Field, Capps and Taliaferro of the Senate and McKee and Bradshaw of the House was read and considered.

Senator Berrong asked to be made a coauthor of SB 160, which was the order.

Upon motion of Senator Field, SB 160, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Field, SB 160, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 160 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Lutton, McCune, McDaniel, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—41.

Nay: Young.—1.

Excused: Butler, Funston, Howell, Martin, Smith and Wolfe.—6.

The bill passed.

SB 160 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The third Conference Committee Report on HB 1071 was called up for consideration.

Senator McDaniel moved that the CCR be adopted.

Senator Boatner moved, as a substitute motion, that the CCR on HB 1071 be rejected and further conference be requested with instructions to the Senate conferees that Senate Amendment No. 3 be accepted, which motion was declared adopted.

President Pro Tempore Howard appointed the following as Senate conferees on HB 1071: Senators McDaniel, Martin and Boatner.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, March 31, 1977, at 12:30 p.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 4:25 p.m. to meet Thursday, March 31, 1977, at 12:30 p.m.

Fifty-first Legislative Day

Thursday, March 31, 1977

Pursuant to adjournment, the Senate was called to order by Senator Wadley, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Excused: Funston, Helm, Howard, Keating, Lane, Porter, Stipe and Wolfe.—8.

Senator Wadley declared a quorum present.

The following prayer was offered by Reverend Faris and incorporated into the Journal upon request of Senator Wadley.

Eternal God, Our Father, we thank You for this day's gift of life and its opportunity of service. We thank You for the people we serve, the nation in which we live, the State of Oklahoma where we have immediate responsibility. Help us to serve this day with Your guidance, Your sustaining power, Your ennobling grace.

Bless each member of this assembly,

each Senator and his family, the staff that enables this body to function, the guests and visitors.

Comfort those who mourn, strengthen the weak, give light to those discouraged, perseverance in well-doing to all who serve. May Your blessing be upon the actions of this day we humbly pray, and grant a safe trip to all who travel, in Jesus Name, Amen.

The Journal for the last legislative day was declared approved.

COMMITTEE REPORT — LOBBY PERMITS

Mr. President:

The Committee on Rules, to which was referred requests for Lobby Permits, after careful consideration recommends that the following petitioners be granted Lobby Permits.

Robert H. Anderson, 325 N.W. 3, P.O. Box 657, Oklahoma City, 73101, representing American Insurance Association.

Everette W. Baird, 215 E. 12th, Edmond, 73034, representing National Association of Retired Federal Employees.

Henry Baldrige, 1411 Classen Blvd., Suite 222, Oklahoma City, 73106, representing Oklahoma State Council of Carpenters.

Mike Barlow, 811 N. Virginia, Suite 25, Oklahoma City, 73106, representing Oklahoma City Federation of Teachers, AFT, AFL-CIO.

Dorman D. Barrett, 707 N. Robinson, Room 906, Oklahoma City, 73102, representing Southwestern Bell Telephone Company.

Edward C. Bastow, Jr., 323 East Madison, Oklahoma City, 73118, representing Oklahoma Education Association.

Jack G. Burns, 4400 N. Lincoln # 232, Oklahoma City, 73105, representing Oklahoma Trial Lawyers Association.

Bernest H. Cain, Jr., 2200 Classen Blvd., # 1330, Oklahoma City, 73106, representing Oklahoma Common Cause.

Ben Claiborne, 3829 Classen Blvd., Suite 200, P.O. Box 18244, Oklahoma City, 73118, representing Oklahoma Independent Insurance Agents, Inc.

Ken W. Cole, Box 3092, Houston, Texas, representing Standard Oil (Indiana).

John Connor, 1601 City National Bank Tower, Oklahoma City, 73102, representing Oklahoma Automobile Dealers Association and Oklahoma City Motor Car Dealers Association.

Leo W. Cravens, 901 Office Park Plaza, Oklahoma City, 73105, representing Oklahoma State Home Builders Association.

G. R. Crumpler, 201 N.E. 23rd, Oklahoma City, 73105, representing Oklahoma Municipal League.

James H. Curtis, RR 3, Perry, Oklahoma, 73077, representing Oklahoma Aerial Applicators Association.

Elmer R. Dennis, 104 South "L" Street, El Reno, representing Sheet Metal

Workers' International and Chicago Rock Island & Pacific Railroad.

Ed Dudley, P.O. Box 188, Madill, 73446, representing Oklahoma Railways Committee.

Retha Duggan, 4020 Lincoln Blvd., Suite 102, Oklahoma City, 73105, representing Oklahoma Society of Certified Public Accountants.

Carolyn J. Edwards, 400 N.W. 23, Oklahoma City, 73103, representing League of Women Voters of Oklahoma.

J. Dave Fellers, Jr., 1140 N.W. 63rd, Suite 310, Oklahoma City, 73116, representing Oklahoma Oil Marketers Association.

Ouida E. Ferrall, 1611 N. Broadway, Oklahoma City, representing Communications Workers of America.

Roberta Ann Paris Funnell, 3115 Harvey Parkway, Oklahoma City, 73118, representing People's Lobby.

N. L. George, 2619 N.W. 67, Oklahoma City, 73120, representing National Retired Teachers Association and the American Association of Retired Persons.

Hal T. Gibson, 212 Franklin Bldg., Tulsa, 74103, representing Oklahoma Independent Petroleum Association.

Barbara Graham, R.N., 4400 N. Lincoln Blvd., Suite 153, Oklahoma City, 73105, representing Oklahoma State Nurses Association.

Don Spears Hale, 1 Santa Fe Plaza, Oklahoma City, 73102, representing Oklahoma City Chamber of Commerce.

James G. Hamill, 309 Municipal Bldg., Oklahoma City, 73102, representing the City of Oklahoma City.

Don J. Harr, 4400 Lincoln Blvd., Suite 252, Oklahoma City, 73105, representing The Independent Bankers Association of Oklahoma.

Bill Harrison, 4010 Lincoln Blvd., Oklahoma City, 73105, representing Oklahoma Vocational Association and Oklahoma Vocational Technical Education Council, Inc.

Burl E. Hays, City Center Bldg., 9th Floor, Main and Broadway, Oklahoma City, representing Allstate Insurance Company.

Gene H. Hemry, 1355 First National Center-W, Oklahoma City, 73102, representing American Council of Life Insurance.

Jerry L. Hemry, 1355 First Nat'l. Center, Oklahoma City, 73102, representing Oklahoma Mortgage Bankers Association.

Jerry L. Higgins, 301 S. Blvd., Edmond, 73034, representing Oklahoma Association of Realtors.

Charles G. Huddleston, 2501 N. Stiles, Suite 400, Oklahoma City, 73105, representing Ophthalmic Dispensers Society of Oklahoma and Oklahoma Farm Bureau.

David Hutchens, 2325 N.E. Expressway, P.O. Box 11047, Oklahoma City, 73111, representing Oklahoma Association of Electric Cooperatives.

Ben Hutchinson, 501 N.E. 27th, Oklahoma City, 73105, representing Oklahoma State AFL-CIO.

Charles E. Jones, 901 Office Park Plaza, Oklahoma City, 73105, representing Oklahoma Savings League.

Henry C. Jordan, 2601 N.W. Expressway, Oklahoma City, representing General Telephone Company.

Julius E. Kubier, 217 Timbergate Office

Gardens, 6161 N. May Ave., Oklahoma City, 73112, representing Associated Industries of Oklahoma, Inc.

John P. Kyle, P.O. Box 14607, Oklahoma City, 73114, representing The Associated Motor Carriers of Oklahoma, Inc.

Henry L. Likes, 501 N.E. 27, Oklahoma City, 73105, representing Oklahoma State AFL-CIO.

Edwin C. Loosley, Box 1267, Ponca City, representing Continental Oil Company.

Fred R. Merrifield, Rt. 5, Box 178, Enid, 73701, representing Oklahoma Railways Committee.

Don D. Millirons, 3525 N.W. 23rd, Oklahoma City, representing American Automobile Association.

R. B. Moore, Box 251, Wayne, 73095, representing Brotherhood of Maintenance of Way Employees.

Richard L. Morgan, P.O. Box 18485, Oklahoma City, 73118, representing Oklahoma Education Association.

William A. Moyer, 201 N.E. 23, Oklahoma City, 73105, representing Oklahoma Municipal League.

Leigh Nichols, 2403 N.W. 39th Expressway, Suite 200, Oklahoma City, 73112, representing Oklahoma Association of Realtors.

Leonard R. O'Daniell, 2716 N.E. 50, Oklahoma City, 73111, representing Oklahoma State Firefighters Association.

Ira T. Oliver, 2000 Classen Center, Suite 426, East Bldg., Oklahoma City, 73106, representing Oklahoma Society of Professional Engineers, Inc.

James H. Paddleford, 5001 N. Penn., Suite 300, Oklahoma City, 73112, representing State Farm Insurance Company.

Gary E. Payne, 206 E. Court, Atoka, 74525, representing American Mutual Insurance Alliance and Oklahoma Retail Merchants Association.

William W. Phelps, P.O. Box 2819, Suite 718 ARB, Dallas, Texas, 75221, representing The Atlantic Richfield Company.

William O. Pitts, 1120 Thompson Bldg., Tulsa, 74103, representing Kansas-Oklahoma Division, Mid Continent Oil & Gas Association.

Wayne Plummer, Box 269, Wright City, 74766, representing Weyerhaeuser Company.

James H. Price, 616 S. Boston, Tulsa, 74119, representing Metropolitan Tulsa Chamber of Commerce.

G. Dan Rambo, 205 East Main, Norman, 73069, representing Oklahoma Collection Associates; DeHart and Broide, Inc.; Oklahoma Federation of the Blind and 3M Company, 3M Center, Safety Systems Division.

Edwin L. Ramey, 2121 E. 15th Street, Tulsa, 74104, representing AAA Automobile Club of Oklahoma, Inc.

W. A. Reynolds, 4400 Lincoln Blvd., Suite 155, Oklahoma City, 73105, representing Independent Bankers Association of Oklahoma.

Horace G. Rhodes, 600 Fidelity Plaza, P.O. Box 1468, Oklahoma City, 73101, representing Association of Oklahoma Life Insurance Companies.

Donald C. Rider, 201 N.E. 23, Oklahoma City, 73105, representing Oklahoma Municipal League.

Vince Robison, P.O. Box 14607, Oklahoma City, 73114, representing The Associated Motor Carriers of Oklahoma, Inc.

Elden G. Roscher, 25 N.E. 52, P.O. Box 18716, Oklahoma City, 73118, representing Oklahoma Retail Grocers Association.

George H. Ryden, 1020 Krest Dr., Weatherford, 73096, representing National Retired Teachers Association and the American Association of Retired Persons.

Ann Savage, 400 N.W. 23, Oklahoma City, 73103, representing League of Women Voters of Oklahoma.

C. H. Spearman, Jr., 2100 S. Broadway, Edmond, 73034, representing L.E.G.A.L.

Floyd Spiva, Jr., 4026 N.W. 10th Street, Oklahoma City, representing Oklahoma Association of Denturists, Inc.

Wayne R. Stratton, 1008 City National Bank Building, Austin, Texas, 78701, representing American Mutual Insurance Alliance.

Judy M. Tate, 7001 N.W. 23, Bethany, 73008, representing Communications Workers of America.

Wallace A. Taylor, P.O. Box 18731, 45 N.E. 52nd St., Oklahoma City, 73118, representing Oklahoma Pharmaceutical Association.

Norma Jean Thomas, 1611 N. Broadway, Oklahoma City, representing Communications Workers of America.

Arch Thompson, Box 507, McAlester, 74501, representing National Retired Teachers Association and the American Association of Retired Persons.

Harlan D. Thompson, 2501 N. Stiles, # 206, Oklahoma City, 73105, representing Manufactured Housing Association of Oklahoma.

Alvin C. Turner, 707 N. Robinson, Room 906, Oklahoma City, 73102, representing Southwestern Bell Telephone Company.

J. O. Vernon, 1616 Cherry Stone, Norman, 73069, representing National Retired Teachers Association and the American Association of Retired Persons.

White G. Watkins, 335 Church Court, Greensboro, North Carolina, 27420, representing Blue Bell, Inc.

Hal S. Whitten, 1030 Hightower Bldg., Oklahoma City, 73102, representing Guardian Foundation.

James O. Williams, 2501 N. Stiles, Oklahoma City, 73105, representing Oklahoma Farm Bureau.

James R. Williams, 607 Cravens Bldg., Oklahoma City, 73102, representing Oklahoma Public Expenditures Council.

Ross J. Williams, 7300 Melrose Lane, Oklahoma City, representing International Brotherhood of Electrical Workers Local # 2021.

C. J. Wright, Jr., P.O. Box 53037, Oklahoma City, 73105, representing American Legion of Oklahoma.

Teresa Michelle Wright, 7000 N. Western, Oklahoma City, 73116, representing Communications Workers of America Local 6016.

Jim L. Zimmerman, Rt. 2, Box 495, Harrah, 73045, representing United Transportation Union — Oklahoma.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 142 — Business, Industry and Labor Relations.

SB 255 — Insurance.

SB 274 — Education, Common, as co-authored by Abbott of the House.

SB 301 — Education, Common, as co-authored by Floyd of the House.

SB 319 — Insurance.

SB 329 — Education, Common.

SJR 21 — Constitutional Revision and Regulatory Services.

HB 1216 — Business, Industry and Labor Relations, as coauthored by York.

DO PASS, as amended:

SB 232 — Rules.

SB 268 — Public and Mental Health.

HB 1126 — Rules, as coauthored by Terrill and Lambert.

HB 1230 — Business, Industry and Labor Relations.

HJR 1018 — Constitutional Revision and Regulatory Services, as coauthored by Shatwell, and be referred to Committee on County, State and Federal Government by previous order.

FIRST READING

The following were introduced and read the first time.

SB 381 — By Lambert.

An Act relating to intoxicating liquors; amending 37 O.S. 1971, Section 537, which enumerates prohibited acts and sets penalties; changing closing hours of retail liquor stores; and setting an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 379 — Criminal Jurisprudence and then to County, State and Federal Government.

SB 380 — Rules and then to County, State and Federal Government.

HB 1137 — Appropriations and Budget.
HB 1381 — Judiciary.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1368.

HB 1368 — By Manning, Glover and Johnson (Don).

An Act relating to public lands; amending 64 O.S. 1971, Section 253, as amended by Section 1, Chapter 148, O.S.L. 1976 (64 O.S. Supp. 1976, Section 253); providing for subleasing and transferring of certain leasehold rights; deleting certain provisions relating to assignment of certain interests in leased land; providing for death of lessee or transferee of a preference right lease; providing for succession to certain interests; modifying provisions for the charging of certain fees; and prohibiting creation of a preference right lease by the school land commission.

The above numbered HB was read for the first time.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1012.

HCR 1012 — By Draper, et al, of the House and Murphy of the Senate.

A Concurrent Resolution commending Dr. Robert B. Kamm for his valuable service to Oklahoma State University; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

GENERAL ORDER

SB 349 by Lambert was read and considered.

Upon motion of Senator Lambert, SB 349 was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 349 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 349 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—37.

Nay: Grantham, McCune and Young.—3.

Excused: Funston, Helm, Howard, Keating, Lane, Porter, Stipe and Wolfe.—8.

The bill passed.

SB 349 was referred for engrossment.

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

Senator Murphy presiding.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1009.

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

GENERAL ORDER

SB 357 by York of the Senate and Davis

(Don) of the House was read and considered.

Upon motion of Senator York, SB 357 was advanced to engrossment.

By unanimous consent, upon request of Senator York, SB 357 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 357 was read for the third time at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howell, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—37.

Nay: Berrong and Johnson.—2.

Excused: Boatner, Funston, Howard, Keating, Lane, McDaniel, Porter, Stipe and Wolfe.—9.

The bill passed.

SB 357 was referred for engrossment.

GENERAL ORDER

SB 311 by Terrill was read and considered.

Upon motion of Senator Terrill, SB 311 was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 311 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 311 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Excused: Boatner, Funston, Howard, Keating, Lane, McDaniel, Porter, Stipe and Wolfe.—9.

The bill and emergency passed.

SB 311 was referred for engrossment.

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

GENERAL ORDER

SB 348 by Grantham of the Senate and Elder and Holt of the House was read and considered.

Senator Grantham asked unanimous consent to amend SB 348 by striking Section 6 and renumbering subsequent sections, which was the order.

Upon motion of Senator Grantham, SB 348, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 348, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 348 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Berrong, Funston, Keating, Porter, Smith and Wolfe.—6.

The bill and emergency passed.

SB 348 was referred for engrossment.

GENERAL ORDER

SB 245 by Lambert was read and considered.

Upon motion of Senator Lambert, SB 245 was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, SB 245 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 245 was read for the third time at length.

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

Aye: Boatner, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Howell, Keller, Lambert, Martin, Murphy,

Pierce, Schuelein, Shatwell, Smith and Watson.—20.

Nay: Birdsong, Butler, Capps, Crow, Holden, Howard, Johnson, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Randle, Rozell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—23.

Excused: Berrong, Funston, Keating, Porter and Wolfe.—5.

The bill failed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 160, 164, 258, 266, 318, 328 and 352 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 15 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

DECLARATION OF VOTE

Senator Boatner asked that the record show had he been present in the Chamber at the time of third reading and final passage of SBs 311 and 357 he would have voted "no", which was the order.

MOTION TO RECONSIDER VOTE

Pursuant to Rule 19(e), Senator McDaniel moved to reconsider the vote whereby the Conference Committee Report on HB 1071 was rejected and the Senate conferees were instructed; and further moved that the House be requested to return the same, which motion to recall HB 1071 from the House was declared adopted.

GENERAL ORDER

SB 289 by McDaniel, Clifton and Green of

the Senate and Abbott and Townsend of the House was read and considered.

Senator Wadley presiding.

Upon motion of Senator McDaniel, SB 289 was advanced to engrossment.

By unanimous consent, upon request of Senator McDaniel, SB 289 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Howell presiding.

SB 289 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Green, Keller, Lamb, Lambert, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Vann and York.—22.

Nay: Butler, Crow, Grantham, Helm, Holden, Howard, Howel, Johnson, Kilpatrick, Lane, Luton, McCune, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Watson and Young.—20.

Excused: Funston, Keating, Porter, Tinsley, Wadley and Wolfe.—6.

The bill failed.

MOTION TO RECONSIDER VOTE

Pursuant to Rule 19(b), Senator McDaniel moved to reconsider the vote whereby SB 289 failed of passage.

MESSAGE FROM THE HOUSE

We are herewith returning Engrossed HB 1071, together with the Third Con-

ference Committee Report, pursuant to the request of the Honorable Senate.

MOTION TO RECONSIDER VOTE

Senator McDaniel pressed his motion to reconsider the vote whereby the Conference Committee Report on HB 1071 was rejected and the Senate conferees were instructed, which motion was declared adopted.

PENDING CONSIDERATION OF CCR

The third CCR on HB 1071 was called up for consideration.

The CCR on HB 1071 was adopted upon motion of Senator McDaniel.

HB 1071, as amended in Conference, was read at length.

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

Aye: Butler, Clifton, Dahl, Dawson, Giles, Grantham, Helm, Holden, Howard, Johnson, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Rozell, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann and Young.—25.

Nay: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Field, Green, Howell, Keller, Kilpatrick, Lambert, Randle, Schuelein, Smith, Watson and York.—17.

Excused: Funston, Keating, Pierce, Porter, Wadley and Wolfe.—6.

The bill passed.

Senators Capps, Boatner, Kilpatrick, York, Keller, Lambert and Green desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: **Aye:** 32. **Nay:** 10. **Excused:** 6.

The emergency passed.

HB 1071, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Cate presiding.

GENERAL ORDER

SB 312 by Smith of the Senate and Townsend of the House was read and considered.

Senator Berrong moved to amend SB 312, Page 3, Line 1, by adding after the word "government" and before the word "shall" the words "if ascertainable," which amendment was declared adopted.

Upon motion of Senator Smith, SB 312, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 312, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 312 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—39.

Nay: Crow and Lambert.—2.

Excused: Funston, Keating, Martin, Pierce, Porter, Wadley and Wolfe.—7.

The bill and emergency passed.

SB 312 was referred for engrossment.

DECLARATION OF VOTE

Senator McDaniel asked that the record show had he been in the Chamber at the time of third reading and final passage of SBs 311 and 357 he would have voted "aye", which was the order.

GENERAL ORDER

SJR 26 by Terrill, Lane, Watson, Schuelein and Murphy of the Senate and Matheson of the House was read and considered.

Upon motion of Senator Terrill, SJR 26 was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SJR 26 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 26 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—41.

Excused: Funston, Helm, Keating, Pierce, Porter, Wadley and Wolfe.—7.

The resolution passed.

Senator Helm desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 42. Excused: 6.

The emergency passed.

SJR 26 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 15.

The above numbered Enrolled Resolu-

tion was ordered referred to the Secretary of State.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, April 4, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

SB 69 was referred for engrossment.

Upon motion of Senator Lane, the Senate adjourned at 2:45 p.m. to meet Monday, April 4, 1977, at 1:30 p.m.



Fifty-second Legislative Day

Monday, April 4, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Stipe and Wadley.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Brother Will Thompson, minister, Church of Christ, Lawton, and incorporated into the Journal upon request of Senator Taliaferro.

Eternal God, our Lord and Father, into Thy Holy Presence we come on this day expressing our gratitude and thanks to Thee for life and all its blessings up to this good now. Look on us with tender compassion in the forgiveness of our sins that we may stand justified in Thy sight.

Thou art the Father of our spirits and the Creator of our bodies. We thank Thee for every good gift that has come from Thee, but above all for the gift of Thine only begotten Son, for in Him we move and have our being. We realize that every good and perfect gift has come from Thee and that we could not accomplish any worthwhile thing in this world without Thee. Lead us gently down the path of life till we come to the end of our way. May we depart this life in peace with Thee and all mankind. In the final day of accounts, may we hear Thy welcome plaudit, "Enter into the joys of the Lord", Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Murphy introduced George Gaithers, M.D., Stillwater, as Doctor of the Day.

Senators Terrill and Taliaferro introduced Zelda Morton, R.N., Lawton, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 315 — Appropriations and Budget.

SB 353 — County, State and Federal Government.

SJR 27 — County, State and Federal Government.

HB 1152 — Appropriations and Budget.

HB 1161 — Appropriations and Budget.

HB 1271 — County, State and Federal Government.

DO PASS, as amended:

SB 171 — Public and Mental Health, as coauthored by Martin and Helm.

SB 278 — County, State and Federal Government.

SB 310 — Public and Mental Health, as coauthored by Vann.

CS for HB 1151 — Appropriations and Budget, as coauthored by Berrong of the Senate.

CS for HB 1154 — Appropriations and Budget.

CS for HB 1160 — Appropriations and Budget.

CS for HB 1162 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 382 — By Terrill, Birdsong, Dawson, Randle and York of the Senate and Weichel of the House.

An Act relating to the Corporation Commission; amending Section 18 of Article IX of the Oklahoma Constitution; expanding certain powers and duties; providing short title; defining terms; prohibiting the construction of certain facilities, under certain conditions; providing for a certificate of convenience and necessity; requiring a certain hearing; requiring certain findings; providing for appeal; providing for a certain report; imposing certain powers and duties on a certain commission; prescribing scope of act; directing codification; and declaring an emergency.

SJR 28 — By Berrong of the Senate and Winn of the House.

A Joint Resolution authorizing the State Board of Public Affairs to sell the right, title and interest of the state in certain parcels of real property in Custer County; providing for abstract of title; directing signing of deed; prohibiting warranty of title; providing for disposition of the proceeds of sale; directing noncodification; and declaring an emergency.

SJR 29 — By Young, Howard, McCune and Porter of the Senate and Riggs and Willis of the House.

A Joint Resolution creating a special committee; providing for membership and duties; and requiring submission of a report.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 381 — County, State and Federal Government.

HB 1368 — County, State and Federal Government.

COMMUNICATION

The following communication was read to the Senate:

Oklahoma State Senate
State Capitol
Oklahoma City, Oklahoma

March 30, 1977

Senator Gideon Tinsley
Chairman of the Wildlife Committee
Room 511-B
Oklahoma State Senate

Dear Senator Tinsley:

It has been brought to my attention that certain allegations and rumors have been

made concerning the Wildlife Commission, the Department and its employees. It may be that a formal investigation is indicated for legitimate purposes, or it may be that there is not sufficient basis for any legislative inquiry under Rule 3(e). This will constitute your authority for you, as Chairman of the Wildlife Committee, to institute an investigation of inquiry to determine whether a formal investigation is indicated or not. In this connection, you have the power and authority to subpoena witnesses and compel their attendance, place them under oath and hear any testimony you deem proper.

It is my request that the Committee authorize Senators John Luton, Gene Stipe and Roy Boatner to sit with you with full power to ask questions, vote and participate in all other activities of the Committee in this matter.

You are also authorized to employ such staff as you feel necessary to conduct these hearings. It would be appreciated if you would expedite this matter and submit this report for my concern. If there is any thing else you need in the execution of this matter, please advise.

Very truly yours,

GENE C. HOWARD
President Pro Tempore

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1293 and 1308.

HB 1293 — By Peterson, Cowan and Frates of the House and Lambert of the Senate.

An Act relating to land titles; amending 12 O.S. 1971, Sections 180, 180.1 and 181, 28 O.S. 1971, Sections 31, as amended by Section 1, Chapter 293, O.S.L. 1975, and 32, as amended by Section 1, Chapter 162, O.S.L.

1976, 42 O.S. 1971, Sections 141, 142, 143, 147, 150, 171, 172, 173 and 177 (28 O.S. Supp. 1976, Sections 31 and 32); requiring the filing of notice of certain pending suits in the office of the county clerk; transferring certain records, funds and powers and duties from the office of the court clerk to the office of the county clerk; designating certain fees for the activities of the court clerk and county clerk; providing for a lien under certain circumstances; providing for priority and enforceability of certain liens against property; changing constructive notice; requiring the filing of a statement; providing for the content of statement; eliminating certain requirements from statement; providing certain time limitations; providing for a mechanics' lien journal and its form; deleting certain exceptions to the filing of a statement; providing procedures relating to notice; providing for liens by certain persons; providing criteria for the discharge of certain liens; providing for certain bonds and sureties; providing for assignment of certain liens and claims; providing for enforcement and certain procedures; providing for certain actions and parties thereto; providing for cancellation of liens; directing codification; and providing an effective date.

HB 1308 — By Monks of the House and Stipe of the Senate.

An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees; stating legislative findings; stating purpose; prohibiting certain acts by employees and providing penalties for violations; defining terms; creating the Public Employee Relations Commission and providing for membership, appointment, compensation, powers and duties; granting public employees certain rights concerning employee organizations; limiting scope of this act; providing procedures for resolving questions of designation of appropriate unit; providing for recognition of certain employee or-

ganizations; authorizing public employers to establish certain negotiations procedures; providing for memorandum agreements; providing procedures to resolve certain disputes; specifying certain prohibited practices and providing procedures to resolve controversies over such practices; providing for severability; and providing effective date.

The above numbered HBs were read for the first time.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1071.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 249 by Howell and Grantham of the Senate and Abbott of the House was read and considered.

Senator Howell, citing Rule 8(d), asked unanimous consent that Representative Draper be made a coauthor of SB 249, which was the order.

Senator Dawson moved to amend SB 249, Page 6, Line 7, by striking after the word "incompetency," the words "repeated acts of insubordination,".

Senator Murphy presiding.

Senator Grantham moved to table the Dawson amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Capps, Crow, Field, Giles, Grantham, Green, Holden, Lamb, Lane, McCune, Martin, Pierce, Schuelein, Taliaferro and Watson.—15.

Nay: Berrong, Birdsong, Boatner, But-

ler, Cate, Clifton, Dahl, Dawson, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, Luton, McDaniel, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Terrill, Tinsley, Vann, Wolfe and York.—28.

Excused: Funston, Helm, Stipe, Wadley and Young.—5.

Senator Dawson pressed his motion to amend, which motion was declared adopted.

Senator Keating moved to amend SB 249, Page 6, Line 6, by striking the word "willful" and substituting the word "gross".

Senator Lambert moved to table the Keating amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Cate, Clifton, Dawson, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, McDaniel, Porter, Randle, Rozell, Shatwell, Smith, Terrill, Tinsley, Vann and Wolfe.—23.

Nay: Berrong, Butler, Capps, Crow, Dahl, Field, Giles, Grantham, Green, Keating, Keller, Lamb, McCune, Martin, Murphy, Pierce, Schuelein, Taliaferro, Watson and Young.—20.

Excused: Funston, Helm, Stipe, Wadley and York.—5.

Senator Howell moved to amend SB 249 by crippling the title, which amendment was declared adopted.

Upon motion of Senator Howell, SB 249, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 249, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 249 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—40.

Nay: Crow, Lane and Schuelein.—3.

Excused: Funston, Helm, Porter, Stipe and Wadley.—5.

The bill and emergency passed.

SB 249 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 69, 311, 312, 348, 349 and 357; and SJR 26 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

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

GENERAL ORDER

HB 1126 by Rogers, et al, of the House and Crow, Johnson, McDaniel, Vann, Terrill and Lambert of the Senate was read and considered.

Senator Watson asked to be made a co-author of HB 1126, which was the order.

Senator Watson presiding.

Senator Luton moved to amend HB 1126, Page 1, by striking the title, and asked unanimous consent, which was granted, that his amendment be laid over temporarily.

Senators Keller and McCune moved to amend HB 1126, Page 8, Line 17, by inserting after the word "work" a new subsection as follows:

"(d) He is not receiving retirement benefits or total disability benefits from any governmental entity, corporation, partnership or individual."

and by relettering the following subsections accordingly.

Senators Keating and Wolfe moved to amend HB 1126, as a substitute amendment to the Keller-McCune amendment, Page 8, Line 17½, by adding a new subsection and renumbering subsequent subsections as follows:

"(d) He has not received a gross income from any source in excess of \$600.00 per month."

Senator Wolfe asked unanimous consent, which was granted, that the Keating-Wolfe amendment be laid over temporarily.

Senator McCune asked unanimous consent, which was granted, that the Keller-McCune amendment be laid over temporarily.

Senator Murphy moved to amend HB 1126, Page 13, Line 10, by adding the following:

"(a) Who draws retirement pay in excess of \$10,000.00 per year from any state government or the United States of America unless he or she is otherwise qualified under the provisions of this act."

and by renumbering the following subsections.

Senator Murphy asked unanimous consent, which was granted, to amend his amendment to read as follows:

“(a) Who draws retirement pay from any previous employment paid for by public funds at a rate exceeding the equivalent of \$10,000.00 per year unless he or she is otherwise qualified under the provisions of this act.”,

which amendment was declared adopted.

Senator McCune asked unanimous consent that the previous Keller-McCune amendment be withdrawn, which was the order.

Senator Wolfe asked unanimous consent that the previous Keating-Wolfe amendment be withdrawn, which was the order.

Senator Dawson moved to amend HB 1126, Page 13, Line 11, by adding after the word “without” and before the word “good” the following: “significant inducement through the intentional creation of adverse working conditions by the employer or others acting on his behalf or other”.

Senator Dawson asked unanimous consent, which was granted, that his amendment be laid over temporarily.

Senator Grantham moved to amend HB 1126, Page 14, Line 4, by adding the following sentence after the word “amount.”: “Good cause shall include but not be limited to unfair treatment of the employee or the creating of unbearable working conditions by the employer.”

Senator Grantham asked unanimous consent to amend his amendment by striking the word “unbearable” and inserting in lieu thereof the words “unusually difficult”, which was the order.

Senator Grantham pressed his motion to

amend, which amendment was declared adopted.

Senator Dawson asked unanimous consent that his previous amendment be withdrawn, which was the order.

Senator Wadley presiding.

Senator York moved to amend HB 1126, Page 14, Lines 4 and 16, and Page 16, Line 8, by adding after the period on Line 4, Page 14, and by adding after the period on Line 16, Page 14; and by adding after the period on Page 16, Line 8, the following language: “Provided further, individuals determined to be a head of household shall be disqualified for the six (6) consecutive weeks which immediately follow the filing of a valid claim, in addition to the waiting period. The Commission shall adopt reasonable rules based upon prudent judgment to determine head of household.”

Senator Crow moved to table the York amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Lamb, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—33.

Nay: Butler, Kilpatrick, Luton, Porter, Randle, York and Young.—7.

Excused: Capps, Field, Funston, Helm, Keller, Lambert, Shatwell and Stipe.—8.

Senator York moved to amend HB 1126, Page 25, Line 10½, by adding the severability clause, which amendment was declared adopted.

Senator Luton pressed his motion to amend HB 1126 by striking the title.

Senator Howard moved to table the Luton amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Cate, Clifton, Crow, Dahl, Dawson, Giles, Grantham, Green, Howard, Johnson, Keating, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—30.

Nay: Birdsong, Butler, Holden, Howell, Kilpatrick, Luton, Porter, Randle, York and Young.—10.

Excused: Boatner, Capps, Field, Funston, Helm, Keller, Shatwell and Stipe.—8.

Upon motion of Senator Crow, HB 1126, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1126, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1126 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Nay: Porter.—1.

Excused: Capps, Field, Funston, Helm, Keller, Shatwell and Stipe.—7.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Howard moved that the vote be reconsidered by which HB 1126 passed.

MOTION TO RECONSIDER VOTE

Senator McDaniel asked for consideration of his motion to reconsider the vote by which SB 289 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Dahl, Dawson, Giles, Green, Holden, Howard, Johnson, Keating, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and York.—30.

Nay: Butler, Crow, Grantham, Howell, Kilpatrick, Luton, Schuelein, Smith, Terrill and Young.—10.

Excused: Capps, Field, Funston, Helm, Keller, Pierce, Shatwell and Stipe.—8.

SB 289 remained on Third Reading.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Lambert, advised and consented to the confirmation of ERIC

O. ACKER, Oklahoma City, as a member of the Occupational Health and Safety Standards Commission, to serve a 3-year term ending February 7, 1980, and effective upon Senate confirmation. Mr. Acker succeeds J. M. DeMoss, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Lane, advised and consented to the confirmation of BOB BURKE, Broken Bow, as Director of the Department of Economic and Community Affairs, to serve at the Governor's pleasure and effective upon Senate confirmation. Mr. Burke succeeds Bill Frueh, Shawnee.

The Senate, in executive session, and upon motion of Senator Lambert, advised and consented to the confirmation of CLARENCE B. HILL, Oklahoma City, as a member of the Board of Hearing Aid Dealers and Fitters, to serve a 4-year term ending September 1, 1980, and effective upon Senate confirmation. Mr. Hill succeeds himself.

The Senate, in executive session, and upon motion of Senator Boatner, advised and consented to the confirmation of DR. JOHN D. MCCUISTION, Madill, as a member of the Physician Manpower Training Commission (as the osteopathic physician representative), to serve a 5-year term ending June 5, 1981, and effective upon Senate confirmation.

Dr. McCuiston succeeds David W. Simpson, Atoka.

The Senate, in executive session, and upon motion of Senator Butler, advised and consented to the confirmation of W. R. McNEILL, Okmulgee, as a member of the Wage and Hour Commission (labor representative) to serve coterminous with the Governor, and effective upon Senate confirmation. Mr. McNeill succeeds Mike Nobles, Tulsa.

The Senate, in executive session, and upon motion of Senator Luton, advised and consented to the confirmation of DICK SHEFFIELD, Webbers Falls, as a member of the Grand River Dam Authority, to serve a 7-year term ending January 1, 1984, and effective upon Senate confirmation. Mr. Sheffield succeeds himself.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, April 5, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

SB 327 was referred for engrossment.

Upon motion of Senator Lane, the Senate adjourned at 5:30 p.m. to meet Tuesday, April 5, 1977, at 1:30 p.m.

Fifty-third Legislative Day

Tuesday, April 5, 1977

Pursuant to adjournment, the Senate was called to order by Senator Cate, who was designated so to do by the President Pro Tempore.

Senator Lane presiding.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Funston, Helm and Stipe.—3.

Senator Luton presiding.

Senator Luton declared a quorum present.

The following prayer was offered by Brother Will Thompson and incorporated into the Journal upon request of Senator Taliaferro.

"Our Father who art in heaven, hallowed be Thy name." In Thy divine presence we assemble again this day, we trust for no other purpose than to do the things that will be pleasing unto Thee. We

thank Thee for all blessings of life and ask for a continuation of the things such as Thou seest that we need. We pray Thee, our Father, to bless this body of men gathered together today to legislate laws for the protection of society and we pray Thee, our Father, to bless every employee of this body that works so faithfully for the Senate.

Help us, dear Lord, to keep Thee ever in mind and be humble in Thy sight and walk in the footsteps of Jesus Christ. Go with us, not only through this service, but through all coming life. Stand by us in death and save us in heaven, if we have been found faithful to Thee. We ask in the name of the Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Howell introduced William G. Bernhardt, M.D., Midwest City, as Doctor of the Day.

Senator Giles introduced Lucile Terrell, R.N., Chickasha, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 371 — Judiciary, as coauthored by Brunton of the House.

DO PASS, as amended:

HB 1348 — Public Safety and Penal Affairs, as coauthored by Cate and Luton of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 383 — By Birdsong.

An Act relating to roads, bridges and ferries; amending Section 1, Chapter 182, O.S.L. 1976 (69 O.S. Supp. 1976, Section 1206.1); modifying participation in the acquisition of lands for use for certain rights-of-way; directing codification; providing effective dates; and declaring an emergency.

SB 384 — By Green of the Senate and Thompson (Don) of the House.

An Act relating to courts; amending 20 O.S. 1971, Section 30.5; providing for Court of Appeals to render written opinions; providing for publication of Court of Appeals opinions; establishing opinions of Court of Appeals as binding authority; providing for retroactivity of this act; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 382 — County, State and Federal Government.

SJR 28 — County, State and Federal Government.

SJR 29 — Public Safety and Penal Affairs.

HB 1293 — Judiciary.

HB 1308 — Business, Industry and Labor Relations.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1053, 1188, 1228 and 1410.

HB 1053 — By Draper.

(Cities and Towns — Emergency).

HB 1188 — By Hammons.

An Act relating to professions and occupations; amending 59 O.S. 1971, Section 199.4, which provides for an Executive Secretary of the State Board of Cosmetology; increasing the salary of the Executive Secretary; and removing the requirement that the Executive Secretary be bonded; providing effective date; and declaring an emergency.

HB 1228 — By Floyd, et al, of the House and Funston of the Senate.

(An Act Relating to Workers' Compensation; Amending Titles 20 and 85).

HB 1410 — By Elder and Wiseman of the House and Grantham of the Senate.

An Act relating to homestead and exemptions; amending 31 O.S. 1971, Sections 1 and 4; providing for the exemption of certain property from attachment, execution or other forced sale; specifying exempt property; deleting certain property; exempting motor vehicles having a certain value; providing certain exceptions; repealing 31 O.S. 1971, Section 8; and providing an effective date.

The above numbered HBs were read for the first time.

GENERAL ORDER

SB 301 by Cate of the Senate and Floyd of the House was read and considered.

Upon motion of Senator Cate, **SB 301** was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, SB 301 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 301 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Funston, Helm and Stipe.—3.

The bill passed.

SB 301 was referred for engrossment.

GENERAL ORDER

SB 315 by Holden, Keller, Schuelein and Crow of the Senate and Duckett, et al, of the House was read and considered.

Upon motion of Senator Holden, SB 315 was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, SB 315 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 315 was read for the third time at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—39.

Nay: Boatner, Dawson, Howell, McCune, McDaniel and Watson.—6.

Excused: Funston, Helm and Stipe.—3.

The bill and emergency passed.

SB 315 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 249 and 327 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator Cate presiding.

GENERAL ORDER

HB 1118 by Hopkins of the House and Shatwell of the Senate was read and considered.

Senator Randle asked to be made a co-author of HB 1118, which was the order.

Upon motion of Senator Shatwell, HB 1118, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Shatwell, HB 1118, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1118 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Funston, Helm, Porter, Stipe and Tinsley.—5.

The bill passed.

HB 1118 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HB 1142 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1142 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1142 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1142 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, But-

ler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Porter and Stipe.—4.

The bill and emergency passed.

HB 1142 was referred for engrossment.

UNANIMOUS CONSENT REQUEST

Senator Luton asked unanimous consent, which was granted, that the Senate accept the Engrossed House Amendments to HB 1100 and the introduced bill as the official engrossed bill when transmitted by the House to the Senate for consideration since the bill was more than 400 pages in length.

GENERAL ORDER

HB 1143 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Crow asked unanimous consent to amend HB 1143 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1143, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1143, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1143 was read for the third time at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Funston, Helm, Pierce, Porter and Stipe.—5.

The bill and emergency passed.

HB 1143 was referred for engrossment.

GENERAL ORDER

HB 1146 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Crow asked unanimous consent to amend HB 1146 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1146, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1146, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1146 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl,

Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Porter and Stipe.—4.

The bill and emergency passed.

HB 1146 was referred for engrossment.

GENERAL ORDER

HB 1152 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Crow asked unanimous consent to amend HB 1152 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1152, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1152, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1152 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin,

Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Porter and Stipe.—4.

The bill and emergency passed.

HB 1152 was referred for engrossment.

GENERAL ORDER

HB 1147 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1147 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1147 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1147 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Clifton, Funston, Helm, Porter and Stipe.—5.

The bill and emergency passed.

HB 1147 was referred for engrossment.

GENERAL ORDER

HB 1154 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Crow asked unanimous consent to amend HB 1154 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1154, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1154, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1154 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Clifton, Funston, Helm, Porter and Stipe.—5.

The bill and emergency passed.

HB 1154 was referred for engrossment.

GENERAL ORDER

HB 1160 by Miskelly and Davis (Don) of

the House and Crow and Randle of the Senate was read and considered.

Senator Crow asked unanimous consent to amend HB 1160 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1160, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1160, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1160 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and York.—42.

Nay: Wadley and Young.—2.

Excused: Clifton, Funston, Helm and Stipe.—4.

The bill and emergency passed.

HB 1160 was referred for engrossment.

GENERAL ORDER

HB 1151 by Miskelly, Davis (Don) and Thompson (Mick) of the House and Crow, Randle and Berrong of the Senate was read and considered.

Senator Crow asked unanimous consent to amend HB 1151 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1151, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1151, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1151 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Clifton, Funston, Helm and Stipe.—4.

The bill and emergency passed.

HB 1151 was referred for engrossment.

GENERAL ORDER

HB 1161 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Luton asked unanimous consent to amend HB 1161 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1161,

as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1161, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1161 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Clifton, Funston, Helm and Stipe.—4.

The bill and emergency passed.

HB 1161 was referred for engrossment.

GENERAL ORDER

HB 1162 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Luton asked unanimous consent to amend HB 1162 by crippling the title, which was the order.

Upon motion of Senator Crow, HB 1162, as amended, was advanced to engrossment.

By unanimous consent, upon request of

Senator Crow, HB 1162, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1162 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Vann, Wadley, Watson, York and Young.—42.

Nay: Wolfe.—1.

Excused: Clifton, Funston, Helm, Stipe and Tinsley.—5.

The bill and emergency passed.

HB 1162 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Howard asked for consideration of his motion to reconsider the vote whereby HB 1126 passed.

Senator Crow moved to table the Howard motion to reconsider, which motion to table was declared adopted.

HB 1126 was referred for engrossment.

DECLARATION OF VOTE

Senators Field, Capps, and Keller asked that the record show had they been present in the Chamber at the time of third reading and final passage of HB 1126 they would have voted "aye".

GENERAL ORDER

SJR 21 by Luton and Clifton was read and considered.

Upon motion of Senator Luton, SJR 21 was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SJR 21 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 21 was read for the third time at length, as follows:

SJR 21 — By Luton and Clifton.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 26 of Article X of the Oklahoma Constitution; providing a maximum of indebtedness in any one year any county, city, town, school district or other political corporation or subdivision may incur; providing a ballot title; and ordering the question submitted to the people at the next statewide general election.

Be it resolved by the Senate and the House of Representatives of the 1st Session of the 36th 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 Section 26 of Article X of the Constitution of the State of Oklahoma, to read as follows:

Section 26. Except as herein otherwise provided, no county, city, town, township, school district, or other political corporation, or subdivision of the state, shall be allowed to become indebted, in any manner, or for any purpose, to an amount exceeding, in any year, the income and revenue provided for such year without the assent

of three-fifths of the voters thereof, voting at an election, to be held for that purpose, nor, in cases requiring such assent, shall any indebtedness be allowed to be incurred to 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: Provided, that if a school district has an absolute need therefor, such district may, with the assent of three-fifths of the voters thereof voting at an election to be held for that purpose, incur indebtedness to an amount, including existing indebtedness, in the aggregate exceeding five percent (5%) but not exceeding [ten percent (10%)] **FIFTEEN PERCENT (15%)** 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; and such assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need, unless otherwise provided by law. Provided further, that if a city or town has an absolute need therefor, such city or town may, with the assent of three-fifths of the voters thereof voting at an election to be held for that purpose, 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, and such assent to such indebtedness shall be deemed to be a sufficient showing of such absolute need unless otherwise provided by law. Provided, further, that any county, city, town, school district, or other political corporation, or subdivision of the state,

incurring any indebtedness requiring the assent of the voters as aforesaid, shall, before or at the time of doing so, 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 within twenty-five (25) years from the time of contracting the same, and provided further that nothing in this section shall prevent any school district from contracting with certificated personnel for periods extending one (1) year beyond the current fiscal year, under such conditions and limitations as shall be prescribed by law.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as 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 26 of Article X of the Oklahoma Constitution by providing the maximum indebtedness that may be incurred in any year by any school district of the state shall not exceed, in the aggregate, fifteen percent (15%) of the valuation of the taxable property therein

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ YES, FOR THE AMENDMENT

☐ NO, AGAINST THE AMENDMENT

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 the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. 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 at the next regular statewide general election as and in the manner provided by law.

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

Aye: Birdsong, Boatner, Butler, Cate, Dahl, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Lane, Luton, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Terrill, Tinsley, Wadley, Watson, York and Young.—27.

Nay: Berrong, Capps, Crow, Dawson, Field, Giles, Green, Keating, Lamb, McCune, McDaniel, Martin, Pierce, Schuelein, Taliaferro, Vann and Wolfe.—17.

Excused: Clifton, Funston, Helm and Stipe.—4.

The resolution was declared passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Crow moved that the vote be reconsidered by which SJR 21 passed.

GENERAL ORDER

SB 276 by Grantham and Lambert of the Senate and Elder, et al, of the House was read and considered.

Senator Shatwell asked to be made a co-author of SB 276, which was the order.

Senator Grantham, citing Rule 8(d),

asked unanimous consent that Representative Henry be added as a coauthor of SB 276, which was the order.

Senator Lane presiding.

Senator Howell questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Murphy moved to amend SB 276, Page 3, Line 4, by adding after the word "proceedings" and before the word "conducted" the words "and Grand Jury proceedings"; and by striking Line 13 and renumbering subsequent paragraphs, which amendment was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Holden, Keller, Lane, Murphy, Randle, Shatwell, Smith, Terrill, Tinsley, Wolfe, York and Young.—20.

Nay: Berrong, Dawson, Giles, Grantham, Green, Howell, Johnson, Keating, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Rozell, Schuelein, Taliaferro and Watson.—18.

Excused: Field, Funston, Helm, Howard, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—10.

Senator Murphy moved to amend SB 276, Page 20, Line 5, by striking Section 410 and renumbering subsequent sections.

Senator Grantham moved to table the Murphy amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Dawson, Giles, Grantham, Green, Howell, Johnson, Keating, Kilpatrick, McCune, McDaniel, Martin, Randle, Rozell, Shatwell, Smith and Young.—17.

Nay: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Holden, Keller, Lamb, Lane, Luton, Murphy, Schuelein, Taliaferro, Terrill, Tinsley, Watson, Wolfe and York.—20.

Excused: Crow, Field, Funston, Helm, Howard, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—11.

Senator Murphy pressed his motion to amend, which amendment was declared adopted.

Senator Wolfe moved to amend SB 276, Page 20, Line 4, by adding after the word "injury" the following: "when made by any insurance company or its agent", which amendment was declared adopted.

Senator Cate presiding.

Senator Keller moved to amend SB 276, Page 21, Line 3, by adding after the word "action" the following: ", except in cases involving uninsured motorist liability insurance and in such cases the existence and amount of such insurance is admissible".

Senator Grantham moved to table the Keller amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Giles, Grantham, Green, Holden, Johnson, McCune, Martin, Randle, Rozell, Schuelein, Shatwell, Taliaferro and Terrill.—14.

Nay: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Howell, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Murphy, Smith, Tinsley, Watson, Wolfe, York and Young.—23.

Excused: Crow, Field, Funston, Helm, Howard, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—11.

Senator Keller pressed his motion to

amend, which amendment was declared adopted.

Senator Luton moved to amend SB 276, Page 27, Line 3, by striking after the word "nation" the rest of the line and all of Line 4 before the semicolon.

Senator Young moved to table the Luton amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Capps, Cate, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, McCune, McDaniel, Martin, Randle, Rozell, Shatwell, Smith, Taliaferro, Tinsley, Watson, Wolfe and Young.—27.

Nay: Birdsong, Clifton, Dahl, Dawson, Keller, Luton, Murphy, Schuelein, Terrill and York.—10.

Excused: Crow, Field, Funston, Helm, Howard, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—11.

Senator Luton moved to amend SB 276, Page 31, Line 8, by placing a period after the word "organization" and striking the rest of the line and all of Lines 9 and 10 before the semicolon.

Senator Young moved to table the Luton amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Boatner, Butler, Cate, Dahl, Giles, Grantham, Green, Howell, Johnson, Keating, Lane, McCune, Martin, Randle, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wolfe and Young.—21.

Nay: Birdsong, Capps, Clifton, Dawson, Holden, Keller, Kilpatrick, Lamb, Luton, McDaniel, Murphy, Rozell, Schuelein, Watson and York.—15.

Excused: Berrong, Crow, Field, Fun-

ston, Helm, Howard, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—12.

Senator Keller moved to amend SB 276, Page 32, Line 6, by striking all of Section 506 and renumbering subsequent sections.

Senator Grantham moved to table the Keller amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Cate, Giles, Grantham, Green, Howell, Johnson, Kilpatrick, Lane, McDaniel, Martin, Murphy, Randle, Rozell, Shatwell, Taliaferro, Terrill, Tinsley and Young.—20.

Nay: Boatner, Butler, Capps, Clifton, Dahl, Dawson, Holden, Keller, Lamb, Luton, McCune, Schuelein, Smith, Watson, Wolfe and York.—16.

Excused: Crow, Field, Funston, Helm, Howard, Keating, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—12.

Senator Luton moved to amend SB 276, Page 47, Line 11, by striking all of paragraph 1 and renumbering the following paragraph.

Senator Grantham moved to table the Luton amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Butler, Dawson, Grantham, Green, Howell, Kilpatrick, McCune, Martin, Randle, Smith, Wolfe, York and Young.—14.

Nay: Berrong, Boatner, Capps, Cate, Clifton, Dahl, Giles, Holden, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Murphy, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley and Watson.—22.

Excused: Crow, Field, Funston, Helm, Howard, Keating, Lambert, Pierce, Porter, Stipe, Vann and Wadley.—12.

Senator Luton pressed his motion to amend, which amendment was declared adopted.

Senators Keating and Clifton moved to amend SB 276, Page 47, Line 16½, by adding a new paragraph as follows:

“; or

“Is shown to be so closely related to the crime charged as to show motive, intent, opportunity, preparation, plan, scheme or pattern of behavior.”,

which amendment was declared adopted.

Senator Lamb moved to amend SB 276, Page 56, Line 11, by striking all of Section 705.

Senator Grantham moved to table the Lamb amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Boatner, Butler, Cate, Dahl, Dawson, Giles, Grantham, Green, Holden, Johnson, Keller, Kilpatrick, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wolfe, York and Young.—29.

Nay: Clifton, Howell and Lamb.—3.

Excused: Berrong, Birdsong, Capps, Crow, Field, Funston, Helm, Howard, Keating, Lambert, Pierce, Porter, Stipe, Vann, Wadley and Watson.—16.

Upon motion of Senator Grantham, SB 276, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 276, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 276 was read for the third time at length.

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

Aye: Butler, Cate, Clifton, Dahl, Dawson, Giles, Grantham, Green, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wolfe, York and Young.—30.

Nay: Boatner and Schuelein.—2.

Excused: Berrong, Birdsong, Capps, Crow, Field, Funston, Helm, Howard, Keating, Lambert, Pierce, Porter, Stipe, Vann, Wadley and Watson.—16.

The bill passed.

SB 276 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1126 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, April 6, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

HB 1118 was properly signed and ordered transmitted to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 6:45 p.m. to meet Wednesday, April 6, 1977, at 1:30 p.m.



Fifty-fourth Legislative Day

Wednesday, April 6, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Helm, Keller, Porter and Stipe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Brother Will Thompson and incorporated into the Journal upon request of Senator Taliaferro.

Almighty God, our Heavenly Father, we are thankful to Thee for the preservation of our lives up til this good now. We thank Thee for the gift of Jesus Christ, Thy Son, for in Him, humanity and divinity were blended together. He was the greatest teacher the world has ever known and His power as a teacher is due to humility and

simplicity. Help all of us to walk in His steps and invite Him into our everyday lives.

Thou art the only true and living God and Thou hast given Christ as our example to follow and the New Testament as our guide. God bless the Senate and its employees and may God bless our nation and the State of Oklahoma. Help us to be loyal to our state and nation. We are glad to live under the Stars and Stripes. May we revere God and the Bible. Keep us humble and pure. In the name of Christ we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator McDaniel introduced his mother, Mrs. Treva L. McDaniel, to members of the Senate.

REQUESTS FOR LOBBY PERMITS

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

James Neal Towner, 1320 Classen Drive, Oklahoma City, 73106, representing Blue Cross and Blue Shield of Oklahoma.

COMMITTEE REPORTS

The following were reported by the com-

mittees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1072 — Education, Common, as co-authored by Lamb and Capps of the Senate.

HB 1088 — Professions and Occupations, as coauthored by Howell of the Senate.

HB 1170 — Education, Common, as co-authored by York of the Senate and be referred to Committee on Business, Industry and Labor Relations by previous order.

FIRST READING

The following were introduced and read the first time.

SB 385 — By Howell.

An Act relating to savings and loan associations; amending 18 O.S. 1971, Sections 381.2, 381.20, 381.21, 381.26 through 381.31, 381.33, 381.37 through 381.54, 381.57, as amended by Section 5, Chapter 236, O.S.L. 1975 (18 O.S. Supp. 1976, Section 381.57), 381.61 and 381.62; modifying definitions; modifying certain filing requirements; modifying provisions for articles of incorporation, hearing on application for certificate of authority, required capital and subscriptions, corporate existence and organizational meeting for certain new associations; modifying provisions for by-laws, voting rights, annual meetings, proxy voting, quorums, directors, officers and indemnification of directors, officers and employees of certain associations; modifying provisions for certain forms of capital classifications of accounts and deposits, ownership and right to withdraw accounts and deposits and redemption of accounts and deposits; modifying provisions for conversion, merger, liquidation and dissolution of certain associations; modifying powers of certain associations; modifying certain provisions for assess-

ment, forfeiture and sale; requiring certain accounts and deposits to be federally insured; directing codification; making provisions of this act severable; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 383 — Municipal Government.

SB 384 — Judiciary.

HB 1053 — Municipal Government.

HB 1188 — Professions and Occupations and then to County, State and Federal Government.

HB 1228 — Business, Industry and Labor Relations.

HB 1410 — Judiciary.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1100, 1313, 1341, 1408 and HJR 1023.

HB 1100 — By Poulos, et al, of the House and York, Grantham, Dahl, Dawson, Holden and McDaniel of the Senate. (Cities and Towns — Repealing Title 11 — Operative Date).

HB 1313 — By Cotner, Hammons, Roberts, Denman, Craighead and Lancaster.

An Act relating to motor vehicles; amending Sections 1 and 2, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 and 7-602); providing for compulsory automobile liability insurance; requiring owners of motor vehicles registered in the state to maintain at all times security at not less than the limits of liability required under the financial responsibility law; adding exceptions for certain persons; providing for certification of existence of security; and exempting certain persons.

HB 1341 — By Lancaster and Henry.

An Act relating to game and fish; amending Section 1, Chapter 172, O.S.L. 1975 (29 O.S. Supp. 1976, Section 5-209); allowing Director of the Department of Wildlife Conservation to issue crossbow permits to certain disabled persons; changing requirements of disability; and providing an effective date.

HB 1408 — By Abbott.

(Structural Pest Control Operators — Amends 2 O.S. 1971, Sections 3-172 through 3-174 and 3-176 — Effective Date).

HJR 1023 — By Sanders and Wilson of the House and Field of the Senate.

A Joint Resolution relating to game and fish and expressing legislative intent to extend for an additional year the period in which the amounts provided by the Oklahoma Wildlife Conservation Code for licenses and fees shall be in force and effect.

The above numbered HBs and HJR were read for the first time.

GENERAL ORDER

SB 142 by Capps was read and considered.

Senator Smith moved to amend SB 142, Page 4, Lines 16 and 17, by substituting "county elected officials" for the new language on Lines 16 and 17, which amendment was declared adopted upon roll call as follows:

Aye: Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Grantham, Green, Holden, Howard, Lane, Luton, McDaniel, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley and York.—25.

Nay: Berrong, Birdsong, Boatner, Crow, Giles, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, McCune, Martin, Murphy, Pierce, Schuelein, Watson and Wolfe.—18.

Excused: Helm, Keller, Porter, Stipe and Young.—5.

Senator Lambert moved to amend SB 142, Page 4, Line 16, by adding after the word "Bureau," and before the word "boards" the following: "agents of the Bureau of Narcotics and Dangerous Drugs," which amendment was declared adopted.

Senator Smith moved to amend SB 142, Page 4, by adding after the first Smith amendment "and employees", which amendment was declared adopted.

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

Upon motion of Senator Capps, SB 142, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 142, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Smith asked unanimous consent to consider an amendment to SB 142 on third reading, which was the order.

Senator Smith moved to amend SB 142 by adding after the second Smith amendment "engaged in hazardous employment", which amendment was declared adopted.

Senator Capps moved to reconsider the vote by which SB 142 was considered engrossed and placed on third reading and final passage, which motion was declared adopted.

Senator Capps moved to reconsider the vote by which SB 142 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

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

SB 142 was considered further.

Senator Berrong moved to amend SB 142, Page 5, Line 4½, by adding a new Section 2 and renumbering subsequent sections as follows:

"SECTION 2. Workers compensation insurance coverage on county officials and employees engaged in hazardous employment, except for county sheriffs and deputies, is permissive and not mandatory."

which amendment was declared adopted.

Upon motion of Senator Capps, SB 142, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 142, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 142 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Luton, McDaniel, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley and York.—27.

Nay: Boatner, Crow, Dawson, Giles, Grantham, Green, Helm, Howell, Keating, Lambert, Lane, McCune, Martin, Murphy, Pierce, Schuelein, Watson, Wolfe and Young.—19.

Excused: Porter and Stipe.—2.

The bill passed.

Senators Helm, Giles, Schuelein, Grantham and Howell desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 14. Excused: 2.

The emergency passed.

SB 142 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 301 and 315 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1142, 1143, 1146, 1147, 1151, 1152, 1154, 1160, 1161 and 1162 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

DECLARATION OF VOTE

Senator Helm asked that the record show had she been present at the time of third reading and final passage of HB 1126 she would have voted aye.

Senator Wadley presiding.

GENERAL ORDER

SB 335 by Terrill of the Senate and Atkins of the House was read and considered.

Senator Shatwell asked to be made a co-author of SB 335, which was the order.

Senator Terrill moved to amend SB 335, Page 2, Line 11, by adding a new Section 2 as follows:

"SECTION 2. 21 O.S. 1971, Section 846, as last amended by Section 2, Chapter 98, O.S.L. 1975 (21 O.S. Supp. 1976, Section 846), is amended to read as follows:

Section 846. A. Every physician or surgeon, including doctors of medicine and dentistry, licensed osteopathic physicians, residents and interns, examining, attending or treating a child under the age of eighteen (18) years and every registered nurse examining, attending or treating such a child in the absence of a physician or surgeon, and every other person having reason to believe that a child under the age of eighteen (18) years has had physical injury or injuries inflicted upon him or her by other than accidental means where the injury appears to have been caused as a result of physical abuse or neglect, shall report the matter promptly to the county office of the Department of Institutions, Social and Rehabilitative Services in the county wherein the suspected injury occurred. Provided it shall be a misdemeanor for any person to knowingly and willfully fail to promptly report any incident as provided above. If the report is not made in writing in the first instance, it shall be reduced to writing by the maker thereof as soon as may be after it is initially made by telephone or otherwise and shall contain the names and addresses of the child and his or her parents or other persons responsible for his or her care, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries, and any other information that the maker of the report believes might be helpful in establishing the cause of the injuries and the identity of the person or persons responsible therefor if such information or any part thereof is known to the person making the report.

The county office receiving any report as herein provided shall immediately investigate said report and forward its findings to the district attorney's office in the county wherein the suspected injury

occurred together with its recommendation as to disposition. In addition, a copy of the findings shall be sent to the Child Welfare Division of the Department of Institutions, Social and Rehabilitative Services which shall be responsible for maintaining a permanent central registry, suitably cross-indexed, of all such reported findings. Any information contained in the central registry shall be available to any county office and to any district attorney's office or public law enforcement agency investigating a report of suspected child abuse or neglect. The Department of Institutions, Social and Rehabilitative Services may promulgate rules and regulations in furtherance of the provisions of this section.

All records concerning child abuse shall be confidential and shall be open to inspection only to persons duly authorized by the state or United States in connection with the performance of their official duties. It shall be unlawful and a misdemeanor for the Commission, or any employee working under the direction of the Department of Institutions, Social and Rehabilitative Services or any other public officer or employee, to furnish or permit to be taken off of the records any information therein contained for commercial, political or any other unauthorized purpose.

No provision of this section shall be construed to mean that a child has been abused or neglected because said child's parent, guardian or custodian in good faith selects and depends upon spiritual means or prayer for the treatment or cure of disease or remedial care of such child.

B. IN EVERY CASE FILED UNDER SECTION 843 OF THIS TITLE OR SECTION 1109 OF TITLE 10 OF THE OKLAHOMA STATUTES, THE JUDGE OF THE DISTRICT COURT MAY APPOINT AN ATTORNEY AT LAW TO APPEAR FOR AND REPRESENT A CHILD WHO IS THE ALLEGED SUBJECT OF CHILD

ABUSE IN SUCH CASE. THE ATTORNEY MAY BE ALLOWED A REASONABLE FEE FOR SUCH SERVICES, TO BE FIXED BY THE DISTRICT COURT. THE ATTORNEY SHALL BE GIVEN ACCESS TO ALL REPORTS, RELEVANT TO THE CASE AND TO ANY REPORTS OF EXAMINATION OF THE CHILD'S PARENTS OR OTHER CUSTODIAN MADE PURSUANT TO THIS SECTION. THE ATTORNEY SHALL BE CHARGED WITH THE REPRESENTATION OF THE CHILD'S BEST INTERESTS. TO THAT END, HE SHALL MAKE SUCH FURTHER INVESTIGATION THAT HE DEEMS NECESSARY TO ASCERTAIN THE FACTS, TO INTERVIEW WITNESSES, EXAMINE AND CROSS-EXAMINE WITNESSES AT THE PRELIMINARY HEARING AND TRIAL, MAKE RECOMMENDATIONS TO THE COURT AND PARTICIPATE FURTHER IN THE PROCEEDINGS TO THE DEGREE APPROPRIATE FOR ADEQUATELY REPRESENTING THE CHILD."

Senator Smith moved to amend the Terrill amendment, subsection B, by inserting after "... reasonable fee for such services" the words "to be paid from the court fund", which amendment was declared adopted.

Senator Wolfe moved to amend the Terrill amendment, subsection A, by inserting after the words "... performance of their official duties" the words "and to the accused", which amendment was declared adopted.

Senator Terrill pressed his motion to amend, which amendment, as amended, was declared adopted.

Senator Boatner presiding.

Senator Schuelein moved to amend SB 335, Page 2, Line 3, by deleting after the word "maliciously" and before the word

"injury" the words "beat or", which amendment was declared adopted.

Senator Lamb moved to amend SB 335, Page 3, Line 2, by inserting after the word "willfully" and before the word "make" the words "and knowingly", which amendment was declared adopted.

Upon motion of Senator Terrill, SB 335, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 335, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 335 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—44.

Excused: Field, Porter, Stipe and Young.—4.

The bill passed.

SB 335 was referred for engrossment.

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

GENERAL ORDER

SB 212 by Dawson of the Senate and

Duckett of the House was read and considered.

Senators Luton and Birdsong asked to be made coauthors of SB 212, which was the order.

Senators Smith and Dawson moved to amend SB 212 by crippling the title, which amendment was declared adopted.

Senator Green moved to amend SB 212, Page 2, Line 9, by deleting after the word "compensation" and before the word "personal" on Line 13 all language, which amendment was declared adopted.

Senator Green moved to amend SB 212, Page 3, Line 8, by adding after the word "state" and before the word "shall" the following: "including 10% of the 4% of Homeowners Multiple Peril, 10% of 4% of Commercial Multiple Peril, 61/64th's of 4% of Fidelity, Surety, Glass, and 61/64th's of 4% of all other Liability Insurance as defined in paragraph 1 of Section 707 of this Title," which amendment was declared adopted.

Upon motion of Senator Dawson, SB 212, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 212, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 212 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl,

Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—46.

Excused: Porter and Wadley.—2.

The bill and emergency passed.

SB 212 was referred for engrossment.

GENERAL ORDER

SB 304 by Luton was read and considered.

Senators Keller and Lambert moved to amend SB 304, Page 1, Line 3, by adding after the word "games" the following: "and sale of prescriptive drugs".

Senator Luton moved that SB 304 be advanced to engrossment, which motion was declared failed of adoption upon roll call as follows:

Aye: Berrong, Crow, Field, Holden, Lane, Luton, Murphy, Shatwell and Smith.—9.

Nay: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and York.—35.

Excused: Howard, Porter, Wadley and Young.—4.

Senator Lane moved that the Senate stand adjourned, which motion was declared failed of adoption upon roll call as follows:

Aye: Berrong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Holden, Howell, Johnson, Lane, Luton, Martin, Rozell, Shatwell, Smith, Vann and Wolfe.—21.

Nay: Birdsong, Butler, Funston, Giles, Green, Helm, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Murphy, Pierce, Randle, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Watson, York and Young.—24.

Excused: Howard, Porter and Wadley.—3.

Senator Luton moved that SB 304 be referred to the Committee on County, State and Federal Government.

Senator Keller moved to table the Luton motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Dawson, Funston, Green, Helm, Howell, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Pierce, Stipe, Taliaferro, Watson and Young.—17.

Nay: Berrong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Holden, Johnson, Keating, Lane, Luton, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wolfe and York.—28.

Excused: Howard, Porter and Wadley.—3.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, April 7, 1977, at 12:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 3:50 p.m. to meet Thursday, April 7, 1977, at 12:30 p.m.

Fifty-fifth Legislative Day

Thursday, April 7, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Excused: Butler, Helm, Porter and Wolfe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Brother Will Thompson and incorporated into the Journal upon request of Senator Taliaferro.

Heavenly Father, we thank Thee for Thy protection and the preservation of our lives through the past night and for the light of another beautiful day. We are thankful to Thee for the gift of Christ, Thine only begotten Son, for in Him humanity and divinity were blended to-

gether. In Christ the fullness of the Godhead was embodied. We see God as He is and man as he ought to be. Civil government was ordained of Thee for the punishment of the criminal and for the protection of society. Help all of us to be law-abiding citizens. Help us respect the Flag of our Country. God bless America. In the name of Christ we humbly pray, Amen.

The Journal for the last legislative day was declared approved.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 148 — Criminal Jurisprudence, as coauthored by Keating.

SB 331 — Public and Mental Health.

SB 351 — Criminal Jurisprudence.

SB 358 — Revenue and Taxation.

SB 363 — Education, Common, as coauthored by Anderson of the House.

SB 365 — Municipal Government, as coauthored by Lambert.

SB 376 — Revenue and Taxation.

SB 377 — Revenue and Taxation.

DO PASS, as amended:

CS for SB 240 — Public and Mental

Health, as coauthored by Keating and Wolfe.

SB 347 — Revenue and Taxation.

CS for SJR 6 — Appropriations and Budget, as coauthored by Crow.

HB 1125 — Social Welfare, and be referred to Committee on Criminal Jurisprudence by previous order.

CS for HB 1145 — Appropriations and Budget, as coauthored by Boatner of the Senate.

CS for HB 1155 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 386 — By Terrill, Birdsong, Dawson, Randle and York of the Senate and Weichel and Converse of the House.

An Act relating to public utilities; amending Section 34 of Article IX of the Oklahoma Constitution; modifying certain definitions; providing short title; defining certain terms; creating an Oklahoma Public Utility Control Board and an Oklahoma Public Utility Control Board Nominating Committee; providing for membership, meetings, voting, compensation and duties; prohibiting certain acts; providing for terms and qualifications for office; providing for removal from office; authorizing employment of certain personnel; providing for principal office and seal; providing for orders, transcript, exhibits and records; requiring certain reports; requiring representation by the Attorney General; specifying scope of jurisdiction; providing for administration of act; requiring the keeping of certain accounts; enumerating certain powers; providing for certain inspections, investigations, tests and examinations; requiring certain filings; providing for certain communications; providing for certain service; providing for the fixing and regulation of certain rates; providing for determination of certain expenses and

revenues; providing for changes in certain rates; providing for certain notice and hearing; requiring certain disclosures; imposing certain duties on the State Legislative Council; providing for judicial review; directing codification; and declaring an emergency.

SB 387 — By Vann of the Senate and Morgan of the House.

An Act relating to cities and towns; amending 11 O.S. 1971, Section 1044, which relates to certain procedures concerning unplatted property annexed to a town and the authority of the board of county commissioners; providing for a determination of benefit; providing for appeal to the district court and a trial de novo; and declaring an emergency.

SJR 30 — By Grantham of the Senate and Conaghan, Holt, Kennedy and Johnson (Don) of the House.

A Joint Resolution designating the Deer Creek Mound Archeological Site on the Arkansas River a state and regional cultural site; authorizing the Oklahoma Department of Tourism and Recreation sponsorship of the Deer Creek Site and to receive funds under contract with the Corps of Engineers, Tulsa District, for preservation of said site; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 385 — Banks and Banking.

HB 1100 — Municipal Government.

HB 1313 — County, State and Federal Government.

HB 1341 — Wildlife.

HB 1408 — Agriculture.

HJR 1023 — Wildlife.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for

consideration Engrossed HBs 1217 and 1416.

HB 1217 — By Fried, et al, of the House and York of the Senate.

An Act relating to labor; amending 40 O.S. 1971, Sections 214, 218, 221, 229, as amended by Section 3, Chapter 302, O.S.L. 1974, 234, 235, as amended by Section 1, Chapter 367, O.S.L. 1975, 236 and 237 (40 O.S. Supp. 1976, Sections 229 and 235); providing eligibility and certain criteria for unemployment benefits; providing certain formulas; providing certain exceptions to eligibility; providing for unemployment coverage by employers and establishing certain criteria; expanding coverage to certain occupations; providing for termination of coverage; establishing certain duties and powers of the Employment Security Commission and a State Advisory Council; providing for intergovernmental cooperation; defining terms; altering certain monetary limits; providing for payment and criteria for benefits; prescribing certain time limitations; providing for an extended benefit program and establishing criteria therefor; establishing an Unemployment Compensation Fund and transferring certain monies thereto; providing for reimbursement payments; providing benefits and criteria for employees of nonprofit organizations; providing for certain liabilities; making certain exceptions; providing certain penalties; repealing 40 O.S. 1971, Section 238, which provides for elective coverage of employees of political subdivisions; providing certain effective dates; and declaring an emergency.

HB 1416 — By Deatherage, et al, of the House and Lambert of the Senate.

An Act relating to public meetings; providing for the Oklahoma Open Meeting Act; stating purpose; defining terms; requiring votes of public bodies be publicly cast; prohibiting executive sessions, making exceptions; providing procedures for public notice of certain meetings; declaring certain acts invalid under certain cir-

cumstances; providing procedures for keeping written minutes; providing penalties; repealing 25 O.S. 1971, Sections 201 and 202; directing codification; providing for severability; and specifying effective date.

The above numbered HBs were read for the first time.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1126, requesting Conference and naming Conferees as follows: Representatives Rogers, Draper and Duckett.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of President Pro Tempore Howard, the request of the Honorable House for a conference on HB 1126 was ordered granted, Senators Crow, Berrong and Green being named as Senate Conferees.

Senator Wadley presiding.

GENERAL ORDER

SJR 27 by Boatner of the Senate and Davis (Guy) of the House was read and considered.

Senator Martin asked to be made a coauthor of SJR 27, which was the order.

Upon motion of Senator Boatner, SJR 27, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SJR 27, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 27 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Nay: Capps, McDaniel and Pierce.—3.

Excused: Butler, Funston, Helm, Porter and Wolfe.—5.

The resolution and emergency passed.

SJR 27 was referred for engrossment.

UNANIMOUS CONSENT REQUEST

Senator Howard asked unanimous consent, which was granted, that SB 383 be withdrawn from the committee on Municipal Government and reassigned to the committee on Roads and Highways.

SPECIAL COMMITTEE REPORT

Senator Terrill submitted the following report and asked that it be printed in the Journal, which was the order.

SPECIAL INVESTIGATING COMMITTEE ON UTILITIES

Sen. Al Terrill — Chairman
Rep. Jerry Weichel — Vice Chairman

Sen. Marvin York
Sen. Jimmy Birdsong
Sen. Bill Dawson
Sen. Rodger Randle
Rep. Kenneth Converse
Rep. Bill Bradley
Rep. Don Denman

These are expenditures covering 24 hearings within a period beginning July 31 and ending December 31, 1976 and employees salaries continuing until March 31, 1977.

Travel expenses	\$ 2,674.50
Per Diem	4,650.00
Secretary	4,196.86
Book, Publications	47.65
Legal Services	31,621.40
Court Reporters	6,617.90
Miscellaneous	<u>219.50</u>
Total	\$50,027.81

Claim and check numbers are available at Legislative Council.

Respectfully submitted:

Al Terrill, Chairman
Jerry Weichel, Vice Chairman

GENERAL ORDER

SJR 19 by Lamb and Grantham of the Senate and Milacek of the House was read and considered.

Upon motion of Senator Lamb, SJR 19 was advanced to engrossment.

By unanimous consent, upon request of Senator Lamb, SJR 19 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 19 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert,

McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—36.

Nay: Crow, Dawson, Holden, Howell, Johnson, Lane, Luton and Smith.—8.

Excused: Butler, Helm, Porter and Wolfe.—4.

The resolution and emergency passed.

SJR 19 was referred for engrossment.

GENERAL ORDER

SJR 23 by Funston and Schuelein was read and considered.

Senator Funston, citing Rule 8(d), asked unanimous consent that Representative Draper be added as House author of SJR 23, which was the order.

Upon motion of Senator Funston, SJR 23, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, SJR 23, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 23 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Howard, Keating, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—30.

Nay: Boatner, Crow, Grantham, Green, Holden, Howell, Johnson, Keller, Lane, McCune, Rozell, Smith, Stipe and Young.—14.

Excused: Butler, Helm, Porter and Wolfe.—4.

The resolution passed.

SJR 23 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1118.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 274 by Howell of the Senate and Abbott of the House was read and considered.

Senator Smith presiding.

Senator Howell moved to amend SB 274, Page 3, Line 4, by striking after the word "Thousand" and before the period on Line 9 all language and substituting therefor the following new language: "Five Hundred Dollars (\$1,500.00) or more shall pay the transportation costs incurred by the receiving district".

Senator Crow moved to amend the Howell amendment by reducing \$1,500.00 to \$1,000.00, which amendment was tabled upon motion of Senator Howell.

Senator Howell pressed his motion to amend, which amendment was declared adopted.

Upon motion of Senator Howell, SB 274, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 274, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 274 was read for the third time at length.

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

Aye: Berrong, Birdsong, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Nay: Boatner, Crow and Luton.—3.

Excused: Butler, Capps, Helm, Porter and Wolfe.—5.

The bill and emergency passed.

SB 274 was referred for engrossment.

GENERAL ORDER

SB 310 by Terrill and Vann of the Senate and Riggs and Morgan of the House was read and considered.

Upon motion of Senator Terrill, SB 310 was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 310 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 310 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Excused: Butler, Helm, Howard, Porter and Wolfe.—5.

The bill and emergency passed.

SB 310 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 142, 212, 276 and 335 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

PENDING SENATE ACTION — RESOLUTION

HCR 1012, introduced on Page 454, was called up for consideration.

Senator Murphy asked unanimous consent, which was granted, that all other members of the Senate be made coauthors of HCR 1012, which was the order.

HCR 1012, as coauthored, was read at length, adopted upon motion of Senator Murphy, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 171 by Keller, Martin and Helm was read and considered.

Senator Keller asked unanimous consent to amend SB 171 by adding the emergency section and further by crippling the title, which was the order.

Upon motion of Senator Keller, SB 171, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keller, SB 171, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 171 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Butler, Field, Helm, Howard, Porter and Wolfe.—6.

The bill passed.

Senator Howard desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43. Excused: 5.

The emergency passed.

SB 171 was referred for engrossment.

GENERAL ORDER

SB 336 by Funston of the Senate and

Cleveland of the House was read and considered.

Senators Lambert and Terrill asked to be made coauthors of SB 336, which was the order.

Upon motion of Senator Funston, SB 336, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, SB 336, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 336 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Excused: Butler, Clifton, Helm, Porter and Wolfe.—5.

The bill passed.

SB 336 was referred for engrossment.

Senator Watson presiding.

GENERAL ORDER

HB 1124 by Townsend of the House and Murphy of the Senate was read and considered.

Upon motion of Senator Murphy, HB 1124 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, HB 1124 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1124 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Butler, Funston, Helm, Lambert, Porter and Wolfe.—6.

The bill and emergency passed.

HB 1124 was ordered withheld pursuant to Rule 19(f).

THIRD READING

Senator Grantham asked unanimous consent to amend SB 43 by crippling the title, which was the order.

Senator Smith presiding.

SB 43 was read for the third time at length.

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

Aye: Berrong, Capps, Cate, Crow, Dahl,

Dawson, Field, Funston, Giles, Grantham, Green, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Smith, Taliaferro, Tinsley, Vann, Watson and York.—31.

Nay: Birdsong, Boatner, Clifton, Holden, Lambert, Luton, Murphy, Rozell, Shatwell, Terrill, Wadley and Young.—12.

Excused: Butler, Helm, Porter, Stipe and Wolfe.—5.

The bill passed.

The Chair advised the Senate that Senator Stipe, having been present in the Chamber during the vote, would be shown voting "no" on SB 43 in compliance with Rule 1(b). The vote thereby resulted as follows: Aye: 31. Nay: 13. Excused 4.

Senators Clifton and Lambert desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33. Nay: 11. Excused: 4.

The emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Stipe moved to reconsider the vote whereby SB 43 passed.

Senator Grantham raised a point of order, stating that the Senate had previously reconsidered the vote whereby SB 43 passed and had affirmed the first decision and that no further consideration on the passage of SB 43 was in order without a two-thirds majority vote of the members of the Senate, which point of order the Chair sustained.

SB 43 was referred for engrossment.

DECLARATION OF VOTE

Senator Lambert asked that the record show had he been present in the Chamber at the time of third reading and final passage of SB 336 he would have voted "aye".

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

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 1126.

UNANIMOUS CONSENT REQUEST

Senator Crow asked unanimous consent, which was granted, that Rule 10(b) be suspended for the purpose of immediately considering the Conference Committee Report on HB 1126.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1126 was read and adopted upon motion of Senator Crow.

Mr. Speaker
and
Mr. President:

We, your Conference Committee to whom was referred Engrossed House Bill No. 1126, and Engrossed Senate Amendments thereto, by Rogers, et al, of the House and Crow, Johnson, McDaniel, Vann, Terrill, Lambert and Watson of the Senate, entitled:

An Act relating to labor; amending 40 O.S. 1971, Sections 213, as amended by Section 1, Chapter 302, O.S.L. 1974, 214, 215, as last amended by Section 3, Chapter 163, O.S.L. 1976, and 226 (40 O.S. Supp. 1976, Sections 213 and 215); *** and increasing certain penalties.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. That the Senate recede from Engrossed Senate Amendments Nos. 1 and 3.
2. That the House concur with Senate Amendments Nos. 2 and 4.

Respectfully submitted,

FOR THE HOUSE: Rogers, Duckett and Draper.

FOR THE SENATE: Green and Berrong.

Senators Berrong, Capps and Field asked to be made coauthors of HB 1126, which was the order.

HB 1126, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Boatner, Howell and Stipe.—3.

Excused: Butler, Porter and Wolfe.—3.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator

Howard moved that the vote be reconsidered whereby HB 1126 passed.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, April 11, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

HB 1124 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 2:15 p.m. to meet Monday, April 11, 1977, at 1:30 p.m.

Fifty-sixth Legislative Day

Monday, April 11, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Butler and Keating.—2.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Joe Dickens, Pastor, Calvin Presbyterian Church, Tulsa, and incorporated into the Journal upon request of Senator Smith.

O God, when all our hopes and dreams and ambitions turn to dust, and we come to realize that our laziness has destroyed our ambition, our foolishness and failure have crushed our hopes and dreams; and must face the fact that so often we are our own worst enemy, we are so grateful that You have promised us not justice but mercy,

not condemnation but forgiveness, not death but life.

We celebrate today the reality of resurrection, of life that defeats death, of hope that cannot be finally destroyed.

Grant Your grace today O God, to these men and women gathered here to make decisions affecting us all. Give them wisdom, and patience; give them sensitivity to human needs; give them strength for their tasks.

Fill us today, O God, with such faith in Your victory that we can do our work according to Your will, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Giles introduced Alameda Simmons, R.N., Chickasha, as Nurse of the Day.

Senator Tinsley introduced Mary Gilmour, R.N., Kingfisher, as Nurse of the Day.

Senator Murphy introduced James Carley, M.D., Stillwater, as Doctor of the Day.

SPECIAL INTRODUCTION

Senator Funston introduced Senator

Frank Lewis, a former resident of Ada, who presently serves in the Nebraska State Senate, and asked unanimous consent, which was granted, that Senator Lewis be granted privileges of the floor.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 386 — County, State and Federal Government.

SB 387 — Municipal Government.

SJR 30 — Environmental and Natural Resources.

HB 1217 — Business, Industry and Labor Relations.

HB 1416 — Judiciary.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1124.

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 1012.

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

Senator Boatner presiding.

GENERAL ORDER

SB 309 by Terrill of the Senate and Atkins of the House was read and considered.

Senators Watson and Birdsong asked to be made coauthors of SB 309, which was the order.

Senator Dawson moved to amend SB 309, Page 2, Line 3, by striking all of Section 2.

Senator Terrill moved to table the Dawson amendment, which motion to table was declared adopted.

Senator Lamb moved to amend SB 309, Page 4, Line 6, by striking after the word "aged" and before the word "or" on Line 7 all language and inserting therefor the word and figure "seventy (70)".

Senator Terrill moved to table the Lamb motion, which motion to table was declared failed of adoption.

Senator Lamb pressed his motion to amend, which amendment was declared adopted.

Senator Smith moved to amend SB 309, Page 4, Line 9, by inserting after the word "infirm" and before the word "person" the word "elderly", which amendment was declared adopted.

Senator Smith moved to amend SB 309, Page 5, Line 17, by inserting after the word "report" and before the word "under" the words: "or a report without a reasonable basis in fact for such report", which amendment was declared adopted.

Senator Smith moved to amend SB 309, Page 6, Line 2, by adding after the word "jury" the following: "which may be allowed in the discretion of the court or jury when deemed proper by the court or jury", which amendment was declared adopted.

Senator Smith moved to amend SB 309, Page 7, Lines 15 and 16, by striking after the word "investigation" the words "or otherwise", which amendment was declared adopted.

Upon motion of Senator Terrill, SB 309, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 309, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 309 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Dahl, Funston, Holden, Howard, Howell, Kilpatrick, Lamb, Luton, Martin, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, York and Young.—25.

Nay: Berrong, Boatner, Clifton, Crow, Dawson, Field, Giles, Grantham, Green, Helm, Johnson, Keller, Lambert, Lane, McCune, McDaniel, Murphy, Schuelein, Vann and Wolfe.—20.

Excused: Butler, Keating and Pierce.—3.

The bill passed.

Senators Grantham, Field, McDaniel, Vann, Clifton, Murphy and Lambert desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 13. Excused: 3.

The emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Terrill moved that the vote be reconsidered whereby SB 309 passed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 43, 171, 274, 310, 336 and SJRs 19, 23, and 27 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MOTION TO RECONSIDER VOTE

Senator Howard asked for consideration of his motion to reconsider the vote whereby HB 1126 passed.

Senator Howard asked that further consideration of his motion to reconsider be deferred temporarily, which was the order.

GENERAL ORDER

SB 235, previously considered and amended on Pages 350 and 351, was considered further.

The Stipe amendment, shown on Page 351, was considered further.

Senator Capps moved to table the Stipe amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Capps, Clifton, Dawson, Field, Funston, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Tinsley, Vann and York.—17.

Nay: Birdsong, Boatner, Cate, Crow, Dahl, Giles, Grantham, Green, Helm, Holden, Howard, Lane, Luton, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Wadley, Watson, Wolfe and Young.—28.

Excused: Butler, Keating and Pierce.—3.

Senator Stipe pressed his motion to amend, which motion was declared adopted.

Senator Capps moved to amend SB 235 by adding the emergency section, which motion was declared adopted.

Upon motion of Senator Capps, SB 235, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SB 235, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 235 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Lambert, Schuelein, Terrill and Tinsley.—4.

Excused: Butler, Keating and Pierce.—3.

The bill and emergency passed.

SB 235 was referred for engrossment.

GENERAL ORDER

SB 19 by Smith, Cate and Green of the Senate and Morgan of the House was read and considered.

Senators Lambert, Howell, Lamb, Berrong, Field and Giles asked to be made co-authors of SB 19, which was the order.

Senator Smith moved to amend SB 19, Page 2, Line 8, by inserting after the word "Provided," and before the word "such" the following: "from and after July 1, 1977," which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Dawson, Field, Keller and Martin.—4.

Excused: Butler, Keating and Pierce.—3.

Upon motion of Senator Smith, SB 19, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 19, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 19 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Randle, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—36.

Nay: Boatner, Crow, Johnson, Luton, Murphy, Porter, Rozell, Schuelein and Young.—9.

Excused: Butler, Keating and Pierce.—3.

The bill and emergency passed.

SB 19 was referred for engrossment.

GENERAL ORDER

HB 1263 by Holaday, et al, of the House and Dahl of the Senate was read and considered.

Senator McCune asked to be made a co-author of HB 1263, which was the order.

Upon motion of Senator Dahl, HB 1263, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, HB 1263, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Martin asked unanimous consent, which was granted, to amend HB 1263 on Third Reading, by striking after the word "of" on Page 2, Line 10, the words "more than" and substituting therefor the words "not to exceed", which amendment was withdrawn upon the unanimous consent request of Senator Martin.

HB 1263 was read for the third time at length.

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

Aye: Berrong, Birdsong, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Kilpatrick, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—35.

Nay: Boatner, Capps, Crow, Dawson, Howell, Keller, Lamb, Lane and Rozell.—9.

Excused: Butler, Keating, Pierce and Taliaferro.—4.

The bill and emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Dawson moved that the vote be reconsidered whereby HB 1263 passed.

MOTION TO RECONSIDER VOTE

The Howard motion to reconsider the vote whereby HB 1126 passed, which had been deferred temporarily, was considered further.

Senator Howard moved that the vote be reconsidered whereby HB 1126 passed, which motion to reconsider was tabled upon motion of Senator Crow.

HB 1126, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Boatner presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Stipe, advised and consented to the confirmation of MRS. CLARK (Wanda) BASS, McAlester, as a member of the Arts and Humanities Council to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mrs. Bass succeeds Mrs. Denzil Pope.

The Senate, in executive session, and upon motion of Senator Funston, advised and consented to the confirmation of MARY A. DEES, Tulsa, as a member of the Wage and Hour Commission, to serve coterminous with the Governor, and effective upon Senate confirmation. Ms. Dees succeeds Don Kirkham, Oklahoma City.

The Senate, in executive session, and

upon motion of Senator Helm, advised and consented to the confirmation of LINDA RAY LEVY, Oklahoma City, as a member of the Oklahoma Department of Libraries Board, District 5, to serve a 6-year term ending July 1, 1982, and effective upon Senate confirmation. Ms. Levy succeeds Mrs. Jane Patten, Norman.

The Senate, in executive session, and upon motion of Senator Tinsley, advised and consented to the confirmation of JACK D. McCURDY, Yukon, as a member of the State Credit Union Board, to serve an unexpired 4-year term ending October 11, 1978, and effective upon Senate confirma-

tion. Mr. McCurdy succeeds Frank Kellert, Edmond.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, April 12, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

SJR 21 was referred for engrossment.

Upon motion of Senator Lane, the Senate adjourned at 4:35 p.m. to meet Tuesday, April 12, 1977, at 1:30 p.m.

Fifty-seventh Legislative Day

Tuesday, April 12, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Porter.—1.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Dickens, and incorporated into the Journal upon request of Senator Smith.

O God, we thank You today for dreams. For the dream of our forefathers of a free people governed by responsible persons we give You thanks. For the dream of one of our prophets of a day when every boy and girl, every man and woman in our nation can claim the freedom promised in our constitution, we are grateful.

We thank You for the dream of Jefferson that all people will be free and equal.

For the dream of a prophet of old of a day when men shall turn their swords into plows and war shall be no more, we thank You, God.

Give us today new dreams, and the strength to pursue with renewed courage the dreams, still unfulfilled, of others.

Give to this body and all who serve in this Capitol an awareness that they are called not to be lords but servants, not to seek their own glory, but the common good. Make them aware of the needs of those who have no spokesman, no advocate, no lobby. Let Your will be done here today, Amen.

The Journal for the last legislative day was declared approved.

SPECIAL INTRODUCTION

Senator Lane asked unanimous consent, which was granted, that Miss Kim Russell and Eric Cliff be granted privileges of the floor, where they were introduced to the members of the Senate by Senator Holden.

Miss Russell, daughter of Mr. and Mrs. J. R. Russell, Duncan, former "Miss Country Music U.S.A. of 1975", an accomplished country-western singing star, presented a program of gospel music and thereafter addressed the Senate.

Senator Holden, on behalf of Senator Taliaferro and himself, presented Kim a Citation from the Senate members and further introduced Mrs. Gladys Russell, Miss Russell's mother, and Mrs. Elaine Taliaferro, wife of Senator Taliaferro.

INTRODUCTIONS

Senator McCune introduced Thomas L. Whitsett, M.D., Oklahoma City, as Doctor of the Day.

Senator Helm introduced Eleanor Moore, R.N., Oklahoma City, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1258 — Revenue and Taxation. Recorded vote on bill.

HB 1436 — Revenue and Taxation, as coauthored by Wolfe, Howard, Lane and Green of the Senate.

DO PASS, as amended:

CS for SB 355 — Education, Higher, and be referred to Committee on Appropriations and Budget by previous order.

FIRST READING

The following were introduced and read the first time.

SB 388 — By Young of the Senate and Floyd of the House.

An Act relating to the Oklahoma Department of Public Safety; making appropriation thereto; stating the purpose; making appropriation subject to fiscal year limitations; and declaring an emergency.

SB 389 — By Tinsley.

An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 180.63 and 180.64A, as last amended by Sections 2 and 3, Chapter 72, O.S.L. 1974 (19 O.S. Supp. 1976, Sections 180.63 and 180.64A); providing for increases in basic salaries of county officers; providing for increases in minimum salaries of county officers; and declaring an emergency.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1019, 1156, 1168, 1198, 1248, 1330, 1345, 1363, 1392, 1403, 1414 and 1425 and HJR 1021.

HB 1019 — By Cleveland of the House and Funston of the Senate.

An Act relating to children; amending 10 O.S. 1971, Sections 1101, as amended by Section 1, Chapter 122, O.S.L. 1972 and 1130, as amended by Section 1, Chapter 250, O.S.L. 1975 (10 O.S. Supp. 1976, Sections 1101 and 1130); defining terms; providing for termination of parental rights; directing termination under certain circumstances of parental neglect of sheltered children previously adjudicated dependent and neglected; and declaring an emergency.

HB 1156 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Commission on Consumer Affairs and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of personnel; designating the Administrator's maximum salary; limiting the number of employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing the filling of a designated position with a position in a lower job grade; prohibiting the expenditure of certain funds for certain professional and technical fees and services; providing lapse

date; providing severability; and declaring an emergency.

HB 1168 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma State Regents for Higher Education and the State Department of Mental Health; providing continuation and reappropriation of unexpended balances of appropriations previously made; stating purposes; providing for the use of federal funds; making appropriations nonfiscal; providing severability; and declaring an emergency.

HB 1198 — By Henry, et al.

An Act relating to civil procedure; amending 12 O.S. 1971, Section 385; describing persons who are incompetent to testify; and expanding the clergyman-penitent privilege.

HB 1248 — By Wiseman and Matheson.

An Act relating to schools; amending 70 O.S. 1971, Section 10-105, as amended by Section 1, Chapter 164, O.S.L. 1975 (70 O.S. Supp. 1976, Section 10-105); requiring school attendance and compliance with school rules unless other means of education are provided; providing exceptions, including Jewish children on certain religious holidays; providing penalty; and declaring an emergency.

HB 1330 — By Henry.

An Act relating to property; providing for a common law of powers; providing for creation, exercise, validity and vesting of power of appointment; providing for consent; providing for a donee's intent; providing for powers of a creditor of a donee; providing for certain deeds and wills; providing for suspension of the absolute right of alienation; providing for advancements; providing for a general assignment for benefit of creditors; providing for an absolute power of revocation; providing for a power to sell lands; providing for an absolute power of disposition; directing

codification; and repealing 60 O.S. 1971, Sections 181 through 198, 221 through 241, 261 through 274, and 291 through 299.

HB 1345 — By Davis (Don), et al.

(Schools — Amending 70 O.S. 1971, Sections 17-101, 17-103, and others — Emergency).

HB 1363 — By Denman and Duckett.

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 980; providing for delivery of defendant with copy of judgment and sentence to Department of Corrections' facilities; adding requirement that sheriff attach defendant's fingerprints and description to copy of judgment and sentence; repealing 57 O.S. 1971, Section 95; and directing codification.

HB 1392 — By Deatherage, et al.

(Schools — Amending 70 O.S. 1971, Section 1-106).

HB 1403 — By Roberts.

An Act relating to schools; amending Section 1, Chapter 77, O.S.L. 1972 (70 O.S. Supp. 1976, Section 35e); requiring certain reports be submitted to the Director of Vocational and Technical Education in certain manner; providing for certain information to be tabulated and made available to the public; and providing an effective date.

HB 1414 — By Elder, et al, of the House and Kilpatrick of the Senate.

An Act relating to insurance; amending 36 O.S. 1971, Section 1405; providing for examinations for applicants for a license to act as an insurance agent; providing for exceptions; providing certain rules regarding examinations and retaking upon failure; providing for the appointment and duties of an advisory board; providing for limited licenses; and providing an effective date.

HB 1425 — By Elder and Kamas of the House and Grantham of the Senate.

An Act relating to cities and towns; providing for eligibility for admission to bail; providing for release of certain arrested persons, under certain conditions; providing for determination of amount and condition of certain bail; providing for acceptance of a temporary cash bond, under certain conditions; directing codification; repealing 11 O.S. 1971, Section 958.22, and Section 2, Chapter 245, O.S.L. 1974 (11 O.S. Supp. 1976, Section 785.2); and providing an effective date.

HJR 1021 — By Draper, et al, of the House and Murphy 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 XIII thereof to be designated as Section 9 of Article XIII, and repealing Section 31a of Article VI thereof; replacing the Board of Regents of Oklahoma Agricultural and Mechanical College and all agricultural and mechanical schools and colleges maintained in whole or in part by the state with the Board of Regents for Oklahoma State University, Oklahoma Panhandle State University, Cameron University, Langston University, Northeastern Oklahoma A&M College, and Connors State College of Agriculture and Applied Science; removing the President of the State Board of Agriculture from membership of this Board of Regents; increasing the term of office of members of this Board of Regents to nine years; providing ballot title; and directing filing.

The above numbered HBs and HJR were read for the first time.

THIRD READING

SB 289 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Keating, Keller, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Taliaferro, Terrill, Tinsley, Vann, Wadley and York.—33.

Nay: Boatner, Butler, Grantham, Howell, Johnson, Kilpatrick, Luton, Rozell, Shatwell, Smith, Stipe, Watson, Wolfe and Young.—14.

Excused: Porter.—1.

The bill passed.

SB 289 was referred for engrossment.

GENERAL ORDER

SB 5 by Murphy was read and considered.

Senator Schuelein asked to be made a coauthor of **SB 5**, which was the order.

Senator Murphy, citing Rule 8(d), asked unanimous consent that Representative Draper be made House author of **SB 5**, which was the order.

Senator Murphy moved to amend **SB 5**, Page 6, Line 5, by striking after the word "of" the words "fifty percent (50%) of his yearly gross income, for each of", and adding the words "forty percent(40%) of his average yearly gross income for", which amendment was withdrawn upon the unanimous consent request of Senator Murphy.

Upon motion of Senator Murphy, **SB 5**, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, **SB 5**, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 5 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Field, Funston, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Watson, York and Young.—36.

Nay: Crow, Dahl, Dawson, Giles, Lane, Randle, Terrill, Wadley and Wolfe.—9.

Excused: Helm, Howell and Porter.—3.

The bill and emergency passed.

SB 5 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 19 and 235 and SJR 21 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 106, as amended.

HOUSE AMENDMENTS

HAs to SB 106 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to the Council on Law Enforcement Education and Training and

making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; fixing the salary of the Director and assistant director, Council on Law Enforcement Education and Training; limiting the number of full-time-equivalent employees; limiting the amount of funds to be expended for salaries and wages; specifying the certification of payroll claims; specifying number and compensation of authorized employees; authorizing the filling of a designated position with a position in a lower level; providing lapse date; providing severability; and declaring an emergency.”

Amendment No. 2. Amend Page 1, Line 20, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 24 and 25, by deleting the words and figures “One Hundred Eighty-four Thousand Six Hundred Seventy-one Dollars (\$184,671.00)” and substituting in lieu thereof the words and figures “Sixty Thousand Five Hundred Ninety-one Dollars (\$60,591.00)”.

Amendment No. 4. Amend Page 2, Lines 5 and 6 by deleting the language “shall not exceed fifteen (15)” and inserting in lieu thereof the language “, exclusive of the District Attorneys Training Coordinating Council, shall not exceed twelve (12)”.

Amendment No. 5. Amend Page 2, Lines 9 through 11, by deleting the language “shall not exceed One Hundred Ninety-eight Thousand Eight Hundred Thirty Dollars (\$198,830.00)” and substituting in lieu thereof the language “exclusive of the District Attorneys Training Coordinating Council, shall not exceed One Hundred Sixty-eight Thousand Seven Hundred Twenty Dollars (\$168,720.00)”.

Amendment No. 6. Amend Page 2, Line 14½ by inserting new Sections 4 and 5 to read as follows:

"SECTION 4. The number and compensation of officials and employees, exclusive of the District Attorneys Training Coordinating Council, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	NO. AUTH.	MIN.	MAX.
Director	1	\$17,160	\$23,460
Assistant Director	1	16,380	20,700
Regional Coordinator II	1	14,940	19,800
Regional Coordinator I	5	12,360	16,380
Grant Administrator	1	12,360	16,380
Administrative Assistant I	1	10,140	13,620
Clerk Typist I	1	6,060	8,040
Secretary	1	6,060	6,660
Total	12		

SECTION 5. The Council on Law Enforcement Education and Training is authorized to fill a designated position, as authorized by Section 4 of this act, that is within a specific occupational class, with a position in a lower job level within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all job levels in that specific occupational class."

and by renumbering the present Section 4 to read "Section 6" and renumbering succeeding sections accordingly.

Senator Smith presiding.

GENERAL ORDER

SB 46 by Funston, Crow and Green of the Senate and Smith of the House was read and considered.

Upon motion of Senator Funston, SB 46 was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, SB 46 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 46 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Crow, Funston, Green, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Pierce, Randle, Shatwell, Smith, Tinsley, Watson, Wolfe, York and Young.—26.

Nay: Berrong, Butler, Capps, Dahl, Dawson, Field, Giles, Grantham, Holden, Johnson, McDaniel, Martin, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Vann and Wadley.—19.

Excused: Helm, Murphy and Porter.—3.

The bill passed.

Senators Butler, Schuelein, Dawson, Stipe, Terrill and Martin desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 13. Excused: 3.

The emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator

Funston moved that the vote be reconsidered whereby SB 46 passed.

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

GENERAL ORDER

SB 317 by Howell was read and considered.

Senator Howell, citing Rule 8(d), asked unanimous consent that Representative Hood be made House author of SB 317, which was the order.

Senator Luton presiding.

Senator Keating moved to amend SB 317, Pages 1 through 14, by striking all language and substituting: "Title 59 O.S. § § 1052 through 1062 are hereby repealed."

Senator Howell moved to table the Keating amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Boatner, Cate, Dawson, Grantham, Holden, Howell, Kilpatrick, Lambert, Lane, Randle, Rozell, Smith, Stipe, Terrill, Watson and York.—17.

Nay: Birdsong, Butler, Capps, Clifton, Crow, Dahl, Field, Funston, Giles, Green, Howard, Johnson, Keating, Keller, Lamb,

Luton, McCune, McDaniel, Martin, Pierce, Schuelein, Shatwell, Taliaferro, Vann, Wolfe and Young.—26.

Excused: Helm, Murphy, Porter, Tinsley and Wadley.—5.

Senator Keating pressed his motion to amend, which amendment was declared adopted.

BILL WITHDRAWN — REREFERRED

Senator Howell asked unanimous consent, which was granted, that SB 317 be withdrawn from the Calendar and rereferred to the committee on Professions and Occupations with amendments attached.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, April 13, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1126.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:50 p.m. to meet Wednesday, April 13, 1977, at 1:30 p.m.



Fifty-eighth Legislative Day

Wednesday, April 13, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—46.

Excused: Giles and Wadley.—2.

Senator Luton declared a quorum present.

Reverend Dickens observed that today is Thomas Jefferson's birthdate and noted that the following prayer was given by President Jefferson at the Opening of the First Continental Congress, August, 1776, which is incorporated into this day's Journal upon request of Senator Smith.

"Almighty God, who has given us this good land for our heritage; we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with

honourable industry, sound learning, and pure manners.

"Save us from violence, discord, and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues.

"Endow with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth.

"In the time of prosperity, fill our hearts with thankfulness, and in day of trouble, suffer not our trust in Thee to fail; all of which we ask through Jesus Christ our Lord, Amen."

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Cate introduced Howard Hagglund, M.D., Norman, as Doctor of the Day.

Senator Porter introduced his son, Joel, along with members of his class at Millwood School.

Senator Keller introduced Virginia

Staples, R.N., Oklahoma City, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 361 — Professions and Occupations.

HB 1324 — Agriculture, as coauthored by Tinsley, Giles and Dahl, and be referred to committee on Public and Mental Health by previous order.

HB 1195 — Education, Common, as coauthored by Hammons of the House.

DO PASS, as amended:

CS for SB 121 — Social Welfare.

CS for SB 283 — Professions and Occupations, as coauthored by Matheson of the House.

CS for SB 350 — Revenue and Taxation, as coauthored by Lane, Smith, Funston, Kilpatrick, Taliaferro, Murphy, Shatwell and Green and be referred to committee on County, State and Federal Government by previous order.

SJR 29 — Public Safety and Penal Affairs as coauthored by Johnson of the Senate.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 388 — Public Safety and Penal Affairs and then to Appropriations and Budget.

SB 389 — County, State and Federal Government and then to Appropriations and Budget.

HB 1019 — Social Welfare.

HB 1156 — Appropriations and Budget.

HB 1168 — Appropriations and Budget.

HB 1198 — Judiciary.

HB 1248 — Education, Common.

HB 1330 — Judiciary.

HB 1345 — Education, Common and then to Rules.

HB 1363 — Criminal Jurisprudence.

HB 1392 — Education, Common.

HB 1403 — Education, Common.

HB 1414 — Insurance.

HB 1425 — Municipal Government and then to Criminal Jurisprudence.

HJR 1021 — Constitutional Revision and Regulatory Services and then to Education, Higher.

RESOLUTION

Senator Cate introduced the following Resolution:

SCR 16 — By Cate.

A Concurrent Resolution designating the mental health facilities within the City of Norman as the "Hayden H. Donahue Mental Health Institute"; directing the placement of suitable markers; and directing distribution.

Senator Cate asked unanimous consent that all other members of the Senate be made coauthors of SCR 16, which was the order.

SCR 16, as coauthored, was read at length, adopted upon motion of Senator Cate and ordered referred for engrossment.

GENERAL ORDER

SB 240 by Funston, Keating and Wolfe was read and considered.

Senator Funston, citing Rule 8(d), asked unanimous consent that Representative Davis (Don) be made House author of SB 240, which was the order.

Senator Dawson moved to amend SB 240, Page 3, Line 12, by striking after the

comma and before the word "or" the word "orientation", which amendment was declared failed of adoption.

Senator Young moved to amend SB 240, Page 8, Line 12, by striking after the word "person," all language on Lines 12 through 15 and the word "expectation" on Line 16.

Senator Funston moved to table the Young amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Cate, Dawson, Funston, Green, Helm, Holden, Howell, Keating, Keller, Lane, Luton, McCune, Martin, Pierce, Randle, Smith, Watson and Wolfe.—18.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Field, Grantham, Johnson, Kilpatrick, Lamb, Lambert, McDaniel, Murphy, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, York and Young.—27.

Excused: Giles, Howard and Wadley.—3.

Senator Young pressed his motion to amend, which amendment was declared adopted.

Senator Keller moved to amend SB 240, Page 14, Line 1, by adding after the word "court" the following: "and the amount of such fee shall be set by the court", which amendment was declared adopted.

Senator Young moved to amend SB 240, Page 23, Line 5, by inserting after the word "facility" and before the word "or" the following: "a correctional institution", which amendment was declared adopted.

Senator Grantham moved to amend SB 240, Page 23, Line 7, by adding after the word "found" and before the word "may" the following language: "or the district at-

torney in whose district the person requiring treatment may be found", which amendment was declared adopted.

Senator Smith moved to amend SB 240, Page 8, Line 7, by striking after the word "who" the words "is mentally ill", and substituting therefor the words "has a demonstrable mental illness", which amendment was declared adopted.

Senator Wolfe moved to amend SB 240, Page 32, Lines 4 and 5, by striking after the word "determine," the words "based on clear and convincing evidence" and substituting therefor the words "beyond a reasonable doubt", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Lamb, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Shatwell, Smith, Taliaferro, Tinsley, Watson, Wolfe and Young.—31.

Nay: Birdsong, Boatner, Dahl, Keller, Kilpatrick, Lambert, McDaniel, Porter, Rozell, Schuelein, Stipe, Vann and York.—13.

Excused: Giles, Howard, Terrill and Wadley.—4.

Senator Kilpatrick moved to amend SB 240, Page 41, Line 16½, by adding a new subsection as follows:

"H. The court shall make and keep records of all cases brought before it. Such records shall be open to public inspection only by order of the court to persons having a legitimate interest therein.",

which amendment was declared adopted.

Senator Dawson moved to amend SB 240, Page 3, Line 12, by adding after the comma and before the word "orientation"

the word "psychological", which amendment was declared adopted.

Upon motion of Senator Funston, SB 240, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, SB 240, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

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

SB 240 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Field, Giles, Howard and Stipe.—4.

The bill and emergency passed.

SB 240 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 289 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

HB 1436 by Ford and Baughman of the House and Wolfe, Howard, Lane and Green of the Senate was read and considered.

Upon motion of Senator Wolfe, HB 1436 was advanced to engrossment.

By unanimous consent, upon request of Senator Wolfe, HB 1436 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senate Crow presiding.

HB 1436 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Giles and Howard.—2.

The bill and emergency passed.

HB 1436 was ordered withheld pursuant to Rule 19(f).

EXECUTIVE SESSION

There being matters on the President's desk for the consideration of the Senate in executive session, it was upon motion of

Senator Lane that the Senate closed its doors and went into executive session.

The Senate reassembled in open session with Senator Crow presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Clifton, advised and consented to the confirmation of EMIL FOX, Moore, as a member of the Solid Waste Management Advisory Committee (cogovernment representative) to serve at the Governor's pleasure, and effective upon Senate confirmation. Mr. Fox succeeds Gerald LeValley, Newkirk.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of DR. RONALD WHITE, Oklahoma City, as a member of the Board of Regents of the University of Oklahoma, to serve a 7-year term ending March 21, 1984, and effective upon Senate confirmation. Dr. White succeeds Mack Braly, Ada.

RESOLUTION

The following Resolution was introduced and referred to the Rules Committee under Rule 12(d).

SCR 17 — By Helm, Howell, Stipe, Lamb, Schuelein, Wadley, Martin, Vann, Smith, Funston, Rozell, Watson, McCune and Green of the Senate and Vaughn of the House.

A Concurrent Resolution commending and thanking Anita Bryant for her contributions to our American way of life; and directing distribution.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, April 14, 1977, at 12:30 p.m., which motion prevailed.

BILL RELEASED

HB 1436 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:10 p.m. to meet Thursday, April 14, 1977, at 12:30 p.m.



Fifty-ninth Legislative Day

Thursday, April 14, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Crow, Howard, Porter and Tinsley.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Dickens, and incorporated into the Journal upon request of Senator Smith.

Good and gracious God, we acknowledge You today as Lord of all, and ruler over all of our dreams, aspirations and designs. We pray today for Your blessing, asking that Your love may rule our hearts, and that Your glory may overrule all evil intentions of men who seek to destroy, subjugate and exploit their fellow man.

In the midst of so much contention and hatred we dare to pray for peace, and ask that we may be peace makers.

O God, You have blessed our land with material and spiritual wealth beyond measure. We ask that we may also be blessed with a concern for justice, liberty and brotherhood.

When we have done our best, O Lord, we know we must still ask Your grace and forgiveness for all we have failed to do. Through Jesus Christ our Lord, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Capps introduced his mother, Mrs. Mary Capps, and his sister, Mrs. Sue Mullins, and noted that his mother had been a contestant for Mother of the Year.

Senator Helm introduced Tresa Schlecht, R.N., Oklahoma City, as Nurse of the Day. Senator Cate introduced George Hulsey, M.D., Norman, as Doctor of the Day.

SPECIAL INTRODUCTION

Senator Field introduced Randy Shorb, Hardesty, 1977 Oklahoma All-State

Basketball Team member, and asked unanimous consent, which was granted, that Randy be granted privileges of the floor to receive a Citation of congratulations from the members of the Senate.

REQUESTS FOR LOBBY PERMITS

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

David M. Dank, 2519 N.W. 23, Oklahoma City, representing Oklahoma Retail Merchants Association.

Robert L. Hicks, P.O. Box 52398, Tulsa, 74152, representing Hicks-Sampsel and Company.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

CS for SB 273 — County, State and Federal Government, as coauthored by Lambert, Cate, McDaniel, Rozell, Johnson, Lamb and Luton.

SB 306 — Agriculture, as coauthored by Dahl and be referred to committee on Appropriations and Budget by previous order.

SB 332 — Municipal Government.

SB 340 — Insurance, as coauthored by Wickersham of the House.

CS for SB 350 — County, State and Federal Government, as coauthored by Wadley of the Senate and Elder and Davis (Don) of the House.

SB 387 — Municipal Government, as coauthored by Taliaferro.

CS for HB 1157 — Appropriations and Budget.

HB 1205 — County, State and Federal Government, as coauthored by Tinsley and Wadley of the Senate.

HB 1287 — Insurance, as coauthored by York of the Senate.

HB 1347 — Insurance, as coauthored by Taliaferro of the Senate, and be referred to Committee on County, State and Federal Government by previous order.

CS for HB 1416 — Judiciary, as coauthored by Robinson of the House and Luton of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 390 — By Howell.

An Act relating to state government; providing short title; defining terms; providing for an Oklahoma State Bureau of Investigation Retirement System; providing for Retirement and Pension Fund and a Retirement and Pension Board; providing for membership and terms; providing for a special election; providing for meetings; providing for certain payments; specifying certain powers and duties of the Board; providing for certain investments; prohibiting certain acts; providing for certain contributions, deductions and credits; providing for employee's retirement and disability and payment upon retirement, disability, termination of membership and death; providing for certain adjustments; requiring certain examinations; providing for retention of certain rights; authorizing certain appeals; providing for certain refunds and transfers; directing codification; and providing an effective date.

SB 391 — By Howell.

An Act relating to schools; amending Section 1, Chapter 1, O.S.L. 1976 (70 O.S. Supp. 1976, 1-120), which provides a method for calculating average daily attendance for purposes of state aid; expanding use of method to apply to dedicated revenues apportioned on average daily attendance basis; and declaring an emergency.

SB 392 — By Howell.

An Act relating to elections; modifying manner of election of Governor and Lieutenant Governor; providing for joint filing of a declaration of candidacy; imposing certain requirements for such filing; providing for disqualification and withdrawal; modifying printing of certain ballots; directing codification; and declaring an emergency.

SB 393 — By Howell.

An Act relating to crime and punishments; amending 21 O.S. 1971, Section 421; increasing penalty for conspiracy.

SJR 31 — By Howell.

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 Article VI thereof by adding a new Section to be designated Section 3A; providing for joint election of Governor and Lieutenant Governor; providing ballot title; and directing filing.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1251, 1255, 1283, 1284, 1314, 1320, 1379, 1383, 1388, 1413, 1423, 1430 and 1435.

HB 1251 — By Monks, et al, of the House and Rozell of the Senate.

An Act relating to motor vehicles; providing for special license plates for former prisoners of war; providing procedures for purchase; providing for fees; providing for design of license tag; and directing codification.

HB 1255 — By Converse and Nance.

An Act relating to game and fish; amending Section 6-501, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 6-501); prohibiting and restricting the use of certain devices on certain water courses; providing exceptions; providing for removal of devices; providing penalties; and declaring an emergency.

HB 1283 — By Nance.

(Revenue and Taxation — Effective Date).

HB 1284 — By Nance.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 22.2, as last amended by Section 11, Chapter 241, O.S.L. 1976 (47 O.S. Supp. 1976, Section 22.2); providing for apportionment of certain monies received by the Oklahoma Tax Commission; and declaring an emergency.

HB 1314 — By Draper, et al, of the House and Smith of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Sections 1402 and 1403; providing for additional state excise tax and apportionment of additional revenues to cities, towns and counties within the State of Oklahoma; providing severability; providing an effective date; and declaring an emergency.

HB 1320 — By Floyd, et al.

(Professions and Occupations — Amending 59 O.S. 1971, Sections 199.1 and 199.7 — Effective Date).

HB 1379 — By Cowan and Wiseman of the House and Funston of the Senate.

An Act relating to public health and safety; amending Sections 2 through 13, 15 and 16, Chapter 251, O.S.L. 1976 (63 O.S. Supp. 1976, Sections 2752 through 2765); modifying definitions; renaming the Controlled Industrial Waste Management Section the Controlled Industrial Waste Management Division; providing for composition; modifying certain duties; providing for a certain notice; expanding scope of certain rules, regulations and standards; specifying certain exemptions; providing for the issuance of certain permits under certain conditions; providing for the holding of certain hearings; providing for preparation of certain criteria; providing for operation and maintenance of certain facilities and sites; modifying provisions

for providing and carrying certain manifests; providing for initiation and prosecution of civil and criminal proceedings; increasing certain penalties; providing for shipment of controlled industrial waste from out of state; prohibiting certain practices; and directing codification.

HB 1383 — By Roberts.

An Act relating to schools; amending Section 1, Chapter 270, O.S.L. 1974 (70 O.S. Supp. 1976, Section 6-128); requiring applicants for teaching certificates to complete certain courses with exception; and providing effective date.

HB 1388 — By Deatherage and Hastings.

An Act relating to the Human Rights Commission; amending 25 O.S. 1971, Sections 1503 and 1506; changing the composition of certain hearing bodies; making district court actions for enforcement orders or judicial review subject to Oklahoma Administrative Procedures Act; and declaring an emergency.

HB 1413 — By Elder and Bradshaw.

(Counties and County Officers; Amending 19 O.S. 1971, Sections 180.63, 180.64A and others — Emergency).

HB 1423 — By Davis (Don), et al.

An Act relating to insurance; stating the purpose; defining terms; specifying applicability of this act; providing standards for making and using rates; prohibiting certain acts relating to rating systems; requiring rating organizations to be licensed; providing for fee and application requirements; specifying certain requirements to maintain license; providing procedures for issuance of license; requiring filing of certain information of advisory organization with the Commissioner; requiring the filing of specific information by certain groups engaged in joint underwriting or reinsurance; requiring maintenance of certain records; providing for the submission and approval of rules,

regulations or plans adapted to rating systems by insurers; requiring filing by insurer of certain information relating to rules, rates, character and coverage contemplated; providing procedures for approval or disapproval and exceptions to filing requirements; providing procedures for examinations of licensed rating organizations or their employees; authorizing certain actions by the Commissioner for noncompliance to act by affected parties; prohibiting withholding or falsification of information and specifying penalty; limiting prohibition or regulation of payment of dividends; limiting applicability of act to insurance; abolishing State Board for Property and Casualty Rates; transferring certain items, duties, functions, and authority from State Board for Property and Casualty Rates to State Insurance Commissioner; providing for administration and enforcement of act; repealing 36 O.S. 1971, Sections 332 through 346, and 348, 901 through 911 and 1001 through 1017 and 2813; providing for monitoring and reporting by Insurance Commissioner; directing codification; providing for severability; and providing operative date.

HB 1430 — By Draper and Monks.

An Act relating to professions and occupations; providing for welding observers and weld-testing facilities; providing short title; specifying legislative purpose; defining terms; specifying duties of a welding observer; requiring certain qualifications of applicants for certification as a welding observer; providing for the issuance, suspension, nonrenewal, revocation, renewal and reinstatement of welding observer certificates; providing certain principles for the conduct of welding observers; creating a Board of Welding Advisors; specifying terms, qualifications, removal, meetings, quorum, compensation and duties of members; providing for certain piping codes; specifying certain duties of the Commissioner of Labor; prescribing certain fees; creating

a revolving fund; providing certain exemptions; providing certain penalties; directing codification; and providing an effective date.

HB 1435 — By Steward, et al.

An Act relating to criminal procedure; amending 22 O.S. 1971, Sections 991a and 991c, as amended by Sections 1 and 3, Chapter 160, O.S.L. 1976 (22 O.S. Supp. 1976, Sections 991a and 991c); prescribing sentencing powers of the court; providing for deferred sentences; deleting suspended and deferred sentences for specified violent crimes; and setting an effective date.

The above numbered HBs were read for the first time.

GENERAL ORDER

SJR 14 by Lane of the Senate and Nance of the House was read and considered.

Upon motion of Senator Lane, **SJR 14** was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, **SJR 14** was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 14 was read for the third time at length, as follows:

SJR 14 — By Lane of the Senate and Nance 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 9 of Article X of the Oklahoma Constitution; providing for levy and collection of ad valorem taxes; specifying millage for school purposes; increasing amount of emergency levy; providing for a certain election; providing for computation of levy and certification of appropriations; eliminating certain provisions

which have lapsed; providing a ballot title; and directing filing.

Be it resolved by the Senate and the House of Representatives of the 1st Session of the 36th 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 of Section 9 of Article X of the Constitution of the State of Oklahoma, to read as follows:

Section 9. (a) Except as herein otherwise provided, the total taxes for all purposes on an ad valorem basis shall not exceed, in any taxable year, fifteen (15) mills on the dollar, no less than five (5) mills of which is hereby apportioned for school district purposes, the remainder to be apportioned between county, city, town and school district, by the county excise board, until such time as a regular apportionment thereof is otherwise provided for by the Legislature.

No ad valorem tax shall be levied for state purposes, nor shall any part of the proceeds of any ad valorem tax levy upon any kind of property in this state be used for state purposes.

(b) A tax of four (4) mills on the dollar valuation of all taxable property in the county shall be levied annually in each county of the state for school purposes and, until otherwise provided by law, the proceeds thereof shall be apportioned to the school districts of the county by the county treasurer on the basis of the legal average daily attendance for the preceding school year as certified by the State Board of Education. Provided that in case a school district lies in more than one county, such district shall be deemed a school district of the county having the greater part of the area comprising such district, unless otherwise provided by law, and shall be entitled to participate in the proceeds of

such tax on the same basis as districts lying wholly within such county but revenue from such tax on the assessed valuation of the district in other counties shall, when collected, be transmitted to the county treasurer of such county having the greater part of the area comprising the district, unless otherwise provided by law, and be apportioned as hereinbefore provided for the proceeds of such tax on the assessed valuation of such county. Not to exceed seventy-five [per centum] PERCENT (75%) of the amount received by a school district from the proceeds of such county levy in any year shall be required to finance the state guaranteed program of such district.

(c) Upon certification of a need therefor by the board of education of any school district an additional tax of not to exceed fifteen (15) mills on the dollar valuation of all taxable property in the district shall be levied for the benefit of the schools of such district.

(d) In addition to the levies hereinbefore authorized, any school district may make an emergency levy for the benefit of the schools of such district, in an amount not to exceed [five (5)] FIFTEEN (15) mills on the dollar valuation of the taxable property in such district when approved by a majority of the electors of the district voting on the question at an election called for such purpose. This emergency levy shall provide only sufficient additional revenue to meet the needs of the district each fiscal year as determined by the board of such district and must be approved by a majority of the electors voting on said question at such an election for each fiscal year.

(d-1) In addition to the levies hereinbefore authorized, any school district may make a local support levy for the benefit of the schools of such district, in an amount not to exceed ten (10) mills on the dollar valuation of the taxable property in such

district, when approved by a majority of the ad valorem taxpaying voters voting on said question at an election for each fiscal year called for such purposes. This local support levy shall provide only sufficient additional revenue to meet the needs of the district for each such fiscal year as determined by the board of such district; provided, an elector desiring to vote upon such local support levy must present an ad valorem tax receipt for the year immediately preceding before being issued a ballot, or sign a sworn affidavit certifying the fact of such payment.

(e) The amount of revenue from school district ad valorem taxes levied under (a) and (c) of this section which any school district may be required to use to finance its state guaranteed program shall not be in excess of its share, based upon its relative taxpaying ability as may be defined by law, of an amount equivalent to the net proceeds from a fifteen (15) mill tax levy on the aggregate net assessed valuation of the State; but until such relative taxpaying ability is defined by the Legislature, the amount of revenue from such taxes which any school district may be required to use to finance its state guaranteed program shall not be in excess of the net proceeds from an ad valorem tax levy of fifteen (15) mills on the dollar net assessed valuation of the district. No part of the proceeds from any ad valorem levy for emergency levy and local support levy under (d) and (d-1) of this section shall be required to finance the state guaranteed program of such district.

Nothing in the amendments to the Constitution incorporated herein shall be construed to amend, alter or supersede the present application of Article XII-A, Sections 1 and 2 of the Oklahoma Constitution.

(f) [Should the amendment contained in subsection (d-1) hereof be adopted on September 14, 1965, the] THE school board of any school district in the state may

[within ten (10) days thereafter] file with the excise board of the county a supplemental estimate of needs and call a special election within fifteen (15) days after such call upon the [new] local support levy or emergency levy if not previously submitted, or both. The school board shall advertise notice of such election by publication in at least one issue of a newspaper having general circulation in the school district, or by posting in five public places in the district at least five (5) days before such election. Should the electors of the school district vote such additional levy in such election, the county excise board shall forthwith compute the levy and certify appropriations for all affected school districts and refile the budgets with the county clerk and with the State Auditor. Notice of the filing of said budget shall be given as required by law. The forty (40) day protest period shall begin immediately upon the filing of said budgets.

[For the fiscal year 1965-66, the Excise Board of each county shall not finally compute the levy nor certify the appropriations for the school districts of the State until after the school district shall have had the opportunity to hold a special election as provided herein.

Temporary appropriations, up to forty per centum (40%) of the estimated funds needed by the school board of any district in the State for the fiscal year 1965-66, may be approved any time after the beginning of such fiscal year.]

Upon the computation of the levy and certification of appropriations by the excise board, the county assessors shall prepare or revise the tax rolls and deliver the same to the county treasurer who shall proceed with the collection of the taxes as required by law.

[Should it become necessary, because of the delay in computing levies and certifying appropriations as herein provided, the Governor may, by executive order, extend

the time when taxes will be delinquent for the year of 1965, and that year only. Such extension of time shall be for the minimum time necessary to permit the County Assessor and County Treasurer to perform their duties as required by law.]

SECTION 2. The Ballot Title for the proposed Constitutional amendment as 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

modifying the amount of ad valorem taxes which may be used for school purposes by increasing the emergency levy which a school district may make from five (5) mills to fifteen (15) mills on the dollar valuation of the taxable property in the district; AND eliminating certain provisions which have lapsed

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ YES, FOR THE AMENDMENT

☐ NO, AGAINST THE AMENDMENT

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 the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Funston, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, Lane, Luton, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson and York.—33.

Nay: Berrong, Dawson, Field, Giles, Helm, Lamb, McCune, McDaniel, Wolfe and Young.—10.

Excused: Butler, Crow, Howard, Porter and Tinsley.—5.

The resolution was declared passed.

SJR 14 was ordered referred for engrossment.

GENERAL ORDER

SB 376 by Clifton was read and considered.

Upon motion of Senator Clifton, SB 376 was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, SB 376 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Wadley presiding.

SB 376 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Field, Funston, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith,

Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—36.

Nay: Dawson, Giles, McCune and Martin.—4.

Excused: Butler, Crow, Grantham, Helm, Howard, Porter, Stipe and Tinsley.—8.

The bill passed.

Senators Martin and Giles desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 38. Nay: 2. Excused: 8.

The emergency passed.

SB 376 was referred for engrossment.

GENERAL ORDER

SB 377 by Clifton was read and considered.

Upon motion of Senator Clifton, SB 377 was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, SB 377 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 377 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Rozell, Shatwell, Talia-

ferro, Terrill, Vann, Wadley, Watson, Wolfe and York.—34.

Nay: Boatner, Johnson, McCune, Randle and Schuelein.—5.

Excused: Butler, Crow, Helm, Howard, Porter, Smith, Stipe, Tinsley and Young.—9.

The bill passed.

SB 377 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 5 and 240 and SCR 16 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1436.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 181 by Terrill and Dawson was read and considered.

Upon motion of Senator Terrill, SB 181 was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 181 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 181 was read for the third time at length.

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

Aye: Berrong, Birdsong, Cate, Clifton, Dahl, Dawson, Holden, Johnson, Keating, Keller, Lambert, Martin, Randle, Rozell, Shatwell, Taliaferro, Terrill, York and Young.—19.

Nay: Boatner, Capps, Field, Funston, Giles, Grantham, Green, Helm, Howell, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Schuelein, Smith, Stipe, Vann, Wadley, Watson and Wolfe.—24.

Excused: Butler, Crow, Howard, Porter and Tinsley.—5.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Terrill moved to reconsider the vote whereby SB 181 failed.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, April 18, 1977, at 1:30 p.m., which motion prevailed.

BILLS RELEASED

SB 309 was ordered referred for engrossment.

HB 1263 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 1:35 p.m. to meet Monday, April 18, 1977, at 1:30 p.m.



Sixtieth Legislative Day

Monday, April 18, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Butler, Dahl, Howell, Keating, Stipe and Wolfe.—6.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Finley W. Tinnin, Jr., Pastor, Baptist Temple Church, Oklahoma City and incorporated into the Journal upon request of Senator McCune.

Our Father which art in Heaven, hallowed be Thy Name. If we were immortal without You, we would not need You. If we were all-wise without You, we would not need You. If we were entirely self sufficient, we would not need You. But we are not any of these things and must appeal to You for eternal life, for divine

wisdom, and for sufficiency. Excite us with the exhilarating knowledge that You are God and our needs are satisfied in You, in our Master's Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Porter introduced Ada Hawkins, R.N. Oklahoma City, as Nurse of the Day.

Senator Kilpatrick introduced his son, Ken, and asked unanimous consent, which was granted, that he be granted privileges of the floor.

Senator McCune introduced Arthur Hoge, M.D., Oklahoma City, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SJR 28 — County, State and Federal Government.

DO PASS, as amended:

SB 252 — County, State and Federal Government.

SB 367 — Public and Mental Health.

CS for SB 374 — County, State and Federal Government as coauthored by McDaniel of the Senate and Hood of the House. Remove as coauthor Wadley of the Senate.

CS for SB 375 — County, State and Federal Government as coauthored by Hood of the House.

CS for HB 1127 — Appropriations and Budget as coauthored by Berrong of the Senate.

CS for HB 1128 — Appropriations and Budget.

CS for HB 1131 — Appropriations and Budget as coauthored by Murphy of the Senate.

CS for HB 1133 — Appropriations and Budget as coauthored by Murphy of the Senate.

CS for HB 1140 — Appropriations and Budget.

CS for HB 1141 — Appropriations and Budget.

CS for HB 1164 — Appropriations and Budget as coauthored by Cate of the Senate.

CS for HB 1165 — Appropriations and Budget as coauthored by Keating of the Senate.

HB 1211 — Public and Mental Health.

FIRST READING

The following were introduced and read the first time.

SB 394 — By Randle.

An Act relating to state government; amending Section 2, Chapter 64, O.S.L. 1972, as last amended by Section 1, Chapter 138, O.S.L. 1975, Section 2, Chapter 138, O.S.L. 1975, and Sections 1 and 2, Chapter 52, O.S.L. 1976 (74 O.S. Supp. 1976, Sections 1701 through 1704); providing for participation in certain voluntary tax-sheltered income deferment plans; providing for a Board of Trustees; modifying the Board's composition; expanding the Board's duties; providing duties of certain

participating financial institutions; providing for preferred creditor status; modifying duties of the Oklahoma Public Employees Retirement System; modifying provisions for certain offices; prohibiting certain acts; and directing codification.

SB 395 — By Capps.

An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 866.2 and 866.36; authorizing city and county cooperation in certain planning projects; providing certain powers and duties of cities and counties; providing for establishment of rules and regulations; providing for lake area planning and zoning commissions; providing criteria for establishing certain commissions; including reservoirs constructed by the Bureau of Reclamation; limiting jurisdiction of commissions; providing for certain cities and towns to elect to come under certain jurisdictions; providing for membership of commissions; providing for appropriation of funds; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 390 — Rules and then to County, State and Federal Government.

SB 391 — Education, Common.

SB 392 — Elections and Privileges and then to County, State and Federal Government.

SB 393 — Criminal Jurisprudence.

SJR 31 — Elections and Privileges and then to County, State and Federal Government.

HB 1251 — Revenue and Taxation and then to County, State and Federal Government.

HB 1255 — Wildlife.

HB 1283 — Revenue and Taxation.

HB 1284 — Revenue and Taxation and then to Roads and Highways.

HB 1314 — Revenue and Taxation.
HB 1320 — Professions and Occupations.

HB 1379 — Public and Mental Health and then to County, State and Federal Government.

HB 1383 — Education, Common.

HB 1388 — County, State and Federal Government.

HB 1413 — County, State and Federal Government.

HB 1423 — Insurance.

HB 1430 — Professions and Occupations.

HB 1435 — Criminal Jurisprudence and then to County, State and Federal Government.

GENERAL ORDER

SB 363 by Lamb of the Senate and Anderson of the House was read and considered.

Upon motion of Senator Lamb, SB 363 was advanced to engrossment.

By unanimous consent, upon request of Senator Lamb, SB 363 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 363 was read for the third time at length.

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

Aye: Berrong, Boatner, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Shatwell, Taliaferro, Tinsley, Vann, Watson, York and Young.—31.

Nay: Birdsong, Holden, Johnson, Lane, Luton, Porter, Randle, Schuelein, Smith, Terrill and Wadley.—11.

Excused: Butler, Dahl, Howell, Keating, Stipe and Wolfe.—6.

The bill passed.

SB 363 was referred for engrossment.

Senators Howell, Butler, Wolfe and Keating asked to be shown present, which was the order.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1263.

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 309, 376 and 377 and SJR 14 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SJR 29 by Young, Howard, McCune, Porter and Johnson of the Senate and Riggs and Willis of the House was read and considered.

Senators Schuelein and Terrill asked to be made coauthors of SJR 29, which was the order.

Senator Young, citing Rule 8(d), asked unanimous consent, which was granted, that Representative Hood be made a coauthor of SJR 29.

Senator Berrong moved to amend SJR 29, Page 4, Line 5, by striking after the first word "the" all language and substituting the following therefor: "Governor and each member of the Senate and each member of the House of Representatives", which amendment was declared adopted.

Senator Crow moved to amend SJR 29, Page 3, Line 18½, by adding a new Section as follows:

"SECTION 3. All members of said committee shall be reimbursed according to state travel laws.",

and by renumbering subsequent sections, which amendment was declared adopted.

Upon motion of Senator Young, SJR 29, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, SJR 29, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 29 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Dahl, Green and Stipe.—3.

The resolution passed.

SJR 29 was referred for engrossment.

GENERAL ORDER

SB 329 by Grantham and Howell of the Senate and Holt and Conaghan of the House was read and considered.

Upon motion of Senator Grantham, SB 329 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 329 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 329 was read for the third time at length.

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

Aye: Grantham, Howell, Keller and Watson.—4.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—42.

Excused: Dahl and Stipe.—2.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Grantham moved that the vote be reconsidered by which SB 329 failed.

DECLARATION OF VOTE

Senator Green asked that the record show had he been present in the Chamber at the time of third reading and final passage of SJR 29, he would have voted "Aye".

GENERAL ORDER

SB 278 by Helm was read and considered.

Senator Crow moved to amend SB 278, Page 2, Line 13½, by adding a new Section as follows:

"SECTION 3. Sections 1 through 6, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 through 7-606) are hereby repealed."

Senator Helm moved to table the Crow amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Boatner, Butler, Capps, Cate, Clifton, Dawson, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and York.—33.

Nay: Berrong, Birdsong, Crow, Field, Giles, Luton, Martin, Porter, Schuelein, Shatwell, Smith, Wadley and Young.—13.

Excused: Dahl and Stipe.—2.

Senator Howell moved to amend SB 278, Page 2, Line 13, by adding after the word "misdemeanor" the following: "and subject to a fine of not to exceed \$500.00", which amendment was declared adopted.

Upon motion of Senator Helm, SB 278, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Helm, SB 278, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Helm asked unanimous consent, which was granted, that further consideration of SB 278 be deferred temporarily.

GENERAL ORDER

SJR 6 by Howard and Crow of the Senate and Willis of the House was read and considered.

Senator Terrill asked to be made a coauthor of SJR 6, which was the order.

Upon motion of Senator Crow, SJR 6, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SJR 6, as coauthored, was considered engrossed and placed on third reading and final passage.

Senator Lambert presiding.

THIRD READING

Senator Crow asked unanimous consent to amend SJR 6 on Third Reading by crippling the title, which was the order.

SJR 6 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wolfe and Young.—37.

Nay: Keller, Kilpatrick, McCune, Schuelein, Wadley, Watson and York.—7.

Excused: Dahl, Howard, Smith and Stipe.—4.

The resolution and emergency passed.

SJR 6 was referred for engrossment.

Senator Luton presiding.

THIRD READING

Senator Helm moved to reconsider the vote whereby SB 278 was considered engrossed and placed on Third Reading and final passage, which motion was declared adopted.

Senator Helm moved to reconsider the vote by which SB 278 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

SB 278 was considered further.

Senator Berrong moved to amend SB 278, Page 1, Line 1, by striking after the word "vehicle" and before the word "upon" the following: "which is not driven" and substituting therefor the words "or a mobile home while on a permanent foundation which is not being used", which amendment was declared adopted.

Senator Helm asked unanimous consent that further consideration of SB 278 be deferred temporarily, which was the order.

GENERAL ORDER

SB 365 by Randle and Lambert was read and considered.

Upon motion of Senator Randle, SB 365 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 365 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 365 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Dahl and Stipe.—2.

The bill passed.

SB 365 was referred for engrossment.

GENERAL ORDER

SB 278 was considered further.

Senator Dawson moved to amend SB 278, Page 1, Lines 1 and 2, by striking after the word "Section 1" and before the word "exempt" on Line 3 all language and substituting therefor the following: "Every owner of a motor vehicle which is not being used upon the public highways or of a mobile home while said mobile home is on a permanent foundation in this state shall be", which amendment was declared adopted.

Upon motion of Senator Helm, SB 278, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Helm, SB 278, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 278 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Johnson and Porter.—2.

Excused: Dahl, Howard and Stipe.—3.

The bill passed.

SB 278 was referred for engrossment.

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

GENERAL ORDER

SB 331 by Martin of the Senate and Craighead of the House was read and considered.

Upon motion of Senator Martin, SB 331 was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, SB 331 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 331 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton,

McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Butler, Dahl and Howard.—3.

The bill and emergency passed.

SB 331 was referred for engrossment.

Senator Wadley presiding.

GENERAL ORDER

SB 244 by Helm was read and considered.

Senator Helm moved to amend SB 244, Page 3, Lines 1 through 4, by deleting all language thereon, which amendment was declared adopted.

Senator Watson moved to amend SB 244, Page 4, Line 4, by deleting all of subsection "C", which amendment was declared adopted.

Senator Dawson moved to amend SB 244, Page 3, Lines 5 and 6, by striking after the word "shall" on Line 5 and before the period on Line 6 all language and substituting the following: "not come under the purview of this act", which amendment was declared adopted.

Senator Lambert moved to amend SB 244, Page 2, Line 14, by striking all of Section 2.

Senator Helm moved to table the Lambert amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Capps, Crow, Field, Funston, Giles, Green, Helm, Holden, Howell, Johnson, Keating, Lamb, Lane, McCune, McDaniel, Pierce, Randle,

Schuelein, Stipe, Tinsley, Wadley, Watson and Wolfe.—25.

Nay: Birdsong, Butler, Cate, Clifton, Dawson, Grantham, Howard, Kilpatrick, Lambert, Luton, Martin, Murphy, Porter, Rozell, Shatwell, Smith, Terrill, York and Young.—19.

Excused: Dahl, Keller, Taliaferro and Vann.—4.

Senator Luton moved to amend SB 244, Page 3, Line 5, by striking Section 3.

Senator Helm moved to table the Luton amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Capps, Field, Funston, Giles, Green, Helm, Holden, Keating, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Stipe, Taliaferro, Tinsley, Vann, Watson, Wolfe and Young.—23.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dawson, Grantham, Howard, Howell, Johnson, Lane, Luton, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Wadley and York.—23.

Excused: Dahl and Keller.—2.

Senator Luton pressed his motion to amend, which amendment was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Grantham, Howard, Howell, Johnson, Luton, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Wadley, York and Young.—22.

Nay: Berrong, Capps, Crow, Dawson, Field, Funston, Giles, Green, Helm, Holden, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Pierce, Taliaferro, Tinsley, Vann, Watson and Wolfe.—24.

Excused: Dahl and Keller.—2.

Senator Terrill moved that SB 244 be referred to the committee on Education, Common, for further study with amendments and be returned to the Senate floor in not more than six legislative days.

Senator Luton moved, as a substitute motion to the Terrill motion, that SB 244 be referred to the committee on Education, Common, for an interim study.

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

Senator Helm moved to table the Luton substitute motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Capps, Crow, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—30.

Nay: Boatner, Butler, Cate, Clifton, Dawson, Grantham, Howard, Luton, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, York and Young.—17.

Excused: Keller.—1.

Senator Terrill pressed his motion to commit.

Senator Helm moved to table the Terrill motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Capps, Crow, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howell, Keating, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Taliaferro, Tinsley, Vann, Wadley, Watson and Wolfe.—27.

Nay: Birdsong, Boatner, Butler, Cate,

Clifton, Dawson, Grantham, Howard, Johnson, Lane, Luton, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Terrill, York and Young.—20.

Excused: Keller.—1.

Senator Luton moved to amend **SB 244**, Page 1, by crippling the title.

Senator Helm moved to table the Luton amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Capps, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Taliaferro, Tinsley, Vann, Wadley, Watson and Wolfe.—25.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dawson, Grantham, Johnson, Lane, Luton, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, York and Young.—22.

Excused: Keller.—1.

Senator Dawson moved to amend **SB 244**, Page 3, Line 13, by adding after the word "requirement" and before the semicolon the following: "if they have not first been approved by the board of education of the local school district".

Senator Lamb raised a point of order stating that the proposed Dawson amendment was the same as the previously-adopted Watson amendment.

The Chair ruled that the Dawson amendment be withdrawn since the intent of the amendment was to insert language into the bill that had previously been deleted by amendment, but that under Rule 19 Senator Dawson could move to reconsider the vote by which the Watson amendment had been adopted if he had voted on the prevailing side.

Senator Dawson stated that he had so voted and moved to reconsider the vote whereby the Watson amendment had been adopted.

Senator Helm moved to table the Dawson motion to reconsider.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, April 19, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

SB 46 was referred for engrossment.

Upon motion of Senator Lane, the Senate adjourned at 5:45 p.m. to meet Tuesday, April 19, 1977, at 1:30 p.m.



Sixty-first Legislative Day

Tuesday, April 19, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Berrong, Randle and Stipe.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Tinnin, and incorporated into the Journal upon request of Senator McCune.

Our Heavenly Father, we are keenly conscious of our nation's motto that describes our nation as being "Under God". We take this relationship with Thee most seriously for it imposes a significant responsibility upon us. It also suggests to us that Our God is making Himself available to us as we discharge our duties towards Thee. Enable us to know the mind

of God for this Senate body. We will steer our ship of state by that star. In His Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Helm introduced John A. Blaschke, M.D., Oklahoma City, Doctor of the Day; and Senator Cate introduced Becky McCracken, R.N., Noble, Nurse of the Day. Senator Shatwell introduced his brother and sister-in-law, Richard and Louise Shatwell, and Senator Capps introduced his daughter, Cynda Ottaway.

Senator Young asked unanimous consent, which was granted, that he be allowed to introduce on the floor of the Senate the 1977 Kolache Queen, Miss Merri Houna, and members of her court, the eight young ladies who were candidates for Queen. Miss Houna invited the Senators to enjoy a Kolache and to attend the festival to be held in Prague.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 271 — Appropriations and Budget, as coauthored by Bernard of the House.

SJR 30 — Environmental and Natural Resources.

SCR 17 — Rules.

HB 1307 — Revenue and Taxation, as coauthored by Luton, Holden, Randle, Clifton, Funston, Cate, Stipe, Crow, Rozell, Murphy, Lamb, Keller, Schuelein and Green.

HB 1322 — Revenue and Taxation.

DO PASS, as amended:

CS for HB 1009 — Revenue and Taxation.

HB 1062 — Revenue and Taxation, and be referred to Committee on County, State and Federal Government by previous order.

HB 1125 — Criminal Jurisprudence.

CS for HB 1159 — Appropriations and Budget, as coauthored by Lambert.

HB 1410 — Judiciary, as coauthored by Green.

FIRST READING

The following were introduced and read the first time.

SB 396 — By Funston.

An Act relating to courts; providing for additional district judges for Tulsa and Oklahoma Counties; providing for nomination and election; directing codification; repealing Section 2, Chapter 61, O.S.L. 1975 (20 O.S. Supp. 1976, Section 92e4); and declaring an emergency.

SB 397 — By Funston of the Senate and Arnold of the House.

An Act relating to counties and county officers; amending 19 O.S. 1971, Section 956; defining eligibility for retirement benefits of county employees and surviving spouses; and expanding eligibility to certain employees with less than fifteen years of service.

SJR 32 — By Wolfe and Keating.

A Joint Resolution directing the Secretary of State to refer to the people for their

approval or rejection a proposal amendment of Section 4 of Article XXVII of the Oklahoma Constitution; modifying provisions for sale of alcoholic beverages; providing ballot title; and directing filing.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 394 — Rules.

SB 395 — Municipal Government.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 1130**.

HB 1130 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the Attorney General and offices of district attorneys, and the district attorneys training coordination council, and making an appropriation thereto; stating the purpose; specifying types, numbers, and salary limits of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency.

The above numbered **HB** was read for the first time.

GENERAL ORDER

SB 340 by Howell of the Senate and Davis (Don), et al, of the House was read and considered.

Senator Lambert asked to be made a co-author of **SB 340**, which was the order.

Senator Howell asked unanimous consent that further consideration of **SB 340** be deferred temporarily, which was the order.

Senator Smith presiding.

RESOLUTION

Senator Murphy introduced the following Resolution:

SR 8 — By Murphy and Howard.

A Resolution commending the outstanding sports record of Terry Miller; encouraging his success in football and bid for the Heisman Trophy; and directing distribution.

WHEREAS, Terry Miller, a senior at Oklahoma State University was an All-America selection by the Associated Press in 1976 and highest undergraduate vote-getter in last year's Heisman Trophy balloting, finishing fourth; and

WHEREAS, Terry Miller was selected for second team all-America by UPI, for two years in a row was named to the Big Eight Conference and selected as "offensive player of the year" by both AP and UPI in the Big-8 in 1976; and

WHEREAS, also in 1976, Terry Miller was picked the Big-8's "offensive player" four of the last five weeks of the season, the first time in conference history this has happened; and

WHEREAS, Terry Miller twice was named AP's national back of the week and once chosen by Sports Illustrated as national back of the week; and

WHEREAS, having set 10 school rushing and scoring records last year, Terry Miller has a chance to become the first back in Big-8 history to gain 1,000, or more, yards for three consecutive seasons, and another thousand-yard season will make him the league's all-time rushing leader; and

WHEREAS, Terry Miller has proven to be a credit to the sport of football, his team and school both on and off the field thereby putting him in a prime position for receipt of the 1977 Heisman Trophy award.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. Terry Miller is hereby praised for his outstanding accomplishments in the field of football and as a student at the Oklahoma State University, and is encouraged to continue his success as prime candidate for receipt of the Heisman Trophy.

SECTION 2. A copy of this Resolution shall be transmitted to Terry Miller.

Senator Murphy asked unanimous consent that all other members of the Senate be made coauthors of SR 8, which was the order.

SR 8, as coauthored, was read at length, adopted upon motion of Senator Murphy and ordered referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 64, as coauthored by Barker, Bennett, Cleveland, Converse, Draper, Floyd, Henry, Matheson, Murphy, Parris, Peterson, Roberts, Thompson (Don), Thompson (Mick), Vaughn, Willis and Wiseman of the House.

The above numbered Bill was referred for enrollment.

GENERAL ORDER

SB 340 was considered further.

Senator Lamb moved to amend SB 340, Page 2, Line 9, by striking the word "term" and inserting the word "service", which amendment was declared adopted.

Upon motion of Senator Howell, SB 340, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 340, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 340 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Berrong, Randle and Stipe.—3.

The bill passed.

SB 340 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 6, as coauthored, 98, 108 and 113, each as amended.

HOUSE AMENDMENTS

HAs to SB 6 were read as follows and consideration deferred.

Authors: Add the following coauthors: DAVIS (Don) and ELDER of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substitute the following:

(At the direction of the President Pro

Tempore, HAs to SB 6 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 98 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to the Board of Medico-legal Investigations and making appropriations thereto; stating the purposes; expanding duties of the Board; establishing permanent offices; limiting total cost of autopsy morgue facility in Oklahoma City; providing for appointment, duties, numbers and compensation of employees; requiring filing monthly payroll claims; specifying number and compensation of authorized officials and employees; authorizing filling designated positions within a specific occupational class; limiting expenditures for salaries and wages; authorizing use of all funds appropriated for federal matching purposes; authorizing use of all funds appropriated for federal matching purposes; providing lapse dates; providing severability; and declaring an emergency.”

Amendment No. 2. Amend Page 1, Line 19, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Line 29, by deleting the figures “\$768,478.00” and inserting in lieu thereof the figures “\$766,036.00”.

Amendment No. 4. Amend Page 1, Line 32, by deleting the figures “\$944,795.00” and inserting in lieu thereof the figures “\$942,353.00”.

Amendment No. 5. Amend Page 1, Lines

33 through 36 and Page 2, Lines 1 through 3, by striking Section 2 in its entirety and substituting a new Section 2 to read as follows:

"SECTION 2. There is hereby appropriated to the Board of Medicolegal Investigations, from any monies in the General Revenue Fund, for the fiscal year ending June 30, 1976, not otherwise appropriated, the sum of Seven Hundred Thousand Dollars (\$700,000.00), or so much thereof as may be necessary for the construction and equipping of phase I of an autopsy morgue facility in Oklahoma City. The total cost of the finished building including supplies and equipment shall not exceed Nine Hundred Ten Thousand Two Hundred Fifty-two Dollars (\$910,252.00). The facility shall be a two-story building containing fourteen thousand four hundred (14,400) square feet and shall be of an architectural design compatible with that of the State Health Department Building. The building shall provide office, laboratory, morgue and teaching facilities. The facility shall have office space for the Chief Medical Examiner, his professional, administrative and secretarial staff; laboratory space for toxicology examinations, autopsy facilities and a modern classroom for educational, instructional and information dissemination purposes. Costs of construction, architectural and engineering fees and supplies and equipment shall not exceed the amounts as specified below:

Building, Mechanical and Electrical Construction,	
Carpet, Draperies	\$577,360.00
Architectural and Engineering Fees	34,642.00
Supplies and Equipment	298,250.00
Total	\$910,252.00"

Amendment No. 6. Amend Page 2, Lines 10 through 31, by deleting the words "The number and" on Line 10 and all language

on Lines 11 through 31, and substituting in lieu thereof the following:

"The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	NO. AUTH.	MIN.	MAX.
Chief Medical Examiner	1	\$48,980	\$51,500
Associate Chief Medical Examiner	1	36,500	45,000
Assistant Chief Medical Examiner	1	41,500	47,500
Forensic Pathologist	2	41,500	45,480
Chief Forensic Toxicologist	1	25,000	35,000
Forensic Chemist I (Toxicology)	4	9,600	15,240
Forensic Chemist II (Toxicology)	1	11,040	17,520
Administrative Assistant	1	10,560	17,280
Secretary	2	7,620	11,940
Medical Secretary	1	7,320	11,220
Typist Clerk III	1	6,420	10,080
Typist Clerk II	2.5	6,060	9,300
Diener / Histotechnologist	3	8,640	13,680
Glassware Technician	1	6,060	7,560
Field Agent	9.5	11,040	16,780
Total	32"		

Amendment No. 7. Amend Page 2, Line

31½, by adding a new Section 4 to read as follows:

“SECTION 4. The Board of Medicolegal Investigations is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower job level within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all job levels in that specific occupational class.”

and renumbering present Section 4 to read “Section 5” and renumbering succeeding sections accordingly.

Amendment No. 8. Amend Page 3, Lines 1 and 2, by deleting the words and figures “Five Hundred Eighty Thousand Two Hundred Thirty Dollars (\$580,230.00)” and substituting in lieu thereof the words and figures “Five Hundred Seventy-eight Thousand Two Hundred Ninety-three Dollars (\$578,293.00)”.

HOUSE AMENDMENTS

HAs to SB 108 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to the Office of the Parole and Pardon Board and making an appropriation thereto; stating the purpose; providing for appointment, duties, compensation and number of employees; limiting expenditures for salaries and wages; prohibiting expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency.”

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 21 and 22, by striking the words and figures “One Hundred Thirty-eight Thousand One Hundred Six Dollars (\$138,106.00)” and substituting in lieu thereof the words and figures “One Hundred Thirty-seven Thousand Nine Hundred Ninety-four Dollars (\$137,994.00)”.

Amendment No. 4. Amend Page 1, Lines 35 and 36, by striking the words and figures on both lines and substituting in lieu thereof the words and figures:

“Chief			
Coordinator	1	\$10,780	\$13,600
Professional			
Interviewer	4	10,780	13,080
Typist			
Clerk	4	5,640	8,460”

Amendment No. 5. Amend Page 2, Lines 5 and 6, by striking the words and figures “One Hundred Four Thousand Four Hundred Fifty-seven Dollars (\$104,457.00)” and substituting in lieu thereof the words and figures “One Hundred Two Thousand Six Hundred Sixty-two Dollars (\$102,662.00)”.

Amendment No. 6. Amend Page 2, Line 6½, by adding a new Section 3 to read as follows:

“SECTION 3. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited.”

and renumbering the present Section 3 to read “Section 4” and renumbering succeeding sections accordingly.

HOUSE AMENDMENTS

HAs to SB 113 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 113 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 46, 278, 331, 363 and 365 and SJRs 6 and 29 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

HB 1416 by Deatherage, et al, of the House and Lambert and Luton of the Senate was read and considered.

Senator Wadley presiding.

Senator Crow moved to amend HB 1416, Page 2, Line 3, by striking after the word "places" and before the word "and" on Line 4, all language, which amendment was declared adopted.

Senator Keller moved to amend HB 1416, Page 2, Line 16, by adding after the word "groups" and before the word "or" the following: ", advisory groups, advisory committees, or persons appointed to advise, consult or make recommendations, for any board, bureau, commission, agency, task force or study group," which amendment was declared adopted.

Senator Keating moved to amend HB 1416, Page 3, Line 5, by striking "or the state Legislature" and substituting "but shall include the state Legislature". Senators McCune, Funston and Watson asked to be made coauthors of the Keating amendment.

Senator Wolfe moved to amend the Keating amendment by adding at the end thereof the following: "exclusive of meetings held concerning conference committee reports and executive sessions for confirmation purposes".

Senators Cate and Terrill moved to amend HB 1416, as a substitute to the proposed Keating amendment (and Wolfe amendment thereto), Page 10, before Line 1, by adding a new Section as follows:

"SECTION 11. Meetings of the Legislature, either house thereof, and of any special, standing or conference committees thereof, shall be open to the public, except Senate confirmation hearings, votes on said confirmations and executive sessions for discussion of internal legislative affairs. Provided, that appropriate public notice in advance of all such meetings shall be afforded the public in general and the news media, except that in the case of conference committee meetings, such notice shall be required only where practically possible."

Senator Luton moved to table the Cate-Terrill substitute amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Crow, Dahl, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Lambert, Luton, Porter, Schuelein, Shatwell, Tinsley, Wadley and York.—18.

Nay: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dawson, Funston, Helm, Keating, Keller, Kilpatrick, Lamb, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Taliaferro, Terrill, Vann, Watson, Wolfe and Young.—25.

Excused: Berrong, Lane, Randle, Smith and Stipe.—5.

Senator Cate pressed his motion to

amend, which amendment was declared adopted.

Senator Luton moved to amend HB 1416, Page 2, Line 11, by striking all of paragraph 1. and substituting the following:

"1. 'Public body' means the governing bodies of all municipalities located within the State of Oklahoma, boards of county commissioners of the counties in the State of Oklahoma, boards of public and higher education in the State of Oklahoma and all other boards, bureaus, commissions, agencies, trusteeships or authorities in the State of Oklahoma supported in whole or in part by public funds or entrusted with the expending of public funds, or administering public properties."

Senator Luton asked unanimous consent to amend his amendment by adding at the end thereof the following: "It shall not mean the state judiciary or the state Legislature.", to which request objection was heard.

Senator Luton changed his amendment to include the following language at the end thereof: "It shall not mean the state judiciary or the state Legislature."

Senator Funston moved to amend the Luton amendment to insert at the end thereof the following: "It shall mean all public trusts.", which amendment was declared adopted.

Senator Smith presiding.

Senator Lambert moved to table the Luton amendment, as amended, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Capps, Cate, Dawson, Field, Funston, Grantham, Helm, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Terrill, Vann and Watson.—19.

Nay: Boatner, Butler, Clifton, Crow, Dahl, Giles, Green, Holden, Howell, Johnson, Keating, Luton, Murphy, Porter, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Wolfe, York and Young.—23.

Excused: Berrong, Howard, Lane, Randle, Stipe and Wadley.—6.

Senator Luton pressed his motion to amend, which amendment, as amended, was declared adopted.

Senator Boatner moved to amend HB 1416, Page 3, after the word "Legislature" and the Luton amendment, by adding the following: "or Rural Electric Cooperatives or Rural Water Districts", which amendment was declared failed of adoption upon roll call as follows:

Aye: Boatner, Butler, Capps, Clifton, Crow, Field, Giles, Grantham, Holden, Howell, Lamb, McDaniel, Murphy, Pierce, Porter, Rozell, Taliaferro, Tinsley, Vann and Wadley.—20.

Nay: Birdsong, Cate, Dahl, Dawson, Funston, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lambert, Luton, McCune, Martin, Schuelein, Shatwell, Smith, Terrill, Watson, Wolfe, York and Young.—23.

Excused: Berrong, Howard, Lane, Randle and Stipe.—5.

Senator Murphy moved to amend HB 1416, Page 3, Line 8½, by adding the following: "Administrative staff meetings, meetings of Departments of Higher Education, meetings of athletic staffs of public schools or higher education shall not be considered meetings of public bodies and such meetings shall be excluded from this act."

Senator Funston moved to amend the Murphy amendment by adding at the end

thereof the following: "unless the program administered is on probation".

Senator Murphy moved to table the Funston amendment, which motion to table was declared adopted.

Senator Murphy pressed his motion to amend, which amendment was declared adopted upon roll call as follows:

Aye: Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Giles, Grantham, Green, Holden, Howell, Lamb, Luton, McDaniel, Martin, Murphy, Porter, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley and Vann.—25.

Nay: Birdsong, Crow, Dawson, Funston, Johnson, Keating, Keller, Kilpatrick, Lambert, McCune, Pierce, Schuelein, Watson, Wolfe, York and Young.—16.

Excused: Berrong, Helm, Howard, Lane, Randle, Stipe and Wadley.—7.

Senator McDaniel moved to amend HB 1416, Page 8, Line 3, by striking after the word "person" and before the word "to" the words "or by telephonic means", which amendment was tabled upon motion of Senator Cate.

Senator Lambert moved to amend HB 1416, Page 8, Line 16, by striking after the word "be" and before the word "any" the word "voidable" and inserting the word "void" and by striking the remainder of Line 16 and all of Lines 17 and 18.

Senator Howell moved to amend HB 1416, Page 8, Line 16, as a substitute amendment to the Lambert amendment, by striking after the word "be" and before the word "any" the word "voidable" and substituting the word "invalid" and by striking the remainder of the section, which amendment was declared adopted.

Senator Howell moved to amend HB 1416, Page 5, Line 1, by inserting after the

word "employee;" and before the word "provided" the following: "or for the purpose of hearing evidence and discussing the expulsion or suspension of a student".

Senator Funston moved to amend the Howell amendment by adding at the end thereof the following: "when requested by the student involved or his parent, attorney or legal guardian", which amendment was declared adopted.

Senator Howell pressed his motion to amend, which amendment, as amended, was declared adopted.

Senator Funston moved to amend HB 1416, Page 2, Line 11, by adding after the word "means" and before the word "the" the following: "the executive branch of state government," which amendment was declared adopted.

Senator Young moved to amend HB 1416, Page 5, Line 3½, by inserting a new section as follows:

"SECTION 6. Any meeting of the Governor and his staff or a meeting between the Governor and any member or members of a board or commission or a head of a department or agency shall be open to the public and subject to the public notice as hereinafter set forth."

Senator Lambert moved to table the Young amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Cate, Clifton, Dawson, Grantham, Holden, Kilpatrick, Lambert, Martin, Terrill, Vann, Wolfe and York.—12.

Nay: Birdsong, Boatner, Butler, Capps, Crow, Dahl, Field, Funston, Giles, Green, Helm, Howell, Johnson, Keating, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Rozell, Schuelein, Smith, Wadley, Watson and Young.—27.

Excused: Berrong, Howard, Keller, Porter, Randle, Shatwell, Stipe, Taliaferro and Tinsley.—9.

Senator Young pressed his motion to amend, which amendment was declared adopted.

Senator Crow moved to amend HB 1416, Page 9, Line 12½, by adding a new Section as follows:

“SECTION 10. The provisions of this title shall apply to any meeting of the Justices of the Supreme Court where decisions are discussed or voted upon.”,

and by renumbering subsequent sections.

Senator Lambert moved to table the Crow amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Butler, Capps, Cate, Clifton, Dawson, Funston, Grantham, Howell, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Schuelein, Smith, Terrill, Watson, Wolfe and York.—23.

Nay: Boatner, Crow, Dahl, Field, Giles, Green, Helm, Holden, Johnson, Keating, Lane, Pierce, Rozell, Vann, Wadley and Young.—16.

Excused: Berrong, Howard, Keller, Porter, Randle, Shatwell, Stipe, Taliaferro and Tinsley.—9.

Senator Luton moved to amend HB 1416, Page 10, Line 12, by substituting “1978” for “1977”, which amendment was declared failed of adoption.

Senator Crow moved to amend HB 1416, Page 1, by restoring the title, which amendment was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Capps,

Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—36.

Nay: Dawson, Luton and Smith.—3.

Excused: Berrong, Howard, Keller, Porter, Randle, Shatwell, Stipe, Taliaferro and Tinsley.—9.

Senator Luton moved to amend HB 1416, Page 10, Line 12, by substituting “July 1, 1978” for “October 1, 1977”, which amendment was declared failed of adoption upon roll call as follows:

Aye: Butler, Giles, Howell, Keller, Luton, Schuelein, Smith, Vann and Young.—9.

Nay: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Green, Helm, Holden, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Rozell, Terrill, Wadley, Watson, Wolfe and York.—29.

Excused: Berrong, Field, Howard, Pierce, Porter, Randle, Shatwell, Stipe, Taliaferro and Tinsley.—10.

Upon motion of Senator Lambert, HB 1416, as amended, was advanced to engrossment.

Senator Lambert asked unanimous consent that HB 1416, as amended, be considered engrossed and placed on third reading and final passage, to which request the Chair objected.

Senator Lambert moved that the rules be suspended and that HB 1416, as amended, be considered engrossed and placed on third reading and final passage,

which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, McCune, McDaniel, Martin, Murphy, Rozell, Schuelein, Vann, Watson, Wolfe, York and Young.—30.

Nay: Butler, Capps, Crow, Lamb, Lane, Luton, Smith, Terrill and Wadley.—9.

Excused: Berrong, Howard, Pierce, Porter, Randle, Shatwell, Stipe, Taliaferro and Tinsley.—9.

Senator Crow asked unanimous consent that copies of Engrossed HB 1416 be reproduced and placed on the desk of each Senator so that the bill with the amendments could be read before final passage, which was the order.

UNANIMOUS CONSENT REQUEST BILL WITHDRAWN

Senator Lane asked unanimous consent, which was granted, that HJR 1021 be withdrawn from the committee on Constitutional Revision and Regulatory Services and assigned to the committee on Agriculture and that the second committee assignment to Education, Higher, remain the same.

EXECUTIVE SESSION

There being matters on the President's

desk for the consideration of the Senate in executive session, it was upon motion of Senator Lane that the Senate closed its doors and went into executive session.

The Senate reassembled in open session with Senator Smith presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Cate, advised and consented to the confirmation of LORAIN S. FRANK, Norman, as Secretary of the State Board for Property and Casualty Rates, to serve a 6-year term ending March 1, 1983, and effective upon Senate confirmation. Ms. Frank succeeds Robert H. Card, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Lambert, advised and consented to the confirmation of MARTHA KIDD, Oklahoma City, as a member of the State Board of Nursing Homes (lay member), to serve a 3-year term ending July 1, 1977, and effective upon Senate confirmation. Ms. Kidd succeeds Margaret Brockman, Oklahoma City.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, April 20, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 5:20 p.m. to meet Wednesday, April 20, 1977, at 1:30 p.m.



Sixty-second Legislative Day

Wednesday, April 20, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Berrong, Dahl, Keller, Randle, Stipe and Tinsley.—6.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Tinnin, and incorporated into the Journal upon request of Senator McCune.

Our Father which art in Heaven, hear our prayer. We would follow the example of the boy Samuel who prayed, "Speak, Lord, for thy servant heareth". We would not impiously suggest that you "Hear, Lord, for Thy servant speaketh". Enable us, Lord, to be transformed by The Spirit of God, so that we will not conform to the inferior standards of This World. We would

lift up our eyes unto the hills from whence cometh our help. We know that our help comes from the Lord which made heaven and earth. Give Thy divine help to these servants for they are also Thy servants. In His name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Howell introduced former Senator H. B. Atkinson and extended a warm welcome to Senator Atkinson on behalf of the Senate.

Senator McCune introduced Neil Woodward, M.D., Oklahoma City, Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 391 — Education, Common, as co-authored by Craighead of the House.

DO PASS, as amended:

HB 1311 — Banks and Banking, as co-authored by Boatner.

FIRST READING

The following were introduced and read the first time.

SJR 33 — By Howard of the Senate and Murphy of the House.

A Joint Resolution relating to motor vehicles; directing that motor vehicle load overweight violations shall not be recorded as traffic offenses on the driving record of the operator of the vehicle under certain conditions; directing codification; and directing distribution.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 396 — Judiciary.

SB 397 — Rules and then to County, State and Federal Government.

SJR 32 — County, State and Federal Government.

HB 1130 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1139.

HB 1139 — By Miskelly, Davis (Don), Draper and Johnson (Don) of the House and Crow and Randle of the Senate.

An Act relating to public education; making appropriations to the State Board of Vocational and Technical Education; stating the purposes; making appropriations for specified capital expenditures; directing the Board to assume control of vocational training programs in correctional institutions; providing for cooperation with United States Office of Education; authorizing appointment, duties and compensation of personnel; providing for salary of the Director and limiting number of employees; limiting salary and wage expenditures; stating the number and compensation by job title for authorized

officials and employees; authorizing filling of a designated position with position in lower job level; providing lapse dates; making provisions of this act severable; and declaring an emergency.

The above numbered HB was read for the first time.

GENERAL ORDER

SB 244 (previously considered and amended on pages 537-539) was considered further.

Senator Crow presiding.

Senator Dawson pressed his motion to reconsider the vote whereby the Watson amendment striking subsection "C" of Section 3 was adopted.

Senator Helm moved to table the Dawson motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Crow, Field, Funston, Green, Helm, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Pierce, Vann, Wadley, Watson and Wolfe.—18.

Nay: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dawson, Giles, Grantham, Holden, Howard, Howell, Johnson, Luton, Murphy, Porter, Schuelein, Shatwell, Smith, Taliaferro, Terrill, York and Young.—23.

Excused: Berrong, Dahl, Keller, Randle, Rozell, Stipe and Tinsley.—7.

Senator Dawson pressed his motion to reconsider, which motion was declared adopted.

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

Senator Watson moved that his amendment striking subsection "C" of Section 3 be adopted.

Senator Dawson moved to table the Watson amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Grantham, Howard, Howell, Johnson, Lane, Luton, Murphy, Porter, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley and York.—24.

Nay: Funston, Giles, Green, Helm, Holden, Keating, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Vann, Wadley, Watson, Wolfe and Young.—18.

Excused: Berrong, Dahl, Keller, Randle, Rozell and Stipe.—6.

BILL WITHDRAWN — REREFERRED

Senator Helm moved that SB 244 be withdrawn from the Calendar and rereferred to the committee on Education, Common, which motion was declared adopted.

GENERAL ORDER

SJR 30 by Grantham of the Senate and Conaghan, et al, of the House was read and considered.

Upon motion of Senator Grantham, SJR 30 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SJR 30 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 30 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps,

Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Berrong, Dahl, Keller, Randle, Rozell and Stipe.—6.

The resolution and emergency passed.

SJR 30 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 97 (emergency failed), 102, 144, as coauthored, and 180, each as amended.

HOUSE AMENDMENTS

HAs to SB 97 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

“An Act relating to the Oklahoma Health Planning Commission and making an appropriation thereto; stating the purpose; fixing the salary of the Director of the Oklahoma Health Planning Commission; providing for appointment, duties and compensation of employees; limiting the number of employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing filling of designated positions within a specific occupational class; providing lapse date; and providing severability.”

Amendment No. 2. Amend Page 1, Line 19, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 23 and 24, by deleting the words and figures "One Hundred Eighty-two Thousand Seven Hundred Seventy-three Dollars (\$182,773.00)" and substituting in lieu thereof the words and figures "One Hundred Seventy-three Thousand Five Hundred Thirty-two Dollars (\$173,532.00)".

Amendment No. 4. Amend Page 1, Line 35, by deleting the words and figure "twenty-six (26)" and substituting in lieu thereof the words and figure "twenty-four (24)".

Amendment No. 5. Amend Page 2, Lines 3 and 4, by deleting the words and figures "Three Hundred Fifty-nine Thousand Nine Hundred Ninety Dollars (\$359,990.00)" and

substituting in lieu thereof the words and figures "Three Hundred Twenty-three Thousand Nine Hundred Dollars (\$323,900.00)".

Amendment No. 6. Amend Page 2, Line 5½, by inserting new Sections 4 and 5 to read as follows:

"SECTION 4. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	MERIT		NO.	MIN.	MAX.
	SYSTEM	GRADE			
Director of Health Planning	U	1		\$24,480	\$25,200
Health Systems Analyst II	38	2		19,380	24,480
Health Systems Analyst I	36	2		17,640	23,340
Mechanical Engineer	34	1		16,140	24,480
Health Planning Assistant	24	4		10,140	15,420
Clerk IV	19	2		8,160	12,240
Typist Clerk I	14	1		6,540	9,720
Typist Clerk II	15	1		6,840	10,140
Typist Clerk III	17	4		7,440	11,160
Health Planner I	27	2		11,700	17,640
Health Planner II	30	2		13,440	20,280
Accountant I	25	1		10,620	16,140
Account Clerk III	19	1		8,160	12,240
Total		24			

SECTION 5. The Oklahoma Health Planning Commission is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class."

and renumbering the current Section 4 to read "Section 6" and renumbering succeeding sections accordingly.

Amendment No. 7. Amend Page 2, Lines 15 through 18, by striking the Emergency Section.

HOUSE AMENDMENTS

HAs to SB 102 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 102 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 144 were read as follows and consideration deferred.

Authors: Add the following coauthors: BRADLEY, BERNARD, DAVIS (Guy), FITZGIBBON, HARDESTY, LANCASTER, McKEE, MURPHY, STEPHENSON, TRENT, MONKS, WILSON, NANCE, HARPER, GLOVER, JOHNSON (Don), PETERSON and WHORTON of the House.

Amendment No. 1. Amend Page 2, Line 29, by striking the words "of the municipality".

Amendment No. 2. Amend Page 4, Line 10, by inserting a "period" after the word "legality" and striking all language thereafter on lines 10 and 11, and inserting in lieu thereof the following: "The governing board shall consider said purchase orders as claims for payment and shall approve said purchase orders in the amount they determine just and correct."

Amendment No. 3. Amend Page 4, Line 12 through "supervision;" on Line 16, by deleting all language and inserting in lieu thereof the following:

"SECTION 4. The board of county commissioners may designate each of its members and not to exceed four other county employees as purchasing officers for each department of county government

under the direct control and supervision of the board. Each such purchasing officer shall have the authority to make purchases of supplies, materials, and repairs necessary for the normal maintenance and operation of the applicable department of government;"

Amendment No. 4. Amend Page 4, Line 26, by inserting after the figures "(\$500.00)." the following: "Said bond shall be a cash bond or a corporate surety bond and shall be filed with the county clerk."

Amendment No. 5. Amend Page 6, Line 32, by changing the "period" to a "comma" and adding the following: "except that none of the provisions of this act shall be applicable to school districts operating under the provisions of 70 O.S. 1971, Section 5-135."

HOUSE AMENDMENTS

HAs to SB 180 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 8, Lines 19 and 20 by striking the words and figures "Twenty-five Dollars (\$25.00)" and restore the words and figures "Ten Dollars (\$10.00)".

Amendment No. 2. Amend Page 9, Line 1, by inserting after the "(a)" and before the word "The" the following language: "Pursuant to such rules and regulations as may be prescribed by Oklahoma regulatory agencies of jurisdiction, Oklahoma motor carriers may engage in any activity in which carriers subject to the jurisdiction of the federal government may be authorized by federal legislation to engage. Provided further," and by changing the word "The" to "the".

GENERAL ORDER

SB 387 by Vann and Taliaferro of the

Senate and Morgan of the House was read and considered.

Senator Howell moved to amend SB 387, Page 4, Lines 9 through 11, by striking all language on Lines 9 through 11, which amendment was declared adopted.

Upon motion of Senator Vann, SB 387, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Vann, SB 387, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 387 was read for the third time at length.

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

Aye: Boatner, Butler, Capps, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Vann, Wadley, Watson and York.—35.

Nay: Birdsong, Johnson, Kilpatrick, Lambert, Tinsley, Wolfe and Young.—7.

Excused: Berrong, Dahl, Keller, Randle, Rozell and Stipe.—6.

The bill and emergency passed.

SB 387 was referred for engrossment.

GENERAL ORDER

SB 358 by Porter and Smith was read and considered.

Upon motion of Senator Porter, SB 358 was advanced to engrossment.

By unanimous consent, upon request of Senator Porter, SB 358 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 358 was read for the third time at length.

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

Aye: Butler, Cate, Clifton, Crow, Funston, Holden, Howard, Keating, Lane, Luton, Murphy, Pierce, Porter, Shatwell, Smith and Terrill.—16.

Nay: Birdsong, Boatner, Capps, Dawson, Field, Giles, Grantham, Green, Helm, Howell, Johnson, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Schuelein, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—26.

Excused: Berrong, Dahl, Keller, Randle, Rozell and Stipe.—6.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Porter moved that the vote be reconsidered whereby SB 358 failed.

MOTION TO RECONSIDER VOTE

Senator Terrill asked for consideration of his motion to reconsider the vote whereby SB 181 failed of passage, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Cate, Clifton, Crow, Dawson, Holden, Howard, Howell, Johnson, Keating, Lambert, Martin, Porter, Shatwell, Smith, Taliaferro, Terrill, Wolfe and York.—19.

Nay: Boatner, Butler, Capps, Field,

Funston, Giles, Grantham, Green, Helm, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Schuelein, Tinsley, Vann, Wadley, Watson and Young.—23.

Excused: Berrong, Dahl, Keller, Randle, Rozell and Stipe.—6.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 340 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1416 was correctly engrossed.

SB 64 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SR 8 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

PENDING SENATE ACTION — RESOLUTION

SCR 17, introduced on page 519, was called up for consideration.

SCR 17 was read at length, adopted upon motion of Senator Helm and ordered referred for engrossment.

GENERAL ORDER

SB 121 by Grantham of the Senate and Holt, et al, of the House was read and considered.

Senator Wadley presiding.

Senator Howell moved to amend SB 121, Page 2, Line 2, by striking after the word "court" and before the word "be" the word "shall" and inserting the word "may", which amendment was declared adopted.

Senator Howell moved to amend SB 121, Page 3, Line 1, by striking after the word "parent" and before the word "be" the word "shall" and inserting in lieu thereof the word "may", which amendment was declared adopted.

Upon motion of Senator Grantham, SB 121, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 121, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 121 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Crow, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lamb, Lambert, Luton, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Watson and York.—29.

Nay: Butler, Cate, Clifton, Dawson, Funston, Kilpatrick, Lane, McCune, McDaniel, Wadley, Wolfe and Young.—12.

Excused: Berrong, Dahl, Keller, Randle, Rozell, Stipe and Terrill.—7.

The bill passed.

SB 121 was referred for engrossment.

GENERAL ORDER

SB 252 by York was read and considered.

Senator York, citing Rule 8(d), asked unanimous consent that Representative Steward be made House author of SB 252, which was the order.

Upon motion of Senator York, SB 252, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator York, SB 252, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 252 was read for the third time at length.

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

Aye: Butler, Cate, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Lane, Luton, McCune, Martin, Murphy, Porter, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—28.

Nay: Birdsong, Boatner, Capps, Clifton, Crow, Funston, Johnson, Kilpatrick, Lamb, Lambert, McDaniel, Pierce, Smith and Wolfe.—14.

Excused: Berrong, Dahl, Keller, Randle, Rozell and Stipe.—6.

The bill passed.

Senators Kilpatrick, Smith, Funston and Crow desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 10. Excused: 6.

The emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Lambert moved that the vote be reconsidered whereby SB 252 passed.

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

GENERAL ORDER

SB 148 by Grantham and Keating of the Senate and Elder and Floyd of the House was read and considered.

Upon motion of Senator Grantham, SB 148 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 148 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 148 was read for the third time at length.

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

Aye: Dawson, Field, Giles, Grantham, Green, Keating, Lambert, Luton, Martin, Murphy, Pierce, Porter and York.—13.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Funston, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, McCune, McDaniel, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—27.

Excused: Berrong, Capps, Dahl, Helm, Howard, Randle, Rozell and Stipe.—8.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Grantham moved that the vote be reconsidered whereby SB 148 failed.

GENERAL ORDER

SB 350 by Luton, Lane, Smith, Funston, Kilpatrick, Taliaferro, Murphy, Shatwell, Green and Wadley of the Senate and Elder and Davis (Don) of the House was read and considered.

Senator York asked to be made a coauthor of SB 350, which was the order.

Senator McDaniel moved to amend SB 350, Page 12, Line 4½, by creating a new section and setting an effective date:

“SECTION 3. This act shall be effective October 1, 1978.”

Senator Luton moved to amend SB 350, as a substitute amendment to the McDaniel amendment, Page 12, Line 4½, by inserting the following:

“Vitalization and implementation of this act and its provisions for central recording of liens and the recording thereof shall be deferred as ineffective until sixty (60) days after the Oklahoma Tax Commission adopts a resolution declaring that the Commission and the State of Oklahoma has the capacity and technology to implement and vitalize the provisions of said act. In the event the Commission adopts said vitalizing and implementing resolution, the Commission shall file a copy of said resolution with the Secretary of State and take affirmative action to promote and publicize said action.”,

which amendment was declared adopted.

Upon motion of Senator Luton, SB 350, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 350, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 350 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dawson, Funston, Giles, Green, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—37.

Nay: Grantham and Howell.—2.

Excused: Berrong, Cate, Dahl, Field, Helm, Howard, Randle, Rozell and Stipe.—9.

The bill passed.

SB 350 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, April 21, 1977, at 11:30 a.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 64.

The above numbered Enrolled Bill was referred to the Governor.

Upon motion of Senator Lane, the Senate adjourned at 4:10 p.m. to meet Thursday, April 21, 1977, at 11:30 a.m.



Sixty-third Legislative Day

Thursday, April 21, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Berrong, Butler, Kilpatrick, Pierce, Randle, Shatwell and Terrill.—7.

Senator Luton declared a quorum present.

The following prayer was offered by Dr. Tinnin, and incorporated into the Journal upon request of Senator McCune.

Heavenly Father, the rains came and we were reminded of our total dependency on Thee. If rain should never come again, we could not survive. Our reliance upon our God goes far beyond matters of physical viability. Our spiritual hopes are derived exclusively from Thee. We gratefully acknowledge the marvelous blessings that we receive at Thy hand. Father, we are not spectators of but participants in the work

of God. Enable our Senators to be acutely conscious of Thy presence and sensitively responsive to Thy purposes for this important body. In His name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Luton introduced Bartis M. Kent, M.D., Muskogee, as the Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

SB 341 — Insurance, as coauthored by Wickersham.

SB 359 — Social Welfare, as coauthored by Birdsong, Capps, Lamb and Rozell, and be referred to Committee on Criminal Jurisprudence by previous order.

SB 368 — Professions and Occupations, and be referred to Committee on County, State and Federal Government by previous order

HB 1019 — Social Welfare.

HB 1064 — Professions and Occupations.

HB 1379 — Public and Mental Health

and be referred to County, State and Federal Government by previous order.

FIRST READING

The following were introduced and read the first time.

SB 398 — By Dahl.

An Act relating to waters and water rights; amending 82 O.S. 1971, Section 1452, as amended by Section 1, Chapter 56, O.S.L. 1974 (82 O.S. Supp. 1976, Section 1452); designating scenic river areas; defining terms; including Sand Creek as scenic river area; and declaring an emergency.

SB 399 — By Schuelein of the Senate and Sparkman of the House.

An Act relating to poor persons; amending Section 1, Chapter 119, O.S.L. 1976 (56 O.S. Supp. 1976, Section 200.4); authorizing expenditure from state assistance fund for certain purposes; expanding purposes for expenditures; increasing maximum per capita payment; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 33 — Rules.

HB 1139 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1199.

HB 1199 — By Atkins, et al.

(Department of Health — cervical cancer screening — Emergency).

The above numbered HB was read for the first time.

GENERAL ORDER

SB 271 by Murphy of the Senate and

Bernard of the House was read and considered.

Senators Funston, Boatner and Capps asked to be made coauthors of SB 271, which was the order.

Upon motion of Senator Murphy, SB 271, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SB 271, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 271 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Rozell, Stipe, Taliaferro, Tinsley, Wadley, Watson, Wolfe and York.—35.

Nay: Grantham, Schuelein and Smith.—3.

Excused: Berrong, Butler, Kilpatrick, Pierce, Porter, Randle, Shatwell, Terrill, Vann and Young.—10.

The bill and emergency passed.

SB 271 was referred for engrossment.

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

Senator Cate presiding.

GENERAL ORDER

SB 332 by Stipe was read and considered.

Upon motion of Senator Stipe, SB 332 was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, SB 332 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 332 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Rozell, Schuelein, Smith, Stipe, Taliaferro, Tinsley, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Dawson and Helm.—2.

Excused: Berrong, Butler, Pierce, Porter, Randle, Shatwell, Terrill and Vann.—8.

The bill passed.

SB 332 was referred for engrossment.

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

GENERAL ORDER

SB 153 by Keating was read and considered.

Senator Grantham moved to amend SB 153, Page 1, Line 3, by adding after the

word "evidence" and before the comma the words "in a criminal case", which amendment was declared adopted.

Upon motion of Senator Keating, SB 153, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 153, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 153 was read for the third time at length.

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

Aye: Birdsong, Capps, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Keating, Keller, Lamb, Lambert, Luton, McDaniel, Martin, Pierce, Rozell, Schuelein, Taliaferro and Vann.—22.

Nay: Boatner, Cate, Crow, Field, Holden, Howard, Howell, Johnson, Kilpatrick, Lane, McCune, Murphy, Smith, Stipe, Tinsley, Wadley, Watson, Wolfe, York and Young.—20.

Excused: Berrong, Butler, Porter, Randle, Shatwell and Terrill.—6.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Keating moved that the vote be reconsidered whereby SB 153 failed.

GENERAL ORDER

SB 283 by Kilpatrick of the Senate and Matheson of the House was read and considered.

Upon motion of Senator Kilpatrick, SB 283 was advanced to engrossment.

By unanimous consent, upon request of Senator Kilpatrick, SB 283 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 283 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Rozell, Schuelein, Smith, Stipe, Taliaferro, Tinsley, Vann, Watson and York.—32.

Nay: Boatner, Field, Grantham, Green, Helm, Holden, Pierce, Wadley, Wolfe and Young.—10.

Excused: Berrong, Butler, Porter, Randle, Shatwell and Terrill.—6.

The bill passed.

SB 283 was referred for engrossment.

THIRD READING

Senator Howard asked unanimous consent to strike the enacting clause of HB 1416, which was the order.

Senator Luton asked unanimous consent, which was granted, that his name be removed as a coauthor of HB 1416.

HB 1416 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Rozell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—35.

Nay: Crow, Keating, Lane, McCune, Schuelein and Stipe.—6.

Excused: Berrong, Butler, Helm, Porter, Randle, Shatwell and Terrill.—7.

The bill passed.

HB 1416 was referred for reengrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 121, 350 and 387; and SJR 30; and SCR 17 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 347 by Grantham of the Senate and Elder, et al, of the House was read and considered.

Upon motion of Senator Grantham, SB 347 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, SB 347 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 347 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and York.—34.

Nay: Crow, Dawson, Johnson, Lambert, Lane, Rozell and Young.—7.

Excused: Berrong, Butler, Helm, Porter, Randle, Shatwell and Terrill.—7.

The bill and emergency passed.

SB 347 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 10, as coauthored; 87; 119, as coauthored; and 231, as coauthored, each as amended.

HOUSE AMENDMENTS

HAs to SB 10 were read as follows and consideration deferred.

Authors: Add the following coauthors: VAUGHN, CLEVELAND and CRAIG of the House.

Amendment No. 1. Amend Page 1, Line 23, by adding after the word "practice." the following: "Provided however, the punishment of death must be inflicted by electrocution until such time as intravenous administration of a drug is approved by the U.S. Supreme Court."

Amendment No. 2. Amend Page 1, Line 25½, by adding a new section to read as follows:

"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."

and amend Title by deleting "AND" before "SPECIFYING" and insert after the word "DEATH" the following: "AND MAKING PROVISIONS SEVERABLE".

HOUSE AMENDMENTS

HAs to SB 87 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 87 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 119 were read as follows and consideration deferred.

Authors: Add the following coauthors: BRUNTON, COWAN, MURPHY and WILSON of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 119 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 231 were read as follows and consideration deferred.

Authors: Add the following coauthors: MURPHY and BRADLEY of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 231 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

GENERAL ORDER

SB 391 by Howell of the Senate and Craighead of the House was read and considered.

Senators Schuelein and Rozell asked to be made coauthors of SB 391, which was the order.

Upon motion of Senator Howell, SB 391, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 391, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 391 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Stipe, Taliafer-

ro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Nay: Crow and Smith.—2.

Excused: Berrong, Butler, Porter, Randle, Shatwell and Terrill.—6.

The bill and emergency passed.

SB 391 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 144 were called up for consideration.

Senator McDaniel asked to be made a coauthor of SB 144, which was the order.

Upon motion of Senator Tinsley, the Senate concurred in HAs to SB 144.

SB 144, as amended by the Honorable House, was read at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Field, Giles, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Rozell, Schuelein, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—29.

Nay: Crow, Dawson, Funston, Grantham, Green, Keating, Lambert, McCune, Pierce, Smith, Wolfe and Young.—12.

Excused: Berrong, Butler, Helm, Porter, Randle, Shatwell and Terrill.—7.

The bill passed.

Senators Grantham, Lambert and McCune desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 9. Excused: 7.

The emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, April 25, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 1:00 p.m. to meet Monday, April 25, 1977, at 1:30 p.m.



Sixty-fourth Legislative Day

Monday, April 25, 1977

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

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Helm, Keller, Lambert and Terrill.—5.

President Pro Tempore Howard declared a quorum present.

The following prayer was offered by Reverend Terry Douglass, Pastor, Church of the Nazarene, Tishomingo, and incorporated into the Journal upon request of Senator Boatner.

Our Father, we come today thanking You for Your many blessings. We find it easy to praise You on such a beautiful day. The birds seem to sing of Your glory, and the trees seem to speak of Your majesty.

Lord, I thank You for the opportunity and the privilege to stand in the presence

of such an assembly. I feel somewhat as Joseph, Moses, Daniel, and the Apostle Paul who stood for God before kings and princes. Let something I say or do be a blessing, I pray.

As the Bible directs us to pray for those in authority over us, I lift these men (and woman) who hold such awesome responsibility to You, O God. Only those who have walked the trail of public service can know the pressures brought to bear on this group. We thank You for Your Word that tells us to cast our cares upon You because You care for us. May they seek, as did Solomon, Divine Wisdom and, I pray, strength for the bodies and souls of all of those who hold state offices.

I would not neglect the spouses and children of these legislators, for theirs is great sacrifice which enables them to serve. Teach us all how important our families are, not only to our well being, but to our nation's unity.

Lord, I pray for the people of the great State of Oklahoma. There are rich and poor, proud and humble, healthy and sick, righteous and evil. I pray that wherever there is great need You will supply it according to Your riches in glory.

Again I thank You for these people and pray Your very best for them here as we pray in the precious and holy name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Taliaferro on behalf of himself and Senator Terrill introduced Kay Self, R.N., Lawton, as Nurse of the Day.

Senator Smith, on behalf of Senators Keller and Lambert, introduced Paul Larson, medical student, Oklahoma City, and Senator McCune introduced Keith Falsarella, M.D., Oklahoma City, as Doctors of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 388 — Public Safety and Penal Affairs, as coauthored by Johnson and Schuelein of the Senate and be referred to Committee on Appropriations and Budget by previous order.

SB 389 — County, State and Federal Government and be referred to Committee on Appropriations and Budget by previous order.

DO PASS, as amended:

SB 14 — County, State and Federal Government.

CS for SB 217 — Public and Mental Health, as coauthored by Funston.

SB 316 — County, State and Federal Government.

CS for SB 339 — Insurance.

SB 369 — County, State and Federal Government.

FIRST READING

The following were introduced and read the first time.

SB 400 — By Terrill of the Senate and Duke of the House.

An Act relating to torts; defining certain terms; providing for the unauthorized use of electricity; prohibiting the damage of certain electrical apparatus and the use and diversion of electricity, under certain conditions; providing for certain prima facie evidence; specifying certain penalties; authorizing restoration of electricity prior to final disposition of a civil action, under certain conditions; limiting scope of application; providing for powers, duties and jurisdiction of the Oklahoma Corporation Commission; directing codification; providing severability; and declaring an emergency.

SB 401 — By McDaniel.

An Act relating to motor vehicles; amending 47 O.S. 1971, Section 14-103A, as amended by Section 1, Chapter 85, O.S.L. 1976 (47 O.S. Supp. 1976, Section 14-103A); restricting size and methods of hauling certain structures on highways; providing for special permits for certain oversize structures; expanding use of special permits; defining terms; and providing an effective date.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 398 — Environmental and Natural Resources.

SB 399 — Social Welfare and then to Appropriations and Budget.

HB 1199 — Public and Mental Health and then to Appropriations and Budget.

SPECIAL INTRODUCTIONS

Senator Murphy asked unanimous consent, which was granted, that privileges of the floor be granted to Heisman Trophy candidate Terry Miller, his parents, OSU Coach Jim Stanley, and other members of the team and coaching staff, and John

Dunn, Dean Caton and Jon Ford, OSU Board of Regents members.

President Pro Tempore Howard appointed Senators Murphy, Crow and Pierce as the Committee to escort the above-named group to the floor of the Senate.

Senator Murphy introduced Coach Stanley to the Senate and presented him with a Citation honoring the OSU Football Team. Mr. Stanley thanked the members of the Senate and introduced the following members of the team, who were also presented Citations: Jim Clark, offensive tackle, Milton Hardaway, offensive tackle, Craig Simmons, offensive guard, and Dave Monroe, center.

Terry Miller was then escorted to the President's desk, where he was presented a copy of Senate Resolution 8 commending him for his outstanding achievements in the sport of football and a Certificate from Governor David Boren naming him "Honorarv Citizen of Oklahoma".

Senator Murphy thanked the OSU Band, Pep Squad, and Pom-Pom Girls and all those who helped make "Terry Miller Day" a great success.

Senator Lane moved that the Senate stand recessed from 2:00 until 2:30 to attend the reception in the Senate lounge for Terry Miller, which motion was declared adopted.

The Senate reassembled with Senator Smith presiding.

Senator Lane questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

GENERAL ORDER

SB 351 by Keating was read and considered.

Senators Birdsong, Lamb, Capps, Clifton, Dawson and Schuelein asked to be made coauthors of SB 351, which was the order.

Senator Keating, citing Rule 8(d), asked unanimous consent that Representative Frates be added as House author of SB 351, which was the order.

Upon motion of Senator Keating, SB 351, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, SB 351, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 351 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—38.

Nay: Cate, Wolfe and Young.—3.

Excused: Butler, Helm, Keller, Lambert, Porter, Stipe and Terrill.—7.

The bill passed.

SB 351 was referred for engrossment.

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

BILL WITHDRAWN — REREFERRED

Senator Wolfe asked unanimous consent, which was granted, that SB 371 be withdrawn from the Calendar and rereferred to the Judiciary Committee.

GENERAL ORDER

SJR 28 by Berrong of the Senate and Winn of the House was read and considered.

Senator Berrong asked unanimous consent to amend SJR 28 by striking the emergency section, which was the order.

Upon motion of Senator Berrong, SJR 28, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, SJR 28, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 28 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Butler, Keller, Lambert, Porter, Stipe and Terrill.—6.

The resolution passed.

SJR 28 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Grantham asked for consideration of his motion to reconsider the vote whereby SB 148 failed of passage. The vote occurring on the Grantham motion, it was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Watson, Wolfe and Young.—40.

Excused: Butler, Keller, Lambert, Porter, Stipe, Terrill, Wadley and York.—8.

BILL WITHDRAWN — REREFERRED

Senator Grantham asked unanimous consent that SB 148 be withdrawn from the Calendar and rereferred to the committee on Criminal Jurisprudence, which was the order.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Dawson, HAS to SB 10 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Dawson, Cate and Grantham.

GENERAL ORDER

HB 1140 by Miskelly, et al, of the House and Crow and Randle of the Senate was read and considered.

Senators Capps, Field and Smith asked to be made coauthors of HB 1140, which was the order.

Upon motion of Senator Crow, **HB 1140**, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **HB 1140**, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1140 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley and Watson.—37.

Nay: Boatner, Helm, Wolfe and Young.—4.

Excused: Butler, Keller, Lambert, Pierce, Porter, Terrill and York.—7.

The bill and emergency passed.

HB 1140 was referred for engrossment.

GENERAL ORDER

HB 1128 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Randle, **HB 1128** was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, **HB 1128** was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1128 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—41.

Excused: Butler, Funston, Keller, Lambert, Porter, Terrill and York.—7.

The bill and emergency passed.

HB 1128 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 271, 283, 332, 347 and 391 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 144 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

HB 1141 by Miskelly, et al, of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, **HB 1141** was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, **HB 1141** was considered en-

grossed and placed on third reading and final passage.

THIRD READING

Senator Crow moved to reconsider the vote by which HB 1141 was considered engrossed and placed upon third reading and final passage, which motion was declared adopted.

Senator Crow moved to reconsider the vote by which HB 1141 was advanced to engrossment, which motion was declared adopted.

GENERAL ORDER

Senator Crow asked unanimous consent that further consideration of HB 1141 be deferred temporarily, which was the order.

GENERAL ORDER

HB 1131 by Miskelly and Davis (Don) of the House and Crow, Randle and Murphy of the Senate was read and considered.

Upon motion of Senator Murphy, HB 1131 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, HB 1131 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1131 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, Mc-

Daniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Butler, Funston, Howell, Keller, Lambert, Porter and Terrill.—7.

The bill passed.

Senators Howell and Funston desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43. Excused: 5.

The emergency passed.

HB 1131 was referred for engrossment.

GENERAL ORDER

HB 1133 by Miskelly and Davis (Don) of the House and Crow, Randle, and Murphy of the Senate was read and considered.

Upon motion of Senator Murphy, HB 1133 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, HB 1133 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1133 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell,

Schuelein, Shatwell, Smith, Stipe, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—39.

Nay: Boatner, Crow, Field and Taliaferro.—4.

Excused: Butler, Keller, Lambert, Porter and Terrill.—5.

The bill and emergency passed.

HB 1133 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1416 was correctly reengrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1145 by Miskelly and Davis (Don) of the House and Crow, Randle and Boatner of the Senate was read and considered.

Upon motion of Senator Boatner, HB 1145 was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, HB 1145 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1145 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Holden, Howard, Howell, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell,

Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, York and Young.—34.

Nay: Dawson, Funston, Green, Helm, Keating, Kilpatrick, McCune, Pierce and Wolfe.—9.

Excused: Butler, Keller, Lambert, Porter and Terrill.—5.

The bill and emergency passed.

HB 1145 was referred for engrossment.

GENERAL ORDER

HB 1155 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1155 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1155 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1155 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—40.

Nay: Keating.—1.

Excused: Berrong, Butler, Keller, Lambert, Porter, Terrill and York.—7.

The bill and emergency passed.

HB 1155 was referred for engrossment.

GENERAL ORDER

HB 1164 by Miskelly and Davis (Don) of the House and Crow, Randle and Cate of the Senate was read and considered.

Upon motion of Senator Cate, HB 1164 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, HB 1164 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1164 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Watson, Wolfe and Young.—38.

Excused: Butler, Funston, Keller, Lambert, Porter, Rozell, Schuelein, Terrill, Wadley and York.—10.

The bill and emergency passed.

HB 1164 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 144.

The above numbered Enrolled Bill was referred to the Governor.

GENERAL ORDER

HB 1141 was considered further.

Senator Stipe moved to amend HB 1141, Page 2, Line 7, by striking the figure "\$65,225.00" and substituting therefor the figure "\$31,000.00" and by striking Line 8.

Senator Howell moved to table the Stipe amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Capps, Cate, Clifton, Funston, Green, Holden, Howard, Howell, Keating, Kilpatrick, Lane, Luton, McCune, Martin, Murphy, Randle, Rozell, Taliaferro, Wadley and Watson.—20.

Nay: Berrong, Birdsong, Boatner, Crow, Dahl, Dawson, Field, Giles, Grantham, Helm, Johnson, Lamb, McDaniel, Pierce, Schuelein, Shatwell, Smith, Stipe, Tinsley, Vann, Wolfe and Young.—22.

Excused: Butler, Keller, Lambert, Porter, Terrill and York.—6.

Senator Stipe pressed his motion to amend, which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Crow, Dahl, Dawson, Field, Giles, Grantham, Helm, Johnson, Lamb, McDaniel, Pierce, Schuelein, Shatwell, Smith, Stipe, Tinsley, Vann, Wolfe and Young.—22.

Nay: Capps, Cate, Clifton, Funston, Green, Holden, Howard, Howell, Keating, Kilpatrick, Lane, Luton, McCune, Martin, Murphy, Randle, Rozell, Taliaferro, Wadley, Watson and York.—21.

Excused: Butler, Keller, Lambert, Porter and Terrill.—5.

Upon motion of Senator Crow, HB 1141, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1141, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1141 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Nay: Helm, Stipe and Wolfe.—3.

Excused: Butler, Dawson, Keller, Lambert, Porter and Terrill.—6.

The Chair advised the Senate that Senator Dawson, having been present in the Chamber during the vote, would be shown voting "no" on HB 1141 in compliance with Rule 1(b). The vote thereby resulted as follows: Aye: 39. Nay: 4. Excused: 5.

The bill and emergency passed.

HB 1141 was referred for engrossment.

GENERAL ORDER

HB 1165 by Miskelly and Davis (Don) of the House and Crow, Randle and Keating of the Senate was read and considered.

Upon motion of Senator Keating, HB 1165 was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, HB 1165 was considered

engrossed and placed on third reading and final passage.

THIRD READING

HB 1165 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Vann, Wadley, Watson, Wolfe and Young.—39.

Excused: Butler, Funston, Keller, Lambert, Pierce, Porter, Terrill, Tinsley and York.—9.

The bill and emergency passed.

HB 1165 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1142, 1143, 1146, 1147, 1149, 1151, 1152, 1154, 1160, 1161 and 1162, requesting Conference and referring same to GCCA when appointed.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HBs 1142, 1143, 1146, 1147, 1149, 1151, 1152, 1154, 1160, 1161 and 1162 was ordered granted, said bills to be referred to GCCA when appointed.

MESSAGE FROM THE HOUSE

Advising Conference granted on En-

grossed SB 10, and naming House Conferees as follows: Representatives Wiseman, Hood and Cleveland.

Senator Wadley presiding.

GENERAL ORDER

SB 319 by Luton of the Senate and Harper of the House was read and considered.

Upon motion of Senator Luton, SB 319 was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 319 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 319 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm,

Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Vann, Wadley, Watson, Wolfe and Young.—40.

Excused: Butler, Funston, Keller, Lambert, Porter, Terrill, Tinsley and York.—8.

The bill passed.

SB 319 was referred for engrossment.

DECLARATION OF VOTE

Senator Berrong asked that the record show had he been present at the time of third reading and final passage of SB 283 and SB 347 he would have voted "aye" and of HB 1416 he would have voted "no", which was the order.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, April 26, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 4:25 p.m. to meet Tuesday, April 26, 1977, at 1:30 p.m.

Sixty-fifth Legislative Day

Tuesday, April 26, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—44.

Excused: Clifton, Helm, Howell and York.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Douglass, and incorporated into the Journal upon request of Senator Boatner.

Father in Heaven. We thank You and praise You for Your many blessings. As the sun began to chase away the darkness this morning, I marveled at the vastness of Your creation. Last night as I walked with my family beneath the heavens, my heart echoed the lines of the Psalmist, "When I consider Thy heavens, the work of Thy

hands, the moon and stars, what is man that Thou art mindful of him?" Thank You, Oh God, for not being too busy tending to the affairs of the universe to intervene in the lives of men and women.

I am moved as I consider the privilege that is mine to have been born an American. So often we take for granted the fact that we are living in the greatest nation ever to exist. May we not soon forget the bloodshed that bought our liberty. Our prayer in a day of moral decay must be, "God bless America, again." May the heart that beats within every citizen be the heart of a patriot. Remind us, Father, that not only did Jesus say to render unto God that which is God's, but He told us to render unto Caesar that which is Caesar's. Let us be true and faithful that the Stars and Stripes may continue to fly over the land of the free and the home of the brave.

Once again I pray for these Senators. They are mere men with strengths and weaknesses. They laugh and they cry, they succeed and they fail. May they look to you for guidance and help. Give them the strength of David who as a youth killed a lion, a bear, and a giant. May they have the courage of Daniel who faced hungry lions with confidence. Grant to them a boldness to stand for right that would resemble the prophets of old.

Bless in this day's session, that the business may be handled discreetly and in

order. Let the people of Oklahoma be benefited by these hours of labor, we pray. In the precious and holy, the matchless name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Capps introduced F. K. Buster, M.D., Cheyenne, as Doctor of the Day.

Senator Clifton introduced Joyce Abel, R.N., Shawnee, as Nurse of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 400 — County, State and Federal Government.

DO PASS, as amended:

HB 1347 — County, State and Federal Government.

FIRST READING

The following were introduced and read the first time.

SB 402 — By Funston.

An Act relating to contracts; amending Sections 2 through 8, and 11 through 13, Chapter 227, O.S.L. 1972 (15 O.S. Supp. 1976, Sections 752 through 758 and 761 through 763; defining terms; prescribing and fixing unlawful practices; listing exemptions; granting and enlarging certain powers and duties of the Attorney General; providing remedies, damages and attorney fees in certain cases; allowing certain enforcement procedures; fixing limitations; providing for cooperation

among supervisory bodies; granting certain rights to consumers; making certain hearings subject to the Administrative Procedures Act; directing codification; repealing Sections 14 and 15, Chapter 227, O.S.L. 1972 (15 O.S. Supp. 1976, Sections 764 and 765); and providing an effective date.

SB 403 — By Boatner and Capps of the Senate and Davis (Guy) of the House.

An Act relating to schools; amending 70 O.S. 1971, Section 16-102, as amended by Section 3, Chapter 99, O.S.L. 1976 (70 O.S. Supp. 1976, Section 16-102); providing for meetings of the State Textbook Committee; requiring the selection of certain textbooks; increasing the number of books to be selected; and declaring an emergency.

SJR 34 — By Murphy.

A Joint Resolution creating a special committee to assess the need for capital improvements in this state and the feasibility of a statewide bond issue for such improvements; authorizing the payment of travel and expense allowance for committee members and staff; requiring a written report of findings and recommendations to be submitted to the State Senate and House of Representatives; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 400 — County, State and Federal Government.

SB 401 — Public Safety and Penal Affairs.

MESSAGE FROM THE GOVERNOR

Advising approval by him, April 25, 1977, of Enrolled SB 64.

GENERAL ORDER

HB 1157 by Miskelly and Davis (Don) of

the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1157 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1157 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1157 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keller, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and Watson.—35.

Nay: Boatner, Keating, McCune, Porter, Rozell, Schuelein, Wolfe and Young.—8.

Excused: Clifton, Helm, Howell, Kilpatrick and York.—5.

The bill and emergency passed.

HB 1157 was referred for engrossment.

Senators Clifton, Howell and York asked to be shown present, which was the order.

GENERAL ORDER

HB 1159 by Miskelly and Davis (Don) of the House and Crow, Randle and Lambert of the Senate was read and considered.

Senator Keating moved to amend HB

1159, Page 3, Line 7, by striking the words and figure "21,500.00" and substituting "18,500.00"; by striking Section 4 on Pages 3 and 4; by striking the words and figure "292,622.00" and substituting "289,622.00" on Line 3, Page 2.

Senator Lambert moved to table the Keating amendment, which motion to table was declared failed of adoption.

Senator Keating pressed his motion to amend, which amendment was declared failed of adoption upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Clifton, Dawson, Giles, Green, Keating, Keller, Lamb, McCune, McDaniel, Martin, Pierce, Porter, Schuelein, Vann, Watson, Wolfe and Young.—20.

Nay: Boatner, Cate, Crow, Dahl, Field, Funston, Grantham, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Luton, Murphy, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley and York.—25.

Excused: Capps, Helm and Wadley.—3.

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

Senator Boatner moved to amend HB 1159, Page 3, Line 6, by changing the words and figures "\$21,500.00" to "\$20,500.00"; and on Page 4, Lines 11 and 12 by changing the words and figures "\$3,000.00" to "\$2,000.00"; and by changing the total on Page 2 to "\$363,663.00", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann,

Wadley, Watson, Wolfe, York and Young.—37.

Nay: Clifton, Crow, Holden, Howard, Howell, Lambert, Lane, Luton, Stipe and Terrill.—10.

Excused: Capps.—1.

Upon motion of Senator Lambert, HB 1159, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, HB 1159, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1159 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Crow, Porter and Schuelein.—3.

Excused: Capps.—1.

The bill and emergency passed.

HB 1159 was referred for engrossment.

DECLARATION OF VOTE

Senator Lambert asked that the record show had he been present in the Chamber

at the time of third reading and final passage of HB 1145 he would have voted "No", which was the order.

Senator Smith presiding.

MOTION TO RECONSIDER VOTE

Senator Porter asked for consideration of his motion to reconsider the vote whereby SB 358 failed of passage. The vote occurring on the Porter motion, it was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Pierce, Porter, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Martin and Rozell.—2.

Excused: Capps, Clifton, Murphy and Vann.—4.

BILL WITHDRAWN — REREFERRED

Senator Porter asked unanimous consent, which was granted, that SB 358 be withdrawn from the Calendar and rereferred to the committee on Revenue and Taxation.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 203 and SB 327, as coauthored by Bengtson and Wilson, and SJR 11.

The above numbered Bills and Resolution were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 115, 218 as coauthored, and 336 as coauthored, each as amended.

HOUSE AMENDMENTS

HAs to SB 115 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Department of Pollution Control and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; fixing the Director's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing the filling of a position with a lower job level; prohibiting the expenditure of certain funds for certain professional and technical fees and services; providing lapse date; providing severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 18, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 22 and 23, by deleting the words and figures "Eighty-five Thousand Two Hundred Seventy-nine Dollars (\$85,279.00)" and substituting in lieu thereof the words

and figures "Two Hundred Five Thousand Seven Hundred Forty-six Dollars (\$205,746.00)".

Amendment No. 4. Amend Page 1, Line 34, by deleting the word and figure "ten (10)" and substituting in lieu thereof the word and figure "nineteen (19)".

Amendment No. 5. Amend Page 2, Lines 1 and 2, by deleting the words and figures "One Hundred Forty-four Thousand Five Hundred Eighty Dollars (\$144,580.00)" and substituting in lieu thereof the words and figures "Two Hundred Fifty-eight Thousand Six Hundred Seventy Dollars (\$258,670.00)".

Amendment No. 6. Amend Page 2, Line 3½, by adding new Sections 3, 4 and 5 to read as follows:

"SECTION 3. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below.

JOB TITLE	MERIT	NO.	MIN.	MAX.
	SYSTEM GRADE			
Director	U	1	\$22,380	\$23,040
Assistant Director	U	1	16,380	21,780
Executive Secretary	U	1	8,820	11,760
Division Chief	37	1	18,480	21,780
Environmental Engineer	U	2	16,380	21,780
Environmental Management Planner	U	3	14,940	19,800
Water Resources Engineer II	30	1	13,440	20,280
Limnologist III	28	1	12,240	18,480
Investigator	U	1	11,500	12,850
Limnologist II	26	1	11,160	16,860
Accountant	U	1	10,680	14,280
Limnologist I	24	2	10,140	15,420
Typist Clerk III	17	2	7,440	11,160
Secretary	U	<u>1</u>	6,360	8,400
		19		

SECTION 4. The Pollution Control Coordinating Board is authorizing to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower job level within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all job levels in that specific occupational class.

SECTION 5. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and by renumbering current Section 3 to read "Section 6" and renumbering succeeding sections accordingly.

HOUSE AMENDMENTS

HAs to SB 218 were read as follows and consideration deferred.

Authors: Add the following coauthors: HAMMONS and MILACEK of the House.

Amendment No. 1. Amend Page 3, Lines 12 and 13, by restoring the following language: "road oil and crushed rock, commonly referred to as the "chips and oil" method".

Amendment No. 2. Amend Page 3, Line 13, by inserting the word "or" before "any" and the word "other" before "method".

Amendment No. 3. Amend Page 3, Line 23, by inserting after the word "rock" and before "or" the following language: "or any other method, incorporating materials for either subbase or surface course, with specifications promulgated by the State Department of Transportation,".

Amendment No. 4. Amend Page 4, Lines 21, 22 and 23, by restoring all language through the word "in" on Line 23.

Amendment No. 5. Amend Page 4, Line 24, by inserting before the word "or" the following: "subsection (e) of this Section," and restore all language beginning with the word "or" on Line 24 through the word "State" on Line 29.

Amendment No. 6. Amend Page 4, Line 29, by restoring the word "Department" and inserting between "Department" and ", or" the words "of Transportation" and on line 29 restore all language beginning with ", or" through line 32.

HOUSE AMENDMENTS

HAs to SB 336 were read as follows and consideration deferred.

Authors: Add the following coauthors: ATKINS, GLOVER, HASTINGS, VAUGHN, ABBOTT, ANDERSON, ARNOLD, BARKER, BENGTON, BENNETT, BRADSHAW, CALDWELL, CAMPBELL, COTNER, COWAN, CRAIG, CRUTCHER, CULLISON, CUMMINGS, CUNNINGHAM, DEATHERAGE, DUKE, ERVIN, FITZGIBBON, FLOYD, FORD, FRIED, HAMMONS, HARDESTY, HARPER, HENRY, HOLADAY, HOLDEN, HOLT, HOOD, HOOPER, HOPKINS, JOHNSON (A.V.), JOHNSTON, JOINER, KAMAS, LANCASTER, McKEE, MATHESON, MILACEK, MORGAN, MURPHY, NANCE, PARRIS, PETERSON, RIGGS, ROBERTS, STEWARD, SWINTON, TWIDWELL, WHORTON, WISEMAN, WILSON, DUCKETT, BERNARD and THOMPSON (Don) of the House and PORTER of the Senate.

Amendment No. 1. Amend Page 1, Line 33, by inserting after the word "child" and before the word "incurred" the following: "not covered by insurance carried by the adoptive parents".

Amendment No. 2. Amend Page 1, Line 35, by adding after the word "adoption" and before the "period" the following: "and shall only be paid when such treatments and hospitalization are not available by the Department".

GENERAL ORDER

SB 291 by Watson of the Senate and Twidwell of the House was read and considered.

Senator Watson moved to amend SB 291, Page 3, Line 3, by restoring after the word "teachers" and before the word "and" on Line 7, all language and by striking all language following the word "certificates" on Line 7 and before the word "The" on Line 16, which amendment was declared adopted.

Senator Watson moved to amend SB 291, Page 4, Line 4, by striking the word "reasonable" before the word "rules", which amendment was declared adopted.

Senator Watson moved to amend SB 291, Page 4, Line 9, by adding after the word "assigned." the following language: "The principal shall perform such other educational duties as may be assigned by the superintendent pursuant to the rules and regulations of the board of education.", which amendment was declared adopted.

Senator Watson moved to amend SB 291, Page 4, Line 18, by deleting after the number "115" and before the word "of" the language "and 6-120" and inserting therein the language: "6-120, 6-122, 6-122.1 and 17-101 through 17-116", which amendment was declared adopted.

Upon motion of Senator Watson, SB 291, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Watson, SB 291, as amended, was

considered engrossed and placed on third reading and final passage.

THIRD READING

SB 291 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Crow and Randle.—2.

Excused: Capps.—1.

The bill and emergency passed.

SB 291 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAS to SB 119 were called up for consideration.

Upon motion of Senator Stipe, the Senate concurred in HAS to SB 119.

SB 119, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Keller, Kilpatrick,

Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Smith, Stipe, Wadley, Watson, Wolfe, York and Young.—37.

Nay: Birdsong, Boatner, Howell, Johnson, Luton, Rozell, Taliaferro, Terrill, Tinsley and Vann.—10.

Excused: Capps.—1.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

Senator Crow presiding.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 265, as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 265 were read as follows and consideration deferred.

Authors: Add the following coauthors: NANCE, ELDER, DAVIS (Don), CLEVELAND, CAMP, DENMAN, FRATES and HOLADAY of the House and LUTON of the Senate.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 265 were not printed in full in the Journal.)

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 319 and 351 and SJR 28 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1128, 1131, 1133, 1140, 1141, 1145, 1155, 1164 and 1165 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, April 27, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

SB 252 was referred for engrossment.

Upon motion of Senator Lane, the Senate adjourned at 2:50 p.m. to meet Wednesday, April 27, 1977, at 1:30 p.m.

Sixty-sixth Legislative Day

Wednesday, April 27, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Excused: Funston, Helm, Holden, Kilpatrick and Young.—5.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Douglass and incorporated into the Journal upon request of Senator Boatner.

Our Father, Thank You so much for the beautiful day. Before the sun slipped over the horizon this morning, I heard birds singing as though they knew that soon sunrise would dazzle the earth.

As we come to You today, we thank You for the blessing of life. As uncertain as our lives are, we take it for granted that

tomorrow will come. I thank You for allowing me another morning to look into the sleepy eyes of my children, and to know the love of my wife.

Once again, I pray for these Senators. I have grown to appreciate their candor, and I thank You for the kindness shown me this week. Lord, I pray that You would bless them and that they might seek Your wisdom and guidance.

I would pray for our great nation. We have reached an age of great technology, but we are impoverished morally. O for a sweeping Spiritual awakening! That as the Psalmist we might declare that "As the hart (or deer) panteth, my soul after thee O God." Jesus told us that those who hunger and thirst after righteousness are blessed for they shall be filled. Quench the spiritual hunger in America and let us draw nigh with clean hands and a pure heart, I pray.

Bless these proceedings, I pray. Let a spirit of harmony prevail and the time shall be well spent. The wheels of democracy are sometimes slow and painful, but I pray that it shall go rolling along today at whatever pace necessary to get the job accomplished.

We offer this prayer in that wonderful, and powerful name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Howell introduced R. L. Cornelison, M.D., Midwest City, as Doctor of the Day. Senator Watson introduced Mary White Johnson, R.N., Oklahoma City, as Nurse of the Day.

Senator Luton introduced former President Pro Tempore of the Oklahoma Senate and former Congressman from the 2nd District, Clem McSpadden, to the members of the Senate.

UNANIMOUS CONSENT REQUEST

Senator Wadley asked unanimous consent, which was granted, that Robyn Cowley be named an Honorary Page for this legislative day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1269 — Banks and Banking, as co-authored by Henry of the House and Clifton of the Senate.

HB 1335 — Criminal Jurisprudence.

DO PASS, as amended:

CS for SB 107 — Appropriations and Budget, as coauthored by Young.

CS for SB 355 as amended — Appropriations and Budget, as coauthored by Miskelly of the House.

SB 359 — Criminal Jurisprudence, as coauthored by McDaniel and Watson.

HB 1121 — Criminal Jurisprudence, as coauthored by Cate of the Senate.

HB 1304 — Education, Common, as coauthored by Watson and Capps of the Senate and be referred to Committee on County, State and Federal Government by previous order.

HB 1330 — Judiciary, as coauthored by Clifton and Grantham of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 404 — By Dahl.

An Act relating to fees; and increasing a certain fee which a notary public may charge and collect.

SB 405 — By Keating.

An Act relating to motor vehicles; providing for a course for persons entering certain pleas concerning the operation of a motor vehicle under certain conditions; directing codification; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 402 — County, State and Federal Government.

SB 403 — County, State and Federal Government.

SJR 34 — Constitutional Revision and Regulatory Services.

GENERAL ORDER

SB 268 by Randle of the Senate and Atkins of the House was read and considered.

Upon motion of Senator Randle, SB 268 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 268 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 268 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—40.

Nay: Porter.—1.

Excused: Funston, Helm, Holden, Kilpatrick, Martin, Pierce and Young.—7.

The bill and emergency passed.

SB 268 was referred for engrossment.

Senators Young, Helm, Holden and Funston asked to be shown present, which was the order.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 7 and 160, each as coauthored and amended, and SJR 27, as amended.

HOUSE AMENDMENTS

HAs to SB 7 were read as follows and consideration deferred.

Authors: Add the following coauthors: Glover, Winn, Bernard, Kardokus, Weichel, Duckett and Kamas of the House.

Amendment No. 1. Amend Page 3, Lines 9 through 14 by striking all language on these lines.

Amendment No. 2. Amend Page 3, Line 9, by adding a new subsection "(b)" to read as follows:

"(b) No leases shall be held by production outside the producing unit whenever the primary term of the lease has expired."

Amendment No. 3. Amend Page 3, Line

18, by adding after the word "tolerance" the following: ", except fractional sections along the state boundary line may be spaced with adjoining section unit,".

Amendment No. 4. Amend Page 7, Line 29½, by adding a new Section 2 as follows:

"SECTION 2. Any lessee or assignee of record of a recorded oil and gas lease shall be required to release the same on the applicable records when the same has expired under the operation thereof within sixty (60) days of such expiration and, if not accomplished as prescribed herein, the lessor of any such lease may recover from such lessee or assignee One Thousand Dollars (\$1,000.00) as liquidated damages in a civil action together with costs of the action including a reasonable attorney's fee."

and renumber present Section 2 to read "Section 3".

HOUSE AMENDMENTS

HAs to SB 160 were read as follows and consideration deferred.

Authors: Add the following coauthors: Wickersham, Glover and Kamas of the House.

Amendment No. 1. Amend Page 2, Line 14, by adding after the word "to" and before the word "owners" the words "these same".

HOUSE AMENDMENTS

HAs to SJR 27 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 2, Line 2, after the word "a" and before the word "to" strike the word "proposal" and insert in lieu thereof the word "plan".

Amendment No. 2. Amend Page 2, Line 5, after the word "members" and before the word "shall" insert the words "of the Senate".

Amendment No. 3. Amend Page 2, Line 7, after the word "members" and before the word "shall" insert the words "of the House".

Amendment No. 4. Amend Page 2, Lines 11 through 14, by striking all of "SECTION 2" and inserting a new "SECTION 2" to read as follows:

"SECTION 2. The special committee shall draft the state plan and transmit copies of the plan to each member of the State Legislature, no later than May 10, 1977, for consideration, amendments, if necessary, and approval by the State Legislature."

GENERAL ORDER

SB 273 by Dawson, Terrill, Birdsong, Randle, York, Lambert, Cate, McDaniel, Rozell, Johnson, Lamb and Luton was read and considered.

Senator Dawson, citing Rule 8(d), asked unanimous consent that Representative Weichel be added as House author of SB 273, which was the order.

Senators McDaniel and Lamb asked unanimous consent that their names be removed as coauthors of SB 273, which was the order.

Senator Dawson moved to amend SB 273, Page 8, Line 9, by striking after the word "by" and before the word "that" on Line 10, all language, and substituting the following: "substantial evidence", which amendment was declared failed of adoption.

Senator Keller moved to amend SB 273, Page 4, Line 13, by adding after the word "corporation" and before the word "or", the word "cooperatives"; and on Page 16, Line 7, by deleting all of Section 7 through Section 12 and renumbering subsequent sections accordingly.

Senator Wadley moved to table the Kel-

ler amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Keller.—1.

Excused: Kilpatrick and Taliaferro.—2.

Senator Dawson moved to amend SB 273, Page 9, Line 2, by striking after the word "if" and before the word "that" on Line 3, all language, and inserting the following: "the Commission is persuaded by substantial evidence", which amendment was withdrawn upon request of Senator Dawson.

Senator Dawson moved to amend SB 273, Page 9, Line 8½, by adding paragraph 7 as follows:

"7. A credit against a monthly fuel adjustment of some or all of a utility's emergency or off-system sales of gas may be provided for in the fuel adjustment clause for that utility if the Commission is persuaded by reliable evidence which clearly points to the conclusion that such a provision is necessary to prevent a rate of return or level of earnings in excess of that intended by the Commission in the establishment of the rate-base for that utility."

Senator Crow presiding.

Senator Lamb presiding.

Senator Wadley moved to table the Dawson amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Crow, Dahl, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Lamb, Lane, Luton, McCune, McDaniel, Martin, Pierce, Shatwell, Stipe, Tinsley, Vann, Wadley and Wolfe.—26.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Dawson, Field, Johnson, Lambert, Murphy, Porter, Randle, Rozell, Schuelein, Terrill, Watson, York and Young—18.

Excused: Capps, Kilpatrick, Smith and Taliaferro.—4.

Senator Berrong moved to amend SB 273, Page 9, Line 15, by striking after the word "necessary" and before the word "If" the words "but no less frequently than once every six (6) months".

Senator Dawson moved to amend SB 273, as a substitute amendment to the Berrong amendment, Page 9, Line 16, by adding after the word "months" and before the period the following: "for utilities with annual gross utility revenues in excess of Two Million Five Hundred Thousand Dollars (\$2,500,000)".

Senator Wadley moved to table the Dawson substitute amendment, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howard, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Shatwell, Stipe, Tinsley, Wadley and Wolfe.—25.

Nay: Birdsong, Cate, Clifton, Dawson, Funston, Howell, Johnson, Keating, Keller, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Terrill, Watson, York and Young.—19.

Excused: Capps, Kilpatrick, Taliaferro and Vann.—4.

Senator Berrong pressed his motion to amend.

Senator Terrill moved to table the Berrong amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Dawson, Field, Funston, Grantham, Howard, Johnson, Keating, Lane, Martin, Pierce, Porter, Randle, Rozell, Smith, Terrill, Tinsley, Wadley, Watson and York.—23.

Nay: Berrong, Boatner, Crow, Dahl, Giles, Green, Holden, Howell, Keller, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Schuelein, Shatwell, Stipe, Vann, Wolfe and Young.—21.

Excused: Capps, Helm, Kilpatrick and Taliaferro.—4.

Senator Lane asked unanimous consent that further consideration of SB 273 be deferred temporarily, which was the order.

RESOLUTION

Senator Tinsley introduced the following Resolution:

SCR 18 — By Tinsley.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 144 passed by the First Session of the Thirty-sixth Oklahoma Legislature.

SCR 18 was read at length and adopted upon roll call as follows:

Aye: Berrong, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Helm, Howard, Johnson, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley and York.—30.

Nay: Birdsong, Boatner, Butler, Crow, Funston, Green, Holden, Howell, Keating,

Pierce, Porter, Stipe, Watson, Wolfe and Young.—15.

Excused: Capps, Kilpatrick and Taliaferro.—3.

SCR 18 was referred for engrossment.

GENERAL ORDER

SB 273 was considered further.

Senator Randle moved to amend SB 273, Page 16, Line 6½, by adding a new Section 7 as follows:

“SECTION 7. The provisions of Sections 2 through 6 of this act shall not be construed to apply to electric cooperatives.”,

and by renumbering subsequent sections, which amendment was declared adopted.

Senator Cate moved to amend SB 273, Page 10, Line 10, by adding after the word “Commission” and before the word “but” the following: “, including but not limited to unanticipated increases in the profits or revenues derived by the public utility from emergency or off-system sales of natural gas;”, which amendment was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Dawson, Grantham, Johnson, Lambert, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Wolfe, York and Young.—20.

Nay: Berrong, Boatner, Crow, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Keating, Keller, Lamb, Lane, Luton, McCune, McDaniel, Stipe, Vann, Wadley and Watson.—23.

Excused: Capps, Kilpatrick, Martin, Taliaferro and Tinsley.—5.

Senator Watson presiding.

Senator Berrong moved to amend SB 273, Page 15, Line 2, by striking after the

word “adjustment” and before “Section 6.” all language, including the period after the word “adjustment” and adding the following language: “to the Commission. The Commission shall then make such information available to the news media on a monthly basis.”, which amendment was withdrawn upon the unanimous consent request of Senator Berrong.

Senator Randle moved to amend SB 273, Page 16, Lines 15 and 16, by changing the word “customer” to “customers” on Line 15 and changing the word “billings” to “billing” on Line 16, which amendment was declared adopted.

Senator Randle moved to amend SB 273, Page 23, Line 4, by inserting after the word “clauses” and before the word “are” the following: “or purchased power adjustment clauses”, which amendment was declared adopted.

Senator Berrong moved to amend SB 273, Page 14, Line 18, by adding after the word “its” and before the word “bills” the word “customer”, which amendment was declared adopted.

Upon motion of Senator Dawson, SB 273, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 273, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 273 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green,

Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Capps, Kilpatrick, Shatwell, Taliaferro and Tinsley.—5.

The bill and emergency passed.

SB 273 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 252 and 291 and SCR 18 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1157 and 1159 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 119, 203 and 327 and SJR 11 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising withdrawal of Cleveland as a member of the Conference Committee on SB 10, and the appointment of Monks as a replacement thereon.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1155, requesting Conference and naming Conferees as follows: Representatives Matheson, Miskelly and Townsend.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the re-

quest of the Honorable House for a conference on HB 1155 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Crow, Terrill and Holden.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1128, 1131, 1133, 1140, 1141, 1145, 1164 and 1165, requesting Conference and referring said bills to GCCA when appointed.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for a conference on HBs 1128, 1131, 1133, 1140, 1141, 1145, 1164 and 1165 was ordered granted, said bills to be referred to GCCA when appointed.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 189, as coauthored by Kamas and McKee, and SB 285, as coauthored by Willis, Holden, Arnold and Cowan.

The above numbered Bills were referred for enrollment.

PENDING SENATE ACTION ON HAS

Senator York moved that HAS to SB 265 be rejected and conference requested.

Senator Keating moved as a substitute motion that HAS to SB 265 be accepted and the bill be sent to conference with instructions to restore the title.

Senator Stipe moved to table the Keating substitute motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden,

Howard, Howell, Johnson, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Smith, Stipe, Terrill, Vann, Wadley, York and Young.—34.

Nay: Green, Helm, Keating, Keller, McCune, Pierce, Watson and Wolfe.—8.

Excused: Capps, Kilpatrick, Randle, Shatwell, Taliaferro and Tinsley.—6.

Senator Keating moved as a substitute motion that the HAs to SB 265 be rejected with instructions to send the bill to conference and accept the House amendment as to mail order purchase of auto tags.

Senator Luton moved to table the Keating substitute motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Dahl, Field, Giles, Grantham, Holden, Howard, Howell, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Porter, Rozell, Schuelein, Stipe, Terrill, Vann, Wadley, York and Young.—28.

Nay: Cate, Dawson, Funston, Green, Helm, Keating, Keller, Lambert, McCune, Murphy, Pierce, Watson and Wolfe.—13.

Excused: Capps, Kilpatrick, Randle, Shatwell, Smith, Taliaferro and Tinsley.—7.

Senator York pressed his motion to reject the HAs and request a conference, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Smith, Stipe, Terrill, Vann, Wadley, York and Young.—34.

Nay: Green, Keating, McCune, Pierce, Watson and Wolfe.—6.

Excused: Capps, Helm, Keller, Kilpatrick, Randle, Shatwell, Taliaferro and Tinsley.—8.

President Pro Tempore Howard appointed the following conferees on SB 265: Senators York, Luton, Murphy, Field and Cate.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Luton, HAs to SB 231 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Luton, Clifton and Lamb.

MOTION TO RECONSIDER VOTE

Senator Keating asked for consideration of his motion to reconsider the vote whereby SB 153 failed of passage, which motion to reconsider was tabled upon motion of Senator Stipe.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 119, 203 and 327 and SJR 11.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 10 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred Engrossed Senate Bill No. 10, by Dawson, et al, of the Senate and Wiseman, et al, of the House, entitled:

An Act relating to criminal procedure; amending 22 O.S. 1971, Section 1014; and

specifying the manner of inflicting punishment of death.

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 Amendment No. 2.

No. 3. That the Conference Committee Amendments be adopted as follows:

(a) Amend Page 1, Line 18 after "Section 1014." and before the word "The" by inserting "A."

(b) Amend Page 1, Line 25½ by adding Subsections B. and C. as follows:

B. If the execution of the sentence of

death as provided in subsection A of this section is held unconstitutional by an appellate court of competent jurisdiction then the sentence of death shall be carried out by electrocution.

C. If the execution of the sentence of death as provided in subsections A and B of this section is held unconstitutional by an appellate court of competent jurisdiction, then the sentence of death shall be carried out by firing squad.

Respectfully submitted

FOR THE SENATE: Dawson, Cate and Grantham.

FOR THE HOUSE: Wiseman and Hood.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, April 28, 1977, at 11:30 a.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 5:15 p.m. to meet Thursday, April 28, 1977, at 11:30 a.m.



Sixty-seventh Legislative Day

Thursday, April 28, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Capps, Keating, Keller, Pierce, Porter and Wolfe.—6.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Douglass, and incorporated into the Journal upon request of Senator Boatner.

Dear Lord, We find ourselves here again thanking You for Your love and the many blessings we enjoy. As I headed my Subaru north this morning and saw the beautiful panorama of nature, it reminded me of the wisdom of an aged man I knew in Nebraska. Old Ed would say, "A day like today makes me glad I didn't die yesterday." With the songwriter, we breathe,

"Then sings my soul my Saviour God to Thee, How great Thou art, How great Thou art."

Lord we would not neglect to pray for the family and friends of Lt. Cell Howell today. This is such a tragedy, and one with no answers as to "Why?" Dear Jesus, I thank You that as You were preparing to leave this world You promised a comforter would come, that the Holy Spirit would be our councilor, the "called along-side one." Oh, Holy Spirit, draw near this widow and the family and give them the strength of the Psalmist David who penned, "Yea, though I walk through the valley of the shadow of death, I will fear no evil, FOR THOU ART WITH ME!"

Once again I pray for these Senators. Coming to the capitol this week has given me an even greater appreciation for them and for their task. Lord we think of Moses who went up to Mt. Sinai and brought back the Ten Commandments written by the finger of God. The day we live in is much more complex, but I pray that these men will seek Your direction in their proceedings.

I pray for their families. Bless them and supply their needs. Wherever they are and whatever they are doing just now, do something special for them and may they know it is God who has done it.

Lord be in this chamber today. Prevail

upon these men that the fruit of their labor may be truth, justice, and compassion on the humanity of Oklahoma.

Thank You so much for the opportunity to be here today that I may offer this prayer in the precious name of Jesus, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Taliaferro introduced Orval L. Parsons, M.D., Lawton, as Doctor of the Day.

Senator Lambert introduced Sue Klingler, R.N., Oklahoma City, and Senator McCune introduced Cheryl Jensen, student nurse, Oklahoma City, as Nurses of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 346 — County, State and Federal Government.

DO PASS, as amended:

SB 88 — Appropriations and Budget.
CS for HB 1148 — Appropriations and Budget, as coauthored by Stipe of the Senate.

HB 1430 — Professions and Occupations, as coauthored by Stipe of the Senate.

HJR 1019 — Appropriations and Budget, as coauthored by Stipe of the Senate.

FIRST READING

The following were introduced and read the first time.

SB 406 — By Clifton.

An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 72 and 74; providing for qualifications and examination of applicants by the Board of Barber Examiners; increasing certain requirements; increasing certain fees; providing for certain guidelines for applications and registration; and declaring an emergency.

SB 407 — By Clifton.

An Act relating to professions and occupations; setting requirements for issuance of certificates and permits to practice municipal accounting; requiring annual registration; setting fees; limiting use of titles and abbreviations; permitting audits of governmental bodies by certified municipal accountants; authorizing dual licensing; amending 59 O.S. 1971, Section 15.25, which prohibits certain acts; adding prohibitions and penalties; providing for regulation by Oklahoma State Board of Public Accountancy; providing for revocation and suspension of certificates; providing for severability; directing codification and non-codification; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 404 — Business, Industry and Labor Relations.

SB 405 — Public Safety and Penal Affairs.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1138.

HB 1138 — By Miskelly, et al, of the House and Crow and Randle of the Senate.

An Act relating to schools; making appropriations to the State Board of Education; stating the purposes of appropriations made; providing schedule of support of certain public school activities; amending 70 O.S. 1971, Sections 18-109 and 18-114,

as last amended by Sections 23 and 17, Chapter 273, O.S.L. 1976 (70 O.S. Supp. 1976, Sections 18-109 and 18-114); modifying the calculation of state aid; modifying compensation of certain teachers; providing funds for special education for deaf and legally blind students; providing for disbursement of funds allocated for reimbursement for cost of educating home-bound children; providing for apportionment and disbursement of funds allocated for minimum revenue guarantee; providing for apportionment of funds for textbooks and supplementary materials; stating legislative intent on use of funds allocated for special education programs and classes; providing for allocation of funds for teachers' and support personnel's salary increases; providing for payment of funds allocated for elementary counseling; providing for expenditure of funds allocated for prescriptive teaching centers; providing for expenditure of the funds for midterm adjustment; providing for apportionment of allocation guarantee; providing for sewage disposal systems; providing for expenditure of federal funds by local boards of education; providing for audit of federal revenue sharing funds; providing for proportionate reduction or withholding of funds to districts under certain conditions; providing lapse date; directing codification; providing severability; and declaring an emergency.

The above numbered HB was read for the first time.

MESSAGE FROM THE HOUSE

Advising adoption of and returning En-grossed SCR 18.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning En-

grossed SB 67, as coauthored, SB 109, and SB 190, as coauthored, each as amended.

HOUSE AMENDMENTS

HAs to SB 67 were read as follows and consideration deferred.

Authors: Add the following coauthors: Brunton, Elder, Conaghan, Craig, Davis (Guy), Duckett, Holaday and Camp of the House.

Amendment No. 1. Amend Page 1, Lines 18 through 23, by striking all language after the word "who" on line 18 and substituting the following: "threatens physical or mental harm through force or fear to any person who has been duly subpoenaed or endorsed on the criminal information as a witness with the intent to prevent the witness from appearing in court to give his testimony, or to alter his testimony, is guilty of a felony punishable by not less than one (1) year nor more than three (3) years in prison."

Amendment No. 2. Amend Page 1, Line 24, by adding a new Section 2 to read as follows:

"SECTION 2. This act shall become effective October 1, 1977."

Amendment No. 3. Amend Title to read as follows:

"An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 455; establishing penalty for prevention of witness from answering subpoena; prohibiting the intimidation of witnesses; and providing an effective date."

HOUSE AMENDMENTS

HAs to SB 109 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to the Bureau of Narcotics and Dangerous Drugs Control and making appropriations thereto; stating the purposes; providing for duties, compensation and maximum number of employees; limiting the salary of the Director; limiting expenditures for salaries and wages; specifying the number and compensation of authorized employees; authorizing the filling of a designated position with a position in a lower grade; prohibiting expenditure of certain funds for certain fees and services; amending 63 O.S. 1971, Section 2-103, as last amended by Section 6, Chapter 202, O.S.L. 1976 (63 O.S. Supp. 1976, Section 2-103), pertaining to the appointment of the director, qualifications, salary, probation, and longevity of agents; authorizing the expenditure of funds to obtain federal grants or assistance; providing lapse date; providing for severability; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 22, by striking the Enacting Clause.

Amendment No. 3. Amend Page 1, Lines 26 and 27, by deleting the words and figures "Six Hundred Fifty-four Thousand Six Hundred Seven Dollars (\$654,607.00)" and substituting in lieu thereof the words and figures "Six Hundred Fifty-two Thousand Four Hundred Seventy-five Dollars (\$652,475.00)".

Amendment No. 4. Amend Page 2, Line 30, by deleting the present Section 5 and substituting in lieu thereof new Sections 5, 6 and 7 to read as follows:

"SECTION 5. The number and compensation of officials and employees, effective July 1, 1977, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only. The number of full-time-equivalent employees shall not exceed the number by job title authorized below.

JOB TITLE	MERIT SYSTEM		NO. AUTH.	MIN.	MAX.
	GRADE				
Director	U	1	\$25,480	\$26,200	
Executive Assistant	38	1	19,380	25,800	
Executive Secretary	24	1	10,140	15,420	
Administrative Assistant	24	1	10,140	15,420	
Enforcement Supervisor (Agent V)	38	1	19,380	25,800	
Intelligence Supervisor (Agent V)	38	1	19,380	25,800	
Compliance Supervisor (Agent V)	38	1	19,380	25,800	
Intelligence Analyst I	23	2	9,720	14,760	
Registration Officer	28	1	12,240	18,480	
Stenographer Clerk I	15	2	6,840	10,140	
Stenographer Clerk II	16	2	7,140	10,620	
Clerk Typist I	14	1	6,540	9,720	
Clerk Typist II	15	2	6,840	10,140	
Agent IV	35	2	16,860	25,680	
Agent III	32	7	14,760	22,260	
Agent II	29	4	12,840	19,380	
Agent I	26	5	11,160	16,860	

SECTION 6. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited.

SECTION 7. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control is authorized to fill a designated position, as authorized by Section 5 of this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class."

and by renumbering the present Section 6 to read "Section 8" and renumbering succeeding sections accordingly.

Amendment No. 5. Amend Page 3, Lines 30 and 31, by deleting the words and figures "Ten Thousand Six Hundred Eighty Dollars (\$10,680.00)" and substituting in lieu thereof the words and figures "Eleven Thousand One Hundred Sixty Dollars (\$11,160.00)".

Amendment No. 6. Amend Page 3, Lines 33 through 35 and Page 4, Lines 1 through 4, by restoring the stricken language.

HOUSE AMENDMENTS

HAs to SB 190 were read as follows and consideration deferred.

Authors: Add the following coauthor: Weichel of the House.

Amendment No. 1. Amend Page 5, Lines 15 through 17, by deleting the new language.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 268 and 273 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 189 and 285 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 18 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 400 by Terrill of the Senate and Duke of the House was read and considered.

Senator Taliaferro asked to be made a coauthor of **SB 400**, which was the order.

Senator Smith presiding.

Senator Funston moved to commit **SB 400** to the committee on Criminal Jurisprudence to study the constitutionality of Section 1, subsection c.

Senator Terrill moved to table the Funston motion to commit, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Boatner, Cate, Crow, Dahl, Field, Helm, Holden, Johnson, Luton, McCune, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley and Young.—19.

Nay: Birdsong, Butler, Clifton, Dawson, Funston, Giles, Green, Howard, Howell, Kilpatrick, Lamb, Lambert, Lane, McDaniel, Martin, Murphy, Smith, Stipe, Vann, Watson and York.—21.

Excused: Capps, Grantham, Keating, Keller, Pierce, Porter, Wadley and Wolfe.—8.

Senator Funston pressed his motion to commit, which motion was declared adopted.

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

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 18.

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

GENERAL ORDER

SB 374 by York, Kilpatrick, Terrill, Birdsong, Dawson, Randle, Watson, Boatner, Butler, Capps, Cate, Clifton, Funston, Johnson, Keller, Lane, Murphy, Porter, Rozell, Schuelein, Shatwell, Taliaferro, Tinsley, Vann, Young and McDaniel of the Senate and Weichel, et al, of the House was read and considered.

Senators Vann, Boatner, McDaniel, Capps and Taliaferro asked to be removed as coauthors of SB 374, which was the order.

Senators Dawson and York moved to amend SB 374, Page 1, Line 1, by striking after the section designation and before the word "shall" the words "advertising expenses" and substituting the following: "Expenditures for institutional and promotional advertising" and by adding the following definitions at Line 18½ of Page 2:

"2. 'Institutional advertising' means advertising designed to promote the corporate image of the utility, and present it in a favorable light to the public and potential investors.

"3. 'Promotional advertising' means advertising designed to increase usage, obtain new customers, or encourage use of one form of energy over another."

and by renumbering following definitions.

Senator Dawson asked unanimous consent, which was granted, that a companion amendment be read as follows:

Amend SB 374, Page 2, Line 1, by adding after the period the following:

"Expenditures for conservation and consumer advertising may be included by a public utility in its operating expenses for rate-making purposes only if the advertisements involved are clearly identified as 'Paid for by Ratepayers.'",

and by adding the following definitions at Line ½ of Page 3:

"4. 'Conservation advertising' means advertising designed to inform consumers of means to conserve energy and reduce usage.

"5. 'Consumer advertising' means advertising designed to inform consumers of rates, charges, conditions of service, benefits and savings available."

Senators Cate and Berrong moved to amend SB 374, Page 2, Line 18, by adding after the word "bills;" and before the word "and" the following: "Nor shall advertising include any communication with customers and the public which is strictly limited to energy conservation and education. Such information shall not promote the use of one form of energy over other forms of energy."

Senator Wadley asked unanimous consent, which was granted, that a companion amendment to the Cate-Berrong amendment be read as follows:

Amend SB 374, Page 2, Line 18, by

adding after the Cate-Berrong amendment the following: "Nor shall advertising include information which provides telephone customers with instruction in the use of new, changed or improved features of their telephone service; or information about time periods or other conditions under which Long Distance calls may be made at reduced rates; or information which promotes the efficient use of the telephone network."

Senator Dawson moved to amend SB 374, Page 2, Line 13, as an in lieu amendment to the Cate-Berrong substitute amendment, by adding after the period and before the word "Nor" the following: "Nor shall advertising include any communication with customers and the public which is strictly limited to energy conservation and education; provided, that if the cost of the communication is to be treated as an operating expense, it shall be clearly marked or identified as 'Paid for by Ratepayers,' and such information as is included shall not promote the use of one form of energy over other forms of energy, nor shall it promote the use of any specific consumption device or appliance."

Senator Dawson asked unanimous consent to amend his in lieu amendment by putting a period after the word "energy" and striking the words "nor shall it promote the use of any specific consumption device or appliance", which was the order.

Senator Cate moved to table the in lieu amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Cate, Dahl, Giles, Green, Helm, Lamb, Lane, McCune, McDaniel, Martin, Taliaferro, Vann and Wadley.—14.

Nay: Birdsong, Boatner, Butler, Clifton, Crow, Dawson, Field, Funston, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Luton, Murphy,

Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Watson, York and Young.—28.

Excused: Capps, Keating, Pierce, Porter, Stipe and Wolfe.—6.

Senator Dawson pressed his motion to amend, which in lieu amendment, as amended, was declared adopted.

Senator Dawson asked unanimous consent, which was granted, that his companion amendment to the original Dawson amendment be withdrawn.

Senators Cate and Berrong moved to amend SB 374, (as previously read) Page 2, Line 18, by adding after the word "bills" the following: "Nor shall advertising include information which provides telephone customers with instruction in the use of new, changed or improved features of their telephone service; or information about time periods or other conditions under which Long Distance calls may be made at reduced rates; or information which promotes the efficient use of the telephone network."

Senator Dawson moved to amend SB 374, as a substitute amendment to the Cate-Berrong amendment, Page 2, Line 13, by adding after the period and before the word "Nor" the following: "Nor shall advertising include information which provides telephone customers with instruction in the use of new, changed or improved features of their telephone service, or information about time periods or other conditions under which Long Distance calls may be made at reduced rates, or information which promotes the efficient use of the telephone network, provided that if the cost of providing such information is to be treated as an operating expense, it shall be clearly marked or identified as 'Paid for by Ratepayers.'", which substitute amendment was declared adopted.

Senator Kilpatrick moved to amend SB

374, by amending the previously adopted Dawson in lieu amendment by inserting after the word "Ratepayer" and before the word "and" the following language: "and shall include the cost of the communication", which amendment was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Clifton, Dawson, Funston, Johnson, Keller, Kilpatrick, Lambert, Randle, Rozell, Terrill, Tinsley, York and Young.—16.

Nay: Berrong, Cate, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howell, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Schuelein, Smith, Taliaferro, Vann, Wadley and Watson.—23.

Excused: Capps, Howard, Keating, Martin, Pierce, Porter, Shatwell, Stipe and Wolfe.—9.

Senator Vann moved to amend SB 374, Page 3, Line 13, by striking after the word "system" and beginning with the word "and" the balance of the paragraph through the words "services" on Line 18 and by renumbering subsequent paragraphs, which amendment was declared adopted.

Upon motion of Senator Dawson, SB 374, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SB 374, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 374 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, But-

ler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Murphy, Randle, Rozell, Schuelein, Smith, Taliaferro, Terrill, Vann, Wadley, Watson, York and Young.—37.

Nay: Crow and McCune.—2.

Excused: Capps, Keating, Martin, Pierce, Porter, Shatwell, Stipe, Tinsley and Wolfe.—9.

The bill passed.

SB 374 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

This is to advise you that on this date, April 28, 1977, I am returning Enrolled Senate Bill No. 144 by Tinsley, et al, of the Senate and Dunn, et al, of the House, in accordance with Senate Concurrent Resolution No. 18.

GENERAL ORDER

SB 255 by Holden and Howard of the Senate and Morgan of the House was read and considered.

Senator Holden moved to amend SB 255, Page 5, Line 10, by inserting after the semicolon the following: "however, in no event shall the State Insurance Fund be included as a member insurer;" which amendment was declared adopted.

Senator Cate presiding.

Senator Howard moved to amend SB 255, Page 6, Line 18, by striking after "SECTION 6." and before the word "SECTION" on Line 11 of Page 8, all language and substituting therefor the following new language:

"A. The business and functions of the

Association shall be managed and administered by a board of directors composed of ten (10) member insurers selected in the following manner:

1. Two insurers which are members of and selected by the American Insurance Association;

2. Two insurers which are members of and selected by the American Mutual Insurance Alliance;

3. Two insurers which are members of and selected by the National Association of Independent Insurers;

4. Two Oklahoma domestic insurers which are selected by the Commissioner; and

5. Two nonaffiliated foreign or alien insurers which are selected by the Commissioner.

B. Each member insurer serving on the Board of Directors shall designate a full-time salaried employee to represent it on the Board of Directors. Each Director shall serve for a term of two (2) years. Vacancies on the Board shall be filled for the remaining period of the term by a majority vote of the remaining Directors. If any of the Directors have not been selected and appointed within sixty (60) days after the effective date of this act, the Commissioner shall appoint member insurers to fill such vacancies.

C. The appointees to the Board shall be subject to approval by the Commissioner. In approving selections to the Board, the Commissioner shall consider, in addition to such other criteria as he may establish, whether all member insurers are fairly represented.

D. The Board of Directors shall serve without compensation, but member insurers serving on the Board may be reim-

bursed from the assets of the Association for expenses incurred by them in their capacity as Directors.

E. The initial meeting of the Board of Directors shall be called by the Commissioner. Thereafter, the Board shall meet in accordance with the procedures adopted by the Association in the plan of operation.”,

which amendment was declared adopted.

Upon motion of Senator Holden, SB 255, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Holden, SB 255, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 255 was read for the third time at length.

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

Aye: Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Grantham, Green, Holden, Howard, Johnson, Kilpatrick, Lambert, Lane, Luton, McDaniel, Murphy, Rozell, Schuelein, Smith, Terrill, Vann, Wadley and York.—25.

Nay: Berrong, Birdsong, Funston, Helm, Howell, Keller, Lamb, McCune, Randle, Taliaferro, Tinsley, Watson and Young.—13.

Excused: Capps, Field, Giles, Keating, Martin, Pierce, Porter, Shatwell, Stipe and Wolfe.—10.

The bill passed.

Senators Berrong, Howell, Taliaferro and Tinsley desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 29. Nay: 9. Excused: 10.

The emergency failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Howard moved that the vote be reconsidered by which the emergency section of SB 255 failed of passage.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Funston moved that the vote be reconsidered by which SB 255 passed.

PENDING CONSIDERATION — LOBBY PERMITS

Senator Terrill moved that the Committee Report on Lobby Permits, Pages 449-453, be adopted, which motion was declared adopted.

MOTION RE PROPOSED RULE

Senators Luton and Smith moved that the Rules Committee present a proposed rule governing the right of a member to request a roll call vote and/or a division of the Senate after the Chair has called for the vote on a question and the question has been presented for voice vote.

Further, as an interim rule pending the report of the Rules Committee and action thereon, that a roll call be granted when requested and properly sustained at any point of the proceeding before the Chair declares the result, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 265, and naming House Conferees as follows: Representatives Nance,

Elder, Davis (Don), Miskelly and Matheson.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 231, and naming House Conferees as follows: Representatives Elder, Henry and Cleveland.

MOTION RE RECALL OF SB 144

Senator Tinsley moved that the House be requested to rescind its fourth reading and signing of Enrolled Senate Bill 144, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 189 and 285.

The above numbered Enrolled Bills were referred to the Governor.

PENDING CONSIDERATION OF HAS

HAS to SJR 27 were called up for consideration.

Upon motion of Senator Boatner, the Senate concurred in HAS to SJR 27.

SJR 27, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Randle, Schuelein, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—36.

Excused: Capps, Field, Giles, Keating,

Keller, Martin, Pierce, Porter, Rozell, Shatwell, Stipe and Wolfe.—12.

The resolution passed.

Senator Stipe desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 37. Excused: 11.

The emergency passed.

House Amendments were properly signed and the above-numbered resolution was referred for enrollment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, May 2, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 3:05 p.m. to meet Monday, May 2, 1977, at 1:30 p.m.



Sixty-eighth Legislative Day

Monday, May 2, 1977

Pursuant to adjournment, the Senate was called to order by Senator Cate, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Boatner, Crow, Holden, Keller, Rozell and Smith.—6.

Senator Cate declared a quorum present.

The following prayer was offered by Reverend John Wackler, Pastor, Trinity Lutheran Church, Ardmore, and incorporated into the Journal upon request of Senator Martin.

Lord God, our Heavenly Father, we give thanks to You for all the mercy and grace that You have given to us. Especially do we thank You for our wonderful country and the good land in which we are privileged to dwell. Keep us strong and give us courage to do that which is right in Your

sight. Bless our nation, President Carter, the Congress and all in authority.

Bless our state, Governor Boren, the members of the legislative bodies, and grant that all deliberations may be guided by a spirit of love and consideration for the citizens of our state.

We thank You also for the showers of rain and the sunshine that make the crops grow that we may enjoy the fruits of the field and give You the glory.

Protect our families and loved ones. In Jesus name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Cate introduced Lynda Frost, R.N., and Sue Green, R.N., both of Norman, as Nurses of the Day.

Senator Watson introduced Michael Grossman, M.D., Oklahoma City, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

HB 1134 — Appropriations and Budget.
CS for HB 1136 — Appropriations and Budget, as coauthored by Keating.

CS for HB 1137 — Appropriations and Budget, as coauthored by Berrong.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 406 — Professions and Occupations.

SB 407 — Professions and Occupations.

HB 1138 — Appropriations and Budget.

MESSAGE FROM THE GOVERNOR

Advising approval by him, April 28, 1977, of Enrolled SBs 119, 203 and 327 and SJR 11.

GENERAL ORDER

SB 361 by Terrill was read and considered.

Upon motion of Senator Terrill, SB 361 was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 361 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 361 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Stipe,

Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Boatner, Crow, Holden, Keller, Rozell and Smith.—6.

The bill and emergency passed.

SB 361 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 374 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SJR 27 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senators Keller and Smith asked to be shown present, which was the order.

MESSAGE FROM THE HOUSE

Pursuant to the request of the Senate, the House has rescinded its signing and fourth reading of Enrolled SB 144.

GENERAL ORDER

SB 316 by Howell of the Senate and Duckett of the House was read and considered.

Senators Funston, Lamb and Watson asked to be made coauthors of SB 316, which was the order.

Upon motion of Senator Howell, SB 316, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 316, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Howell asked unanimous consent to amend SB 316 by striking the words "upon request of either party" on Line 2 of Page 1, which was the order.

Senator Howell asked unanimous consent to amend SB 316 by striking the words "such request" and inserting the word "counseling" on Line 3, Page 2, which was the order.

Senator Lambert presiding.

SB 316 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson and York.—35.

Nay: Butler, Helm, Kilpatrick, Lane, Pierce, Wadley, Wolfe and Young.—8.

Excused: Boatner, Crow, Holden, Porter and Rozell.—5.

The bill passed.

SB 316 was referred for engrossment.

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

GENERAL ORDER

SB 375 by York, Kilpatrick, Terrill, Rozell, Dawson, Randle, Birdsong, Porter, Funston and Tinsley of the Senate and Weichel, et al, of the House was read and considered.

Senator York moved to amend SB 375, Page 3, Line 2, by striking the semicolon after the word "system" and substituting a comma and adding the word "or" and by striking all remaining language on Lines 2 through 7, which amendment was declared adopted.

Senator Stipe moved to amend SB 375, Page 1, Line 1, by inserting after the word "utility" and before the word "shall" the following: "who has for one of its purposes the sale or distribution of energy", which amendment was declared adopted.

Senator Terrill moved to amend SB 375, Page 1, Line 4, by adding after the second word "payment" and before the word "made" the following: ", gift or other remuneration", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—37.

Nay: Giles, Lambert, McCune, McDaniel, Martin and Murphy.—6.

Excused: Crow, Holden, Porter, Rozell and Tinsley.—5.

Senator Stipe moved to amend SB 375, Pages 2 and 3, by striking all language on Lines 15 through 18 of Page 2 and Lines 1 through 7 on Page 3 (all of subsection b), which amendment was declared adopted.

Upon motion of Senator York, SB 375, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator York, SB 375, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 375 was read for the third time at length.

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

Aye: Birdsong, Cate, Clifton, Dawson, Funston, Grantham, Green, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, Pierce, Randle, Smith, Terrill, Tinsley, Watson, Wolfe and York —23.

Nay: Berrong, Boatner, Butler, Capps, Dahl, Field, Giles, Howell, Lambert, McCune, McDaniel, Martin, Murphy, Schuelein, Shatwell, Stipe, Taliaferro, Vann, Wadley and Young.—20.

Excused: Crow, Helm, Holden, Porter and Rozell.—5.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator York moved that the vote be reconsidered by which SB 375 failed of passage.

MESSAGE FROM THE HOUSE

Advising fourth reading and returning Enrolled SJR 27.

The above numbered Resolution was referred to the Governor.

PENDING CONSIDERATION OF SB 144 RECALLED FROM GOVERNOR

Senator Tinsley moved that the Senate rescind the 4th reading and signing of Enrolled SB 144, which motion was declared adopted.

Senator Tinsley moved that the Senate reconsider the vote whereby SB 144, as

amended by the House, passed. The vote occurring on the Tinsley motion, it was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—39.

Nay: Smith.—1.

Excused: Clifton, Crow, Helm, Holden, Keller, Lane, Porter and Rozell.—8.

Senator Tinsley moved that the Senate reconsider the vote whereby HAs to SB 144 were adopted, which motion was declared adopted.

PENDING CONSIDERATION OF HAs

Upon motion of Senator Tinsley, HAs to SB 144 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Tinsley, Lane and Vann.

PENDING SENATE ACTION ON HAs

Upon motion of Senator Keating, HAs to SB 67 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Keating, Clifton and Cate.

PENDING CONSIDERATION OF HAs

HAs to SB 160 were called up for consideration.

Upon motion of Senator Field, the Senate concurred in HAs to SB 160.

SB 160, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Clifton, Crow, Holden, Keller, Lane, Porter and Rozell.—7.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 336 were called up for consideration.

Senator Johnson asked to be made a co-author of SB 336, which was the order.

Upon motion of Senator Funston, the Senate concurred in HAs to SB 336.

SB 336, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Clifton, Crow, Holden, Keller, Lane, Porter and Rozell.—7.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

SPECIAL COMMITTEE APPOINTMENT

Pursuant to Enrolled SJR 27, President Pro Tempore Howard appointed Senators Martin, Howell and Tinsley as the Senate members of the special committee on federal surplus property.

GENERAL ORDER

HB 1211 by Floyd of the House and Kilpatrick and York of the Senate was read and considered.

Upon motion of Senator Kilpatrick, HB 1211 was advanced to engrossment.

By unanimous consent, upon request of Senator Kilpatrick, HB 1211 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1211 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Crow, Holden, Keller, Lane, Porter and Rozell.—6.

The bill passed.

HB 1211 was referred for engrossment.

GENERAL ORDER

HB 1125 by Hood, et al, of the House and Cate of the Senate was read and considered.

Upon motion of Senator Cate, HB 1125 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, HB 1125 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1125 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Field, Funston,

Giles, Grantham, Green, Howard, Keating, Kilpatrick, Lambert, Luton, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Stipe, Taliaferro, Tinsley, Vann, Wolfe, York and Young.—30.

Nay: Capps, Dawson, Helm, Howell, Johnson, Lamb, Murphy, Shatwell, Smith, Terrill and Watson.—11.

Excused: Crow, Holden, Keller, Lane, Porter, Rozell and Wadley.—7.

The bill passed.

HB 1125 was referred for engrossment.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, May 3, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Luton, the Senate adjourned at 4:20 p.m. to meet Tuesday, May 3, 1977, at 1:30 p.m.

Sixty-ninth Legislative Day

Tuesday, May 3, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Howard and Pierce.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Wackler, and incorporated into the Journal upon request of Senator Martin.

Almighty and eternal God, we come to Your throne this day in prayer. Your mercies are new unto us every day. Great is Your faithfulness to us. We confess that we have sinned against You many times. We pray that You would forgive us for the sake of Your Son who suffered and died for us and rose again.

We ask Your blessings upon us. Give us courage and determination to do that which is right and pleasing in Your sight. Give us wisdom and insight into our problems that we may come up with decisions pleasing unto You. Give us love toward all people everywhere. Bless our leaders on the national, state and local levels.

We give You the praise, honor and glory. In Jesus name we pray, Amen.

The Journal for the last legislative day was declared approved.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 399 — Social Welfare, and be referred to Committee on Appropriations and Budget by previous order.

DO PASS, as amended:

SB 246 — County, State and Federal Government, and be referred to Committee on Rules by previous order.

CS for SB 371 — Judiciary.

SJR 33 — Rules, as coauthored by Luton of the Senate and Nance, Roberts,

Murphy, Johnson (A.V.), McIntyre, Duke, Bradshaw, Denman, Crutcher, Caldwell and Rogers of the House.

CS for HB 1055 — Rules, as coauthored by Terrill and Lambert.

HB 1120 — Rules, as coauthored by Luton and Lane.

CS for HB 1198 — Judiciary, as coauthored by Clifton and Keating.

CS for HB 1279 — Judiciary, as coauthored by Lambert.

FIRST READING

The following were introduced and read the first time.

SB 408 — By Keating.

An Act relating to public health and safety; amending 63 O.S. 1971, Sections 1-317 through 1-319; providing for death certificates, burial permits and burial transit permits; changing time requirements concerning such certificates and permits; deleting obsolete language concerning unexplained deaths; and setting an effective date.

SJR 35 — By Keller.

A Joint Resolution waiving the immunity of Yukon High School; authorizing the bringing of suit of Kathryn Ann Hilmer, a minor, against independent school district No. 27 of Canadian County, Oklahoma, for damages as a result of Kathryn Ann Hilmer having severed from her right hand all forefingers at the base next to the knuckles as a result of the machine shop class being unsupervised; directing the payment of any judgment rendered in said suit out of the appropriate fund of said school; and declaring an emergency.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1135, 1438 and 1439.

HB 1135 — By Miskelly, Davis (Don)

and Wilson of the House and Crow and Randle of the Senate.

(Board of Trustees of the University Hospital — Amending 70 O.S. Supp. 1976, Section 3306.6 — Emergency).

HB 1438 — By Miskelly.

(State Government — Amending 74 O.S. 1971, Sections 902, and others — Emergency).

HB 1439 — By Wiseman, Duckett and Hammons.

An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2357, as amended by Enrolled Senate Bill No. 155 of the 1st Session of the 36th Oklahoma Legislature; providing for certain allowable tax credits and adding tax credit for excise taxes under certain conditions; 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 1013.

HCR 1013 — By Hastings.

A Concurrent Resolution designating May 9 through 15 as Cystic Fibrosis Week in Oklahoma; and directing distribution.

RESOLUTION

Senator Smith asked for immediate consideration of HCR 1013, which was the order.

Senator Smith asked to be made Senate author and that all other members of the Senate be made coauthors of HCR 1013, which was the order.

Senator Smith introduced the 1977 Cystic Fibrosis Poster Child, Joey Smith, accompanied by Ms. Betty Allen, co-chairman of the State Chapter for Cystic Fibrosis, and

asked unanimous consent, which was granted, that young Joey and Ms. Allen be granted privileges of the floor to receive a copy of the Resolution. Senator Smith further introduced Joey's mother, Mrs. Wanda Smith, and Ms. Allen's son, Jeff, to the members of the Senate.

HCR 1013, as coauthored, was read at length, adopted upon motion of Senator Smith, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 10 was called up for consideration.

The CCR on SB 10 was adopted upon motion of Senator Dawson.

SB 10, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Holden, Howell, Keating, Kilpatrick, Lambert, Lane, Luton, McCune, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wolfe and York.—32.

Nay: Butler, Clifton, Green, Johnson, Keller, Lamb, McDaniel, Martin, Schuelein and Watson.—10.

Excused: Funston, Helm, Howard, Pierce, Wadley and Young.—6.

The bill passed.

SB 10, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

Senators Howard, Funston and Pierce asked to be shown present, which was the order.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Dahl, HAS to SB 190 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Dahl, Crow and Holden.

Senator Wadley presiding.

GENERAL ORDER

HB 1322 by Craighead, et al, of the House and Crow of the Senate was read and considered.

Senators Terrill, Grantham, Luton, Capps, Boatner and Giles asked to be made coauthors of HB 1322, which was the order.

Senator Berrong moved to amend HB 1322, Page 2, Line 10, by inserting after the word "of" and before the word "twenty" the words "not to exceed", which amendment was declared adopted.

Senator Boatner moved to amend HB 1322, Page 2, Line 1, by inserting after the words "solar energy device", wherever they appear in the bill, the words "or insulation as specified in ASHRAE 90-75", which amendment was declared adopted.

Senator Smith moved to amend HB 1322, Page 2, Line 9, by substituting the words "deduction from gross income for reduction of" for the words "credit against" wherever they appear in the bill, which amendment was withdrawn upon the unanimous consent request of Senator Smith.

Senator Crow asked unanimous consent that the title of HB 1322 be crippled, which was the order.

Senator Berrong moved to amend HB 1322, Page 2, Line 18, by adding after the word "of" and before the word "twenty"

the words "not to exceed", which amendment was declared adopted.

Senator Grantham moved to amend HB 1322, Page 3, Line 2, by adding after the period the following: "The credit may only be claimed for each solar energy device for said uses for one year only.", which amendment was declared adopted.

Upon motion of Senator Crow, HB 1322, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1322, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

Senator Randle presiding.

THIRD READING

HB 1322 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Helm and Stipe.—2.

The bill passed.

HB 1322 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 316 and 361 were each correctly en-

grossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1125 and 1211 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 160 and 336 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 67, and naming House Conferees as follows: Representatives Twidwell, Craig and Davis (Guy).

DECLARATION OF VOTE

Senator Boatner asked that the record show had he been present at the time of third reading and final passage of SB 316 and SB 361 he would have voted Aye on said bills, which was the order.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 15, as coauthored by Duckett and Hooper, SB 23, show Kane as principal House author and as coauthored by Nance and Brunton, SB 39, SB 42, SB 61, SB 70, SB 166, as coauthored by Glover, SB 200, as coauthored by Frates and Lawter, SB 228, as coauthored by Sanders, Cotner, Winn and Duckett, and SB 349, as coauthored by Sanders and Wilson; and SJR 1, as coauthored by Nance, Camp, Denman, Hammons, Holaday, Johnson (Don), Joiner, Lawter, McCaleb and Steward, and SJR 30.

The above numbered Bills and Resolutions were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning En-grossed SB 36, as coauthored, SB 48, SB 110, SB 158 as coauthored, and SB 192, each as amended.

HOUSE AMENDMENTS

HAs to SB 36 were read as follows and consideration deferred.

Authors: Show Kane as principal House author and coauthored by Nance, Brunton, Steward, Cleveland, Camp, Holaday, Arnold, Frates, Cowan, Manning and Sanders of the House.

Amendment No. 1. Amend Page 1, Line 21, by striking the figures "1977" and inserting in lieu thereof the figures "1978".

Amendment No. 2. Amend Page 4, Line 6½, by inserting a new Section 2 as follows:

"SECTION 2. This act shall become effective January 1, 1979."

HOUSE AMENDMENTS

HAs to SB 48 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Lines 24 and 25, by restoring the stricken language "in writing, signed in the presence of a competent witness" and deleting the language "entirely in his own handwriting, dated and signed".

HOUSE AMENDMENTS

HAs to SB 110 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and entire bill and substituting the following:

(At the direction of the President Pro

Tempore, HAs to SB 110 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 158 were read as follows and consideration deferred.

Authors: Add the following coauthors: Craig, Duckett, Holaday and Craighead of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 158 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 192 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 4, Line 17, by adding after the word "inhabitants," the following language: "which are located in counties having a population of two hundred fifty thousand (250,000) inhabitants or more,".

Amendment No. 2. Amend Page 4, Line 18, by inserting after the word "which" and before the word "at" the following language: ", on the effective date of this act,".

Amendment No. 3. Amend Page 4, Line 35, by adding a new subsection as follows:

"4. The assessed valuation of the area to

be annexed is not more than five percent (5%) of the total assessed valuation or market value of the district from which the area is being de-annexed."

Amendment No. 4. Amend Page 5, Lines 4 through 7, by deleting the Emergency Clause and on Line 17 of the Title, after the word "LOCATED;" insert the word "AND" and delete the words "; AND DECLARING AN EMERGENCY".

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 144, and naming House Conferees as follows: Representatives Dunn, Bradley and Bernard.

GENERAL ORDER

HB 1258 by Joiner of the House and Smith of the Senate was read and considered.

Senator Green moved to amend HB 1258, Page 2, Line 4, by inserting after the word "maximum" and before the word "tariffs" the following: "nor be less than the minimum and such minimum tariffs shall not be less than two-thirds ($\frac{2}{3}$) of the maximum".

Senator Smith moved to table the Green amendment, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Capps, Crow, Dahl, Dawson, Field, Funston, Grantham, Howell, Johnson, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Taliaferro, Wadley and Wolfe.—28.

Nay: Birdsong, Cate, Clifton, Giles, Holden, Howard, Keating, Lamb, McDaniel, Porter, Schuelein, Stipe, Terrill, Tinsley, Vann, Watson and York.—17.

Excused: Helm and Young.—2.

*Not Voting: Green.—1.

Senator Cate moved to amend HB 1258, Page 2, Line 4, by striking after the word "tariffs" the words "established by the commission" and inserting in lieu thereof the words "set forth in said application".

Senator Wadley presiding.

Senator Randle presiding.

Senator Luton presiding.

Senator Smith moved to table the Cate amendment, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Capps, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Howard, Howell, Johnson, Kilpatrick, Lambert, McCune, Martin, Murphy, Randle, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wolfe and Young.—27.

Nay: Birdsong, Boatner, Cate, Crow, Holden, Keating, Keller, Lamb, Lane, Luton, McDaniel, Pierce, Stipe, Vann and Watson.—15.

Excused: Helm, Porter, Rozell and Wadley.—4.

*Not Voting: Green and York.—2.

Senator Green moved to amend HB 1258, Page 4, Line 7½, by inserting a new subsection to read as follows:

"(E) No person, corporation, automobile service club or governmental unit contracting for wrecker services on a regular basis which pays fees directly to the wrecker operator rendering services shall be subject to maximum or minimum tariffs established by the Corporation Commission."

and by relettering subsequent subsections.

Senator York presiding.

Senator Randle presiding.

Senator Smith moved to table the Green amendment, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Capps, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Lane, McDaniel, Martin, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Wadley and Young.—28.

Nay: Birdsong, Cate, Clifton, Holden, Keating, Lamb, Luton, McCune, Murphy, Pierce, Porter, Stipe, Watson and Wolfe.—14.

Excused: Helm, Terrill, Tinsley and Vann.—4.

*Not Voting: Green and York.—2.

Senator Schuelein moved to amend HB 1258, Page 2, Line 4, by inserting after the word "maximum" and before the word "tariffs" the following: "nor be less than the minimum and such minimum tariffs shall not be less than one-half ($\frac{1}{2}$) of the maximum".

Senator Smith moved to table the Schuelein amendment, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Capps, Dahl, Dawson, Field, Grantham, Howard, Johnson, Keating, Kilpatrick, Lambert, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Shatwell, Smith, Taliaferro, Wolfe and Young.—24.

Nay: Birdsong, Cate, Clifton, Crow, Funston, Giles, Holden, Howell, Keller, Lamb, Lane, Luton, Pierce, Porter, Schuelein, Stipe, Terrill, Tinsley, Wadley and Watson.—20.

Excused: Helm and Vann.—2.

*Not Voting: Green and York.—2.

Senator Cate moved to amend HB 1258, Page 4, Line 10½, by adding a new Section 2 as follows:

"SECTION 2. It shall be unlawful and constitute a misdemeanor offense for any person, firm, corporation or association to charge, directly or indirectly, any wrecker service operator any fee or other compensation for referral of service calls to such operator."

and by renumbering subsequent sections.

Senator Smith moved to table the Cate amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Capps, Dahl, Dawson, Field, Howard, Howell, Johnson, Lambert, Randle, Rozell, Shatwell, Smith, Taliaferro and Terrill.—15.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Funston, Giles, Grantham, Holden, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Stipe, Tinsley, Wadley, Watson, Wolfe and Young.—29.

Excused: Helm and Vann.—2.

*Not Voting: Green and York.—2.

Senator Cate pressed his motion to amend, which amendment was declared adopted.

Upon motion of Senator Smith, HB 1258, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1258, as amended, was

considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1258 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley, Wolfe and Young.—39.

Nay: Clifton, Martin, Porter, Stipe and Watson.—5.

Excused: Helm and Vann.—2.

*Not Voting: Green and York.—2.

The bill and emergency passed.

*Senators Green and York asked unanimous consent, which was granted, that they be shown not voting on HB 1258 or amendments thereto for reason of personal interest, as provided under Article V, Section 24, of the Constitution.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Cate moved that the vote be reconsidered whereby HB 1258 passed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 160 and 336.

The above numbered Enrolled Bills were referred to the Governor.

GENERAL ORDER

HB 1307 by Lancaster, et al, of the House and Lane, Terrill, Luton, Holden, Randle, Clifton, Funston, Cate, Stipe, Crow, Rozell, Murphy, Lamb, Keller, Schuelein and Green of the Senate was read and considered.

Upon motion of Senator Lane, HB 1307 was advanced to engrossment.

By unanimous consent, upon request of Senator Lane, HB 1307 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1307 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—45.

Excused: Helm, Vann and Young.—3.

The bill and emergency passed.

HB 1307 was ordered withheld pursuant to Rule 19(f).

MOTION TO RECONSIDER VOTE

Senator Howard pressed his motion to reconsider the vote whereby the emergency section of SB 255 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Wadley, Watson and York.—38.

Nay: Berrong, Birdsong, Funston, McCune, Porter, Wolfe and Young.—7.

Excused: Helm, Terrill and Vann.—3.

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

Aye: Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lambert, Lane, Luton, McDaniel, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley and York.—34.

Nay: Berrong, Birdsong, Dawson, Funston, Keller, Lamb, McCune, Martin, Pierce, Watson and Wolfe.—11.

Excused: Helm, Vann and Young.—3.

The emergency passed.

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

COMMUNICATION

Senator Stipe asked unanimous consent, which was granted, that the following letter be read and incorporated in the Journal for this legislative day.

May 3, 1977

The Honorable Gene Stipe
State Senator
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Senator Stipe:

In regard to our conversation about highway projects which have been held up in communities with insufficient budget resources to pay the right-of-way costs, I have been assured by the State Transportation Director that the Transportation Commission has authority, under the Statutes, to waive payments for the right-of-ways by the localities.

I am going to contact the members of the Transportation Commission and request that they adopt a policy statement at their next Board Meeting to the effect that the State will pick up right-of-way costs for state highway projects running through any municipalities which have insufficient budgetary resources to pay the costs themselves. This will enable needed projects to move forward without costly delays.

I would recommend that such a policy be adopted in lieu of any further legislative action in this area.

Sincerely yours,

/ s / DAVID L. BOREN

MOTION TO RECONSIDER VOTE

Senator Funston pressed his motion to reconsider the vote whereby SB 255 passed, which motion was tabled upon motion of Senator Howard.

SB 255 was referred for engrossment.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, May 4, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

HB 1307 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Holden, the Senate adjourned at 5:05 p.m. to meet Wednesday, May 4, 1977, at 1:30 p.m.

Seventieth Legislative Day

Wednesday, May 4, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Wackler, and incorporated into the Journal upon request of Senator Martin.

Blessed Lord, we give thanks to You for the blessings You have given us. Make us to know and believe that all good gifts come from Your beautiful hand. We have not deserved them, but You have provided them through Your mercy and grace.

As we have opportunity help us to serve You by serving one another. Guide us by Your spirit that we may be enlightened by

Your word. Lead us always in paths that are pleasing unto You. We also ask Your blessings upon all those who labor in the various branches of our government. Bless those who are our law enforcement officers and grant that they may discharge their duties with firmness, justice and integrity that the citizens of this state might dwell in peace and safety.

Bless our families and loved ones and keep them in Your love and care.

For these and all Your blessings, O Lord, we give You the honor and praise. In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Holden introduced E. H. Lindley, M.D., Duncan, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

CS for SB 386 — County, State and Federal Government.

SB 398 — Environmental and Natural Resources, as coauthored by Kennedy of the House.

HB 1049 — Environmental and Natural Resources, as coauthored by Randle.

CS for HB 1228, as amended — Business, Industry and Labor Relations.

HB 1293 — Judiciary.

UNANIMOUS CONSENT REQUEST

Senator Terrill asked unanimous consent, which was granted, that when **HB 1439** is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 408 — Public and Mental Health.
SJR 35 — Judiciary.

HB 1135 — Appropriations and Budget.

HB 1438 — Appropriations and Budget.

HB 1439 — Direct to Calendar as coauthored by Smith of the Senate.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 3, 1977, of Enrolled SBs 189 and 285, and SJR 27.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed **HCR 1014**.

HCR 1014 — By Fried, Hopkins, Dunn, Cotner, Bengtson, Murphy and Weichel.

A Concurrent Resolution requesting that the Congress of the United States of America take affirmative action on issue of conversion to the metric system; and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

RESOLUTION

Senator Porter introduced the following Resolution:

SCR 20 — By Porter.

A Concurrent Resolution creating a special interim Langston University Study Committee; specifying composition of Committee; authorizing per diem and travel expenses reimbursement to members; and specifying duties of Committee.

Senator Porter asked unanimous consent that the Senate Rules be suspended to consider **SCR 20**, which was the order.

Senator Porter asked unanimous consent, which was granted, to amend **SCR 20**, Page 2, Lines 3 and 4, by striking after the word "Governor" the language "with the advice and consent of the Senate".

Senator Cate presiding.

Senator Berrong moved to amend **SCR 20**, Page 1, Lines 26 and 27, by striking all of subsection 3.

Senator Howell moved to amend **SCR 20**, as a substitute amendment to the Berrong amendment, Page 1, Line 21, by adding after the word "of" and before the word "the" the words "including but not limited to", which amendment was declared adopted.

SCR 20, as amended, was read at length, adopted upon motion of Senator Porter and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1013**.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1307**.

The above numbered Enrolled Bill was,

after fourth reading, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 190, and naming House Conferees as follows: Representatives Weichel, Dunn and Kamas.

MOTION TO RECONSIDER VOTE

Senator York asked for consideration of his motion to reconsider the vote whereby SB 375 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: McCune, McDaniel and Martin.—3.

Excused: Capps and Stipe.—2.

THIRD READING

Senators York and Murphy asked unanimous consent to amend SB 375, Page 1, Line 2, by striking the existing Section 1.A and substituting a new Section 1.A as follows:

“No public utility which has for one of its purpose the sale or distribution of energy may include promotional payments in its operating expenses for rate-making purposes.”,

which was the order.

SB 375 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Boatner and McCune.—2.

Excused: Capps and Stipe.—2.

The bill passed.

SB 375 was referred for engrossment.

RESOLUTION

Senator Howard introduced the following Resolution:

SCR 19 — By Howard of the Senate and Willis of the House.

A Concurrent Resolution expressing appreciation to Mr. John Dean for his outstanding service to the State of Oklahoma; wishing Mr. Dean well in all of his future endeavors; and directing distribution.

Senator Cate asked to be made a coauthor of SCR 19, which was the order.

Senator Howard asked unanimous consent, which was granted, that all other Senators be made coauthors of SCR 19.

SCR 19, as coauthored, was read at length, adopted upon motion of Senator Howard and ordered referred for engrossment.

GENERAL ORDER

SJR 33 by Howard and Luton of the Sen-

ate and Murphy, et al, of the House was read and considered.

Upon motion of Senator Howard, SJR 33 was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SJR 33 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 33 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—39.

Nay: Dawson, Funston, Howell, McCune, Pierce and Smith.—6.

Excused: Porter, Stipe and York.—3.

The resolution passed.

SJR 33 was referred for engrossment.

GENERAL ORDER

HB 1195 by Craig, et al, of the House and Martin of the Senate was read and considered.

Senator Birdsong asked to be made a co-author of HB 1195, which was the order.

Upon motion of Senator Martin, HB 1195, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Martin, HB 1195, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1195 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—39.

Nay: Dahl, Dawson, Keating, Lamb, Schuelein, Smith and Watson.—7.

Excused: Porter and Stipe.—2.

The bill passed.

HB 1195 was ordered withheld pursuant to Rule 19(f).

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 255 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1322 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 15, 23, 39, 42, 61, 70, 166, 200, 228 and 349 and SJRs 1 and 30 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Wadley presiding.

GENERAL ORDER

SB 371 by Wolfe of the Senate and Brunton of the House was read and considered.

Upon motion of Senator Wolfe, SB 371 was advanced to engrossment.

By unanimous consent, upon request of Senator Wolfe, SB 371 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Wolfe asked unanimous consent, which was granted, that further consideration of SB 371 be deferred for this legislative day.

PENDING CONSIDERATION OF HAS

HAs to SB 48 were called up for consideration.

Upon motion of Senator Grantham, the Senate concurred in HAs to SB 48.

SB 48, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Kilpatrick, Porter and Stipe.—3.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 6 were called up for consideration.

Upon motion of Senator Cate, the Senate concurred in HAs to SB 6.

SB 6, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Boatner and Keller.—2.

Excused: Kilpatrick, Pierce, Porter and Stipe.—4.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 15, 23, 39, 42, 61, 70, 166, 200, 228 and 349; and SJR 30.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SJR 1.

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

GENERAL ORDER

HB 1230 by Cleveland of the House and Dahl of the Senate was read and considered.

Senator Keating moved to amend HB 1230, Page 5, Lines 7 and 8, by striking all language on Line 7 and the word "habitation" on Line 8 and inserting the words "each single family residence", which amendment was declared failed of adoption.

Senator Boatner moved to amend HB 1230, Page 6, Line 3, by adding "This act shall become effective March 1, 1978", which amendment was declared adopted.

Upon motion of Senator Dahl, HB 1230, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, HB 1230, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1230 was read for the third time at length.

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

Aye: Butler, Dahl, Field, Funston, Holden, Keating, Lambert, Luton, Terrill and York.—10.

Nay: Berrong, Birdsong, Boatner,

Capps, Cate, Clifton, Crow, Dawson, Giles, Grantham, Green, Helm, Howell, Keller, Lamb, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—33.

Excused: Howard, Johnson, Kilpatrick, Porter and Stipe.—5.

The bill failed.

COMMITTEE REPORT RE SENATE RULES

Mr. President:

We, your Committee on Rules, to which was referred the question of a proposed rule governing the right of a member to request a roll call vote, recommend:

That Rule 34, entitled "VOTING" be inserted as follows, with subsections (a) and (b) being transferred from Rule 1 and with subsection (c) being the new recommended provision on the right of a member to request a roll call vote:

RULE 33. (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 absence 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.

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.

(b) During any roll call, every Senator present shall vote. During said roll call, the Presiding Officer shall request every

Senator in the Chamber who has not voted to vote. If any Senator so requested fails to vote, the Presiding Officer shall, upon declaring the roll, order that said Senator be shown as voting NO on the question. Said order shall be printed in the Journal directly following the printing of the results of the roll call as reflected by the electric voting machine and said NO vote shall be included in the determination of the passage or failure of the question. In all other cases, a Senator who fails to vote shall be shown as excused in the Journal.

(c) On any question for which a roll call vote is not required, a roll call vote shall be in order only if same is requested before the question is put. Once the question has been put and a voice vote taken, the Presiding Officer shall state the side that appears to such Presiding Officer to have prevailed, and any member then may request a division, but shall not be entitled to

request a roll call vote. Upon declaration of the vote, such declaration shall be final.

Subsections (a) and (b) being the last parts of Rule 1, we recommend that those paragraphs be deleted from Rule 1, thus combining provisions on Voting.

Al Terrill,
Chairman

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, May 5, 1977, at 11:30 a.m., which motion prevailed.

BILL RELEASED

HB 1195 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:50 p.m. to meet Thursday, May 5, 1977, at 11:30 a.m.



Seventy-first Legislative Day

Thursday, May 5, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—44.

Excused: Butler, Johnson, Kilpatrick and Young—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Wackler, and incorporated into the Journal upon request of Senator Martin.

Heavenly Father, we come to You today in prayer. We give You thanks for Your kindness to me. We have not deserved all the blessings You have given us, but out of Your mercy and love You have provided them. Continue, we pray, to provide us with all that we need to support the body and life.

Forgive us where we have failed. Help us to walk in the ways of peace and love among ourselves and with all people.

Be with us in times of trials and tribulations. Give us strength and courage to face the difficult tasks of life. Help us to solve these in a manner pleasing to You.

Grant to each of the members of this Senate Your continued blessings.

As President Carter is about to embark on a foreign trip watch over him and his helpers. Grant him success in his work and return him safely to our country.

All of these things we ask in the name of our Lord and Savior Jesus Christ, Amen.

The Journal for the last legislative day was declared approved.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

SB 403 — County, State and Federal Government, as coauthored by Field.

HB 1130 — Appropriations and Budget.

CS for HB 1156 — Appropriations and Budget.

FIRST READING

The following were introduced and read the first time.

SB 409 — By Keating.

An Act relating to civil procedure; repealing 12 O.S. 1971, Sections 109 through 113, limiting certain actions in tort.

**PENDING SENATE ACTION —
RESOLUTION**

HCR 1014 was assigned to the committee on Rules.

RESOLUTION

Senator Wadley introduced the following Resolution.

SCR 21 — By Wadley and Stipe of the Senate and Fitzgibbon of the House.

A Concurrent Resolution designating Congressman Jim Wright as an adopted Oklahoman and Honorary Member of the Oklahoma Congressional Delegation; and directing distribution.

Senator Wadley asked unanimous consent that all other members of the Senate be made coauthors of SCR 21, which was the order.

SCR 21, as coauthored, was read at length, adopted upon motion of Senator Wadley and ordered referred for engrossment.

GENERAL ORDER

HB 1439 by Wiseman, et al, of the House and Smith of the Senate was read and considered.

Senators Murphy, Tinsley and Crow asked to be made coauthors of HB 1439, which was the order.

Senator Wadley presiding.

Upon motion of Senator Smith, HB 1439, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of

Senator Smith, HB 1439, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1439 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—42.

Nay: Pierce.—1.

Excused: Butler, Johnson, Kilpatrick, McDaniel and Young.—5.

The bill passed.

Senators Pierce and McDaniel desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44. Excused: 4.

The emergency passed.

HB 1439 was ordered withheld pursuant to Rule 19(f).

DECLARATION OF VOTE

Senator McDaniel asked that the record show had he been present in the Chamber at the time of third reading and final passage of HB 1439, he would have voted Aye, which was the order.

MESSAGE FROM THE HOUSE

Advising the naming of House members

of the special committee on federal surplus property created by SJR 27: Representatives Davis (Guy), Weichel and Johnson (Don).

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1195.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 375, SJR 33 and SCRs 19 and 20 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 6 and 48 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 359 by Keller, Birdsong, Capps, Lamb, Rozell, McDaniel and Watson was read and considered.

Senators Cate and Funston asked to be made coauthors of SB 359, which was the order.

Senator Keller, citing Rule 8(d), asked unanimous consent, which was granted, that Representative Hood be made House author of SB 359.

Senator Cate moved to amend SB 359, Page 1, Line 1, by striking all language in the bill and substituting the following:

"SECTION 1. 10 O.S. 1971, Section 1101, as amended by Section 1, Chapter 122, O.S.L. 1972 (10 O.S. Supp. 1976, Section 1101), is amended to read as follows:

Section 1101. When used in this act, unless the context otherwise requires:

(a) The term "child" means any person under the age of eighteen (18) years; PROVIDED, HOWEVER, THAT THE TERM "CHILD" SHALL NOT INCLUDE ANY PERSON SIXTEEN (16) OR SEVENTEEN (17) YEARS OF AGE WHO IS CHARGED WITH MURDER, FORCIBLE RAPE, ARMED ROBBERY, AGGRAVATED ASSAULT, FIRST DEGREE BURGLARY OR AUTO THEFT, UNLESS SUCH PERSON HAS BEEN CERTIFIED AS A CHILD BY THE DISTRICT COURT UNDER SECTION 2 OF THIS ACT.

(b) The term "delinquent child" means (1) a child 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.

(c) The term "child in need of supervision" means a child who is habitually truant from school, or who is beyond the control of his parents, guardian or other custodian, or who habitually deports himself so as to injure or endanger the health or morals of himself or others.

(d) The term "dependent or neglected child" means a child who is for any reason destitute, homeless or abandoned; or who is dependent upon the public for support; or who has not the proper parental care or guardianship; or whose home, by reason of neglect, cruelty, or depravity on the part of his parents, guardian or other person in whose care it may be, is an unfit place for such child; or who is in need of special care and treatment because of his physical or mental condition, and his parents, guardian or legal custodian is unable to provide it; or whose parent or legal custodian for good cause desires to be relieved of his custody; or who is without

necessary care or support through no fault of his parents, guardian or custodian. Provided, however, no child who, in good faith, is being provided with treatment and care by spiritual means alone in accordance with the tenets and practice of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a dependent or neglected child under any provision of this act.

(e) The term "Department" means the Department of Public Welfare of the State of Oklahoma.

(f) The term "adjudicatory hearing" means a hearing to determine whether the allegations of a petition under Section 1103 of this Title are supported by the evidence and whether a child should be adjudged to be a ward of the court.

(g) The term "dispositional hearing" means a hearing to determine what order of disposition should be made with respect to a child adjudged to be a ward of the court.

SECTION 2. A. A person sixteen (16) or seventeen (17) years of age, upon being taken into custody for the charge of murder, forcible rape, armed robbery, aggravated assault, first degree burglary, auto theft may be placed in a jail but shall be detained and incarcerated in a room or ward entirely separate from prisoners who are eighteen (18) years of age or over. Upon such person's arrest and detention he and his parent, guardian or next friend shall be informed by the arresting officer of their rights under this section.

B. If, at the preliminary hearing, the court finds that probable cause exists to believe that the sixteen- or seventeen-year-old defendant is guilty of murder, forcible rape, armed robbery, aggravated assault, first degree burglary or auto theft the district court shall, upon application of

the defendant or his parent, guardian or next friend, continue the hearing for a sufficient period of time to conduct an investigation and further hearing to determine whether to certify the defendant as a child. Consideration shall be given to:

1. The seriousness of the alleged offense to the community and whether the alleged offense was committed in an aggressive, violent, premeditated or willful manner;

2. Whether the offense was against persons or property, greater weight being given to offenses against persons especially if personal injury resulted;

3. The sophistication and maturity of the accused and his capability of distinguishing right from wrong as determined by consideration of his psychological evaluation, home, environmental situation, emotional attitude and pattern of living;

4. The record and previous history of the accused, including previous contacts with community agencies, law enforcement agencies, schools, juvenile courts and other jurisdictions, prior periods of probation or prior commitments to juvenile institutions; and

5. The prospects for adequate protection of the public and the likelihood of reasonable rehabilitation of the accused if he is found to be guilty of the alleged offense, by the use of procedures and facilities currently available to the juvenile court. After such investigation and hearing, the district court may in its discretion order that the accused shall be held for proper criminal proceedings, or it shall state its reasons in writing and shall certify that the accused shall be held accountable for his acts as if he were a child and shall be held for proper juvenile proceedings for the specific offense charged, by any division of the court which would have jurisdiction of the offense if committed by a child. The criminal proceeding shall not be dismissed

until the juvenile proceeding has commenced. If no juvenile proceeding commences within thirty (30) days of the date of such certification, unless stayed pending appeal, the court shall proceed with the criminal proceeding and the certification shall lapse.

C. A person who has been certified for proper juvenile proceedings to any division of the district court which would have jurisdiction of the offense if committed by a child, shall not thereafter be subject to proceedings to determine whether he should be certified to stand trial as an adult for the same offense.

D. Any person who is sixteen (16) or seventeen (17) years of age who is convicted, in proper criminal proceedings, of murder, forcible rape, armed robbery, aggravated assault, first degree burglary or auto theft shall not thereafter be subject to the jurisdiction of the juvenile court.

E. An order either certifying a person as a child pursuant to subsection B of this section or denying such certification shall be a final order, appealable when entered, and all such proceedings shall be conducted by the adult division of the district court.

SECTION 3. 10 O.S. 1971, Section 1112, as last amended by Section 2, Chapter 272, O.S.L. 1974 (10 O.S. Supp. 1976, Section 1112), is amended to read as follows:

Section 1112. (a) Except as hereinafter provided, a child who is charged with having violated any state statute or municipal ordinance shall not be tried in a criminal action, but in a juvenile proceeding in accordance with this act. If, during the pendency of a criminal or quasi-criminal charge against any person, it shall be ascertained that the person was a child at the time of committing the alleged offense, the district court or municipal court shall transfer the case, together with all the

papers, documents and testimony connected therewith, to the juvenile division of the district court. The division making such transfer shall order the child to be taken forthwith to the place of detention designated by the juvenile division, to that division itself, or release such child to the custody of some suitable person to be brought before the juvenile division. However, nothing in this act shall be construed to prevent the exercise of concurrent jurisdiction by another division of the district court or by municipal courts in cases involving children wherein the child is charged with the violation of a state or municipal traffic law or ordinance.

(b) [If] EXCEPT AS PROVIDED IN SECTION 2 OF THIS ACT, IF a child is charged with delinquency as a result of an offense which would be a felony if committed by an adult, the court shall consider the following guidelines:

1. The seriousness of the alleged offense to the community;
2. Whether the alleged offense was committed in an aggressive, violent, premeditated or willful manner;
3. Whether the offense was against persons or property, greater weight being given to offenses against persons especially if personal injury resulted;
4. Whether there is prosecutive merit to the complaint;
5. The desirability of trial and disposition of the entire offense in one court when the juvenile's associates in the alleged offense are adults;
6. The sophistication and maturity of the juvenile as determined by consideration of his home, environmental situation, emotional attitude and pattern of living;
7. The record and previous history of the juvenile, including previous contacts with

community agencies, law enforcement agencies, schools, juvenile courts and other jurisdictions, prior periods of probation or prior commitments to juvenile institutions; and

8. The prospects for adequate protection of the public and the likelihood of reasonable rehabilitation of the juvenile if he is found to be guilty of the alleged offense, by the use of procedures and facilities currently available to the juvenile court; and after full investigation and a preliminary hearing, may in its discretion continue the juvenile proceeding, or it may certify such child capable of knowing right from wrong, and to be held accountable for his acts, for proper criminal proceedings to any other division of the court which would have trial jurisdiction of such offense if committed by an adult.

(c) Prior to the entry of an order of adjudication, any child in custody shall have the same right to be released upon bail as would an adult under the same circumstances.

(d) A juvenile sixteen (16) years of age or older may be charged and prosecuted in any municipal court for violating a city ordinance if the offense does not constitute a crime under state law, and, further provided, that the maximum penalty which may be imposed shall not be in excess of Twenty Dollars (\$20.00), and further provided, that the present laws relative to incarceration of juveniles shall be in no way impaired or altered by this act, nor shall this act alter present laws relative to prosecution of juveniles for traffic violations.

SECTION 4. Section 2 of this act shall be codified in the Oklahoma Statutes as Section 1350 of Title 22, unless there is created a duplication in numbering.

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 of this act shall take effect and be in full force from and after its passage and approval."

, which amendment was declared adopted.

Senator Luton moved to amend the Cate amendment, Page 2, Line 3 of subsection "(a)" by deleting after the word "assault" the words "first degree burglary, or auto theft" and by inserting the word "or" after the word "robbery" and by making this change throughout the bill, which amendment was declared adopted.

Senator Cate asked unanimous consent to strike the words "and the certification shall lapse" on Page 4, Paragraph 5, Subsection B of Section 2 of his amendment, which was the order.

Upon motion of Senator Keller, SB 359, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Keller, SB 359, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 359 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Keller, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Rozell, Taliaferro, Terrill, Vann, Wadley, Watson and York.—27.

Nay: Berrong, Crow, Holden, Howard, Howell, Keating, Lane, McCune, Porter, Randle, Schuelein, Shatwell, Smith, Stipe and Wolfe.—15.

Excused: Boatner, Butler, Johnson, Kilpatrick, Tinsley and Young.—6.

The bill passed.

Senator Holden desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 28. Nay: 14. Excused: 6.

The emergency failed.

MOTIONS TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Porter moved that the vote be reconsidered by which SB 359 passed.

As provided under Rule 19(b), Senator Keller moved that the vote be reconsidered by which the emergency section of SB 359 failed.

THIRD READING

Senator Wolfe asked unanimous consent to amend SB 371 on Third Reading, which was the order.

Senator Lamb moved to amend SB 371, Page 2, Line 15, by adding after the word "statutes" and before the word "the" a comma, which amendment was declared adopted.

Senator Lamb moved to amend SB 371, Page 2, Line 17, by striking after the word "to" and before the word "section" the word "this" and inserting the words "the preceding", which amendment was declared adopted.

SB 371 was read for the third time at length.

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

Aye: Birdsong, Cate, Clifton, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe and York.—35.

Nay: Berrong, Capps, Crow, Giles, McCune, Rozell and Schuelein.—7.

Excused: Boatner, Butler, Johnson, Kilpatrick, Tinsley and Young.—6.

The bill passed.

SB 371 was referred for engrossment.

Senator Randle presiding.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 6 and 48.

The above numbered Enrolled Bills were referred to the Governor.

GENERAL ORDER

HB 1430 by Draper and Monks of the House and Stipe of the Senate was read and considered.

Senator Stipe asked unanimous consent, which was granted, that further consideration of HB 1430 be deferred for this legislative day.

EXECUTIVE SESSION

There being matters on the president's desk for the consideration of the Senate in executive session, it was upon motion of Senator Lane that the Senate closed its doors and went into executive session.

The Senate reassembled in open session

with Senator Randle presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Dawson, advised and consented to the confirmation of SAM LACKS, Seminole, as a member of the Wage and Hour Commission (representing industry), to serve coterminous with the Governor and effective upon Senate confirmation. Mr. Lacks succeeds David Buchanon, Okeene.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of J. L. MERRILL, Oklahoma City, as secretary-member of the Oklahoma Tax Commission, to serve a 6-year term ending the second Monday in January of 1983, and effective upon Senate confirmation. Mr. Merrill succeeds himself.

The Senate, in executive session, and upon motion of Senator Shatwell, advised and consented to the confirmation of HARRY L. ROSENGRANTS, Owasso, as a member of the Oklahoma State Board of Public Accountancy to serve a 5-year term ending June 30, 1981, and effective upon Senate confirmation. Mr. Rosengrants succeeds Reavis M. Page.

The Senate, in executive session, and upon motion of Senator Wolfe, advised and consented to the confirmation of CHESTER P. SIMMS, Tulsa, as a member of the Board of Hearing Aid Dealers and

Fitters, to serve a 4-year term ending September 1, 1980, and effective upon Senate confirmation. Mr. Simms succeeds himself.

The Senate, in executive session, and upon motion of Senator Helm, advised and consented to the confirmation of RICHARD VALLEJO, Oklahoma City, as a member of the Human Rights Commission to serve a 3-year term ending July 15, 1978, and effective upon Senate confirmation. Mr. Vallejo succeeds Chris Leyha, Bethany.

The Senate, in executive session, and upon motion of Senator Dawson, advised and consented to the confirmation of CLARE B. WRIGHT, Stroud, as a member of the State Board of Education to serve a 6-year term ending April 1, 1983, and effective upon Senate confirmation. Mr. Wright succeeds Elna Kirkland Juergens, McAlester.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, May 9, 1977, at 1:30 p.m., which motion prevailed.

BILL RELEASED

HB 1439 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 1:50 p.m. to meet Monday, May 9, 1977, at 1:30 p.m.

Seventy-second Legislative Day

Monday, May 9, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Lambert and Porter.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Charles W. Draper, Pastor, First Baptist Church, Yukon, and incorporated into the Journal upon request of Senator Tinsley.

Almighty God, we bow before You in the full awareness of Your presence and Your ability to see deep within us. All of us require Your help today as we seek to serve the people for whom we are responsible. Grant these who serve in this chamber the ability to think and act decisively for the

best interests of the people of our great state.

I pray Your blessing and loving companionship on every individual here today, and I pray in the name of Jesus Christ who died for our sins that we might live with Him forever, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Crow introduced Sandra Maroul, R.N., Altus, as Nurse of the Day.

Senator Keller introduced Mike Hale, M.D., Oklahoma City, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1168 — Appropriations and Budget.

HB 1276 — Revenue and Taxation, as coauthored by Green.

DO PASS, as amended:

SB 400 — Criminal Jurisprudence.

HB 1105 — Public Safety and Penal Affairs, as coauthored by Dahl.

HB 1150 — Appropriations and Budget.

HB 1233 — Revenue and Taxation, as coauthored by Keating, Green and Wolfe. Recorded vote on tabled amendment.

HB 1397 — Public Safety and Penal Affairs, as coauthored by Dahl, McCune, Schuelein and Watson.

FIRST READING

The following were introduced and read the first time.

SB 410 — By Lane of the Senate and Monks of the House.

An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 131, as amended by Section 1, Chapter 193, O.S.L. 1972 (85 O.S. Supp. 1976, Section 131); creating the State Insurance Fund; stating purpose, contents and use of such Fund; stating legislative intent; adding procedures for establishment of premiums; and declaring an emergency.

SB 411 — By Crow of the Senate and Miskelly of the House.

An Act relating to the State Manufactured Mobile Home Board and making an appropriation thereto; stating the purpose; providing for the appointment, duties, and compensation of employees; fixing the salary of the Administrator; limiting the number of full-time-equivalent employees and limiting expenditures of salaries and wages; placing certain limitations of job titles, numbers, and salaries of employees; prohibiting expenditures for certain fees and services; creating a revolving fund; amending Section 9, Chapter 257, O.S.L. 1974 (63 O.S. Supp. 1976, Section 2459); modifying disposition of certain fees and fines; providing lapse date; providing for severability; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 409 — Judiciary.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 4, 1977, of Enrolled SB 228; and May 6, 1977, of Enrolled SBs 23, 39, 42, 48, 61, 160 and 336.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Capps, HAS to SB 7 were rejected and a conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Capps, Funston and Lane.

PENDING CONSIDERATION OF HAS

HAS to SB 36 were called up for consideration.

Senator Boatner asked to be made a co-author of SB 36, which was the order.

Upon motion of Senator Smith, the Senate concurred in HAS to SB 36.

SB 36, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Clifton, Funston, Helm, Lambert and Porter.—5.

The bill passed.

House Amendments were properly

signed and the above-numbered bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1439.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to SB 218 were called up for consideration.

Upon motion of Senator Tinsley, the Senate concurred in HAs to SB 218.

SB 218, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Nay: Butler, Martin, Smith and Wolfe.—4.

Excused: Funston, Helm, Lambert and Porter.—4.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HJR 1019 by Townsend and Ervin of the

House and Stipe of the Senate was read and considered.

Senator Howell asked to be made a coauthor of HJR 1019, which was the order.

Upon motion of Senator Stipe, HJR 1019, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, HJR 1019, as coauthored was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1019 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—36.

Nay: Berrong, Green, Keating, McCune, Smith, Wolfe and Young.—7.

Excused: Butler, Funston, Helm, Lambert and Porter.—5.

The resolution and emergency passed.

HJR 1019 was referred for engrossment.

GENERAL ORDER

SB 398 by Dahl of the Senate and Kennedy of the House was read and considered.

Upon motion of Senator Dahl, SB 398 was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, SB 398 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 398 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Nay: Young.—1.

Excused: Funston, Helm, Lambert and Porter.—4.

The bill and emergency passed.

SB 398 was referred for engrossment.

GENERAL ORDER

HB 1281 by Riggs of the House and Schuelein of the Senate was read and considered.

Senator Berrong moved to amend HB 1281, Page 3, Line 11, by striking after the word "Administration." and before the word "any" on Line 12 the words "Provided that" and by capitalizing the word "any"; and on Page 4, Line 2, by striking the comma after the word "Director" and adding the following: "provided said employee is not otherwise disqualified", which amendment was declared adopted.

Upon motion of Senator Schuelein, HB 1281, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, HB 1281, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1281 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Funston, Helm, Lambert and Porter.—4.

The bill and emergency passed.

HB 1281 was referred for engrossment.

GENERAL ORDER

HB 1335 by Matheson and Hood of the House and Smith of the Senate was read and considered.

Upon motion of Senator Smith, HB 1335 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1335 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1335 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Capps, Funston, Helm, Lambert and Porter.—5.

The bill and emergency passed.

HB 1335 was ordered withheld pursuant to Rule 19(f).

RESOLUTION

Senator York introduced the following Resolution:

SCR 22 — By York.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 200 passed by the First Session of the Thirty-sixth Oklahoma Legislature.

SCR 22 was read at length, adopted upon motion of Senator York and ordered referred for engrossment.

Senator Wadley presiding.

GENERAL ORDER

HB 1009 by Nance of the House and Smith of the Senate was read and considered.

Upon motion of Senator Smith, HB 1009 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1009 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1009 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Crow.—1.

Excused: Funston, Helm, Lambert and Porter.—4.

The bill passed.

HB 1009 was referred for engrossment.

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

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 7, and naming House Conferees as follows: Representatives Bradshaw, Glover and Townsend.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 371 and SCR 21 and 22 were each correctly engrossed, properly signed and

ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 403 by Boatner, Capps and Field of the Senate and Davis (Guy) of the House was read and considered.

Senator Smith moved to amend SB 403, Page 3, Line 1, by substituting the words "at a time when" for the word "as", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Watson and Wolfe.—32.

Nay: Boatner, Capps, Crow, Field, Giles, Holden, Lamb, Rozell, Stipe, Vann, Wadley and Young.—12.

Excused: Funston, Lambert, Porter and York.—4.

Senator Smith moved to amend SB 403, Page 3, by striking Lines 3 and 4.

Senator Boatner moved to table the Smith amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Helm, Holden, Howard, Keller, Lamb, Lane, Rozell, Tinsley, Vann, Wadley and York.—19.

Nay: Berrong, Birdsong, Butler, Clifton, Grantham, Green, Howell, Johnson, Keating, Kilpatrick, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Watson, Wolfe and Young.—26.

Excused: Funston, Lambert and Porter.—3.

Senator Smith pressed his motion to amend, which amendment was declared adopted.

Senator Martin moved that SB 403 be referred to the committee on Education, Common, for further consideration.

Senator Boatner moved to table the Martin motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Helm, Holden, Kilpatrick, Lamb, Lane, Luton, Randle, Smith, Stipe, Tinsley, Vann, Wadley and York.—21.

Nay: Berrong, Birdsong, Butler, Clifton, Grantham, Green, Howard, Howell, Johnson, Keating, Keller, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Taliaferro, Watson, Wolfe and Young.—23.

Excused: Funston, Lambert, Porter and Terrill.—4.

Senator Martin pressed his motion to commit, which motion was declared failed of adoption upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Clifton, Grantham, Green, Howell, Keating, Keller, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Taliaferro, Watson, Wolfe and Young.—21.

Nay: Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Giles, Helm, Holden, Howard, Johnson, Kilpatrick, Lamb, Lane, Luton, Randle, Smith, Stipe, Tinsley, Vann, Wadley and York.—23.

Excused: Funston, Lambert, Porter and Terrill.—4.

Upon motion of Senator Boatner, SB 403, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, SB 403, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Boatner asked unanimous consent, which was granted, that further consideration of SB 403 be deferred for this legislative day.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, May 10, 1977, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 124, as coauthored by Wickersham, and SB 365, as coauthored by Lancaster, Poulos and Denman.

The above numbered Bills were referred for enrollment.

BILLS RELEASED

HB 1258 was referred for engrossment.

HB 1335 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:45 p.m. to meet Tuesday, May 10, 1977, at 1:30 p.m.



Seventy-third Legislative Day

Tuesday, May 10, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Field, Helm and Keller.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Draper, and incorporated into the Journal upon request of Senator Tinsley.

Before I pray, I would just like to say that after spending the morning here and seeing the schedule you are carrying and some of the committee workings and what you have to do between now and June, I think you need a raise!

Join me in prayer.

Heavenly Father, I thank You for every

good thing which we have and experience, because I know that all comes from You. I pray that You would supernaturally give clarity of thought and wisdom to these who serve our state through the vital offices of public trust they hold. May each one realize that this life in all its facets is merely a reflection of eternity, and a prelude to it. May we so live as to honor You with each day of our lives. In Jesus' name I pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Keller introduced Wana Morgan, R.N., Oklahoma City, as Nurse of the Day.

Senator Cate introduced Jose A. Rosell, M.D., Norman, as Doctor of the Day.

REQUESTS FOR LOBBY PERMITS

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

Mayo Jack Elliott, 6321 Vernon Woods Drive, Atlanta, Georgia, 30328, representing National Federation of Independent Business, 150 West 20th Ave., San Mateo, California, 94403.

COMMITTEE REPORTS

The following were reported by the com-

mittees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

CS for SB 267 — Revenue and Taxation. Remove Randle as principal Senate Author and substitute Smith of the Senate.

CS for HB 1314 — Revenue and Taxation.

FIRST READING

The following were introduced and read the first time.

SJR 36 — By Murphy.

A Joint Resolution creating a special interim committee to study specified areas of vocational-technical education; specifying composition and duties of committee; authorizing and empowering said committee to issue processes known to courts of record, subpoena witnesses and records, compel testimony, punish for contempt, employ reporters and other necessary personnel and prepare verbatim transcripts of proceedings; authorizing the payment of per diem and travel expense for committee members and staff; providing for the payment of witness fees as required by the laws of this state; requiring a written report of findings and recommendations to be submitted to the State Senate and the House of Representatives; and declaring an emergency.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 410 — Business, Industry and Labor Relations.

SB 411 — Appropriations and Budget.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HJR 1036.

HJR 1036 — By Hopkins and Cullison of the House and Shatwell of the Senate.

A Joint Resolution expressing legislative intent with respect to Enrolled House Bill No. 1118; and declaring an emergency.

The above numbered HJR was read for the first time.

GENERAL ORDER

SB 400 by Terrill and Taliaferro of the Senate and Duke of the House was read and considered.

Upon motion of Senator Terrill, SB 400 was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, SB 400 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 400 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Boatner and Dawson.—2.

Excused: Field, Helm, Keller, Porter and Tinsley.—5.

The bill passed.

Senator Boatner desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 42. Nay: 1. Excused: 5.

The emergency passed.

SB 400 was referred for engrossment.

**GENERAL CONFERENCE
COMMITTEE ON APPROPRIATIONS —
APPOINTED**

As provided under Rule 3(d), President Pro Tempore Howard appointed the following as Senate members of the General Conference Committee on Appropriations:

Crow, Chairman
Randle, Vice Chairman

Berrong	Murphy
Boatner	Schuelein
Cate	Smith
Grantham	Stipe
Holden	Terrill
Howell	York
Lamb	

Alternates:

Butler	Luton
Funston	McCune
Lane	

**EXECUTIVE COMMITTEE —
LEGISLATIVE COUNCIL**

As provided under 74 O.S. 1971, § 456, President Pro Tempore Howard announced the appointment of the following Senators as members of the Executive Committee of the State Legislative Council:

Birdsong	Martin
Butler	Porter
Capps	Shatwell
Dahl	Tinsley
Dawson	Wadley

Funston	Wolfe
Johnson	Young
Lambert	

Alternates:

Giles	Rozell
Green	Taliaferro
McDaniel	

MESSAGE FROM THE HOUSE

Advising the appointment of the following Representatives as Conferees on the General Conference Committee on Appropriations:

Miskelly, Chairman
Davis (Don), Vice Chairman

Abbott	Murphy
Campbell	Riggs
Denman	Rogers
Draper	Sparkman
Elder	Townsend
Matheson	Trent
Morgan	

Alternates:

Atkins	Parris
Cowan	Roberts
Duke	

MESSAGE FROM THE HOUSE

As provided under 74 O.S. Supp. 1976, § 456, Speaker Willis announced the appointment of the following Representatives as Members of the Executive Committee of the State Legislative Council:

Cullison	Lancaster
Davis (Guy)	McIntyre
Hardesty	Manning
Holden	Monks
Hooper	Peterson
Hopkins	Stephenson
Johnson (A.V.)	Wickersham
Kennedy	

Alternates:

Crutcher	Robinson
Dunn	Steward
Joiner	

Senators Field and Helm asked to be shown present, which was the order.

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 10.

The above numbered Bill as amended in Conference was referred for enrollment.

**MOTION RE SENATE BILLS
IN SENATE COMMITTEES**

Senator Terrill moved that after the close of business today all Senate Bills still in Senate committee, except those bills in Rules and Appropriations and Budget, remain in their respective committees until the next legislative session, which motion was declared adopted.

**MOTION RE SENATE BILLS
ON SENATE CALENDAR**

Senator Terrill moved that after the close of business today all Senate Bills on the Senate Calendar on General Order remain on the Calendar until the next legislative session, unless the bill has been cleared by the leadership of both houses, which motion was declared adopted.

PENDING CONSIDERATION OF HAS

HAs to SB 180 were called up for consideration.

Upon motion of Senator Terrill, the Senate concurred in HAs to SB 180.

SB 180, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—43.

Excused: Keller, Pierce, Porter, Smith and York.—5.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

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

Senator Wadley presiding.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 202.

The above numbered Bill was referred for enrollment.

**REPORT OF ENGROSSED AND
ENROLLED BILLS**

SB 398 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1009, 1258 and 1281 and HJR 1019 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 10, 36, 124, 202, 218 and 365 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 26, SB 100, as coauthored, SB 101, as coauthored, SB 104, SB 111, SB 220, as coauthored, and SB 272, each as amended.

HOUSE AMENDMENTS

HAs to SB 26 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 17½, by adding a new Section 2 to read as follows:

"SECTION 2. This act shall become effective October 1, 1977."

Amendment No. 2. Amend Title to read as follows:

"An Act relating to civil procedure; repealing 12 O.S. 1971, Sections 286 through 292, which relate to the verification of certain denials; and providing an effective date."

HOUSE AMENDMENTS

HAs to SB 100 were read as follows and consideration deferred.

Authors: Add the following coauthor: Johnson (Don) of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 100 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 101 were read as follows and consideration deferred.

Authors: Add the following coauthor: Johnson (Don) of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 101 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 104 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 104 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 111 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 111 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 220 were read as follows and consideration deferred.

Authors: Add the following coauthors: Brunton and Elder of the House.

Amendment No. 1. Amend Page 1, Line 21, by striking the new language as follows: "IN WHICH THE CAUSE OF ACTION AROSE" and inserting in lieu thereof the following: "OF THE RESIDENCE OF THE PERSON SEEKING RELIEF OR, AT THE OPTION OF SUCH PERSON, IN THE COUNTY WHEREIN THE RULE IS SOUGHT TO BE APPLIED".

Amendment No. 2. Amend Page 2, Line 15, by striking the new language as follows: "CAUSE OF ACTION AROSE" and inserting in lieu thereof the following: "PARTY SEEKING REVIEW RESIDES OR AT THE OPTION OF SUCH PARTY WHERE THE PROPERTY INTEREST AFFECTED IS SITUATED".

Amendment No. 3. Amend Page 2, Line 21½, by adding a new section to read as follows:

"SECTION 3. This act shall become effective October 1, 1977."

and amend title to read as follows:

"An Act relating to statutes and reports; amending 75 O.S. 1971, Sections 306 and 318; providing for an action for declaratory judgment to determine validity or applicability of certain rules; providing

for judicial review of certain final orders; modifying provisions for venue; and providing an effective date."

HOUSE AMENDMENTS

HAs to SB 272 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 19, by striking the words and figures "Twenty Thousand Dollars (\$20,000.00)" and inserting in lieu thereof the words and figures "Ten Thousand Dollars (\$10,000.00)".

Amendment No. 2. Amend Page 1, Line 26, by striking the Emergency Clause and in Title on Line 10 after the word "OFFICERS;" insert the word "AND;" and on Line 11 after the word "CODIFICATION" strike the words "; AND DECLARING AN EMERGENCY".

GENERAL ORDER

HB 1228 by Floyd, et al, of the House and Funston of the Senate was read and considered.

Senators Johnson and Berrong asked to be made coauthors of HB 1228, which was the order.

Senator Funston moved to amend HB 1228, Page 2, Line 30, by changing the word "or" to "on", which amendment was declared adopted.

Senator Funston moved to amend HB 1228, Page 3, Lines 9 through 12, by striking all language on Lines 9 through 12 through the word "cases." on Line 12, which amendment was declared adopted.

Senator Berrong moved to amend HB 1228, Page 3, Line 9, by striking after the word "require" and before the word "The" on Line 12, all language on Lines 9 through 12 and reinserting this language

on Page 15, Line 1, after the word "act.", which amendment was declared adopted.

Senator Funston moved to amend HB 1228, Page 3, Line 36, by striking the words "Presiding Judge" and inserting instead the word "Administrator", which amendment was declared adopted.

Senator Crow moved to amend HB 1228, Page 7, Line 7, by striking after the word "than" and before the word "for" the words and figure "\$10,000" and inserting in lieu thereof the words and figure "\$25,000", which amendment was adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Field, Giles, Helm, Holden, Howell, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—28.

Nay: Berrong, Butler, Cate, Dawson, Funston, Grantham, Green, Howard, Keating, Kilpatrick, Lambert, McCune, Pierce, Randle, Shatwell, Smith, Watson and Wolfe.—18.

Excused: Keller and Porter.—2.

Senator Capps moved to amend HB 1228, Page 5, Line 11, by adding after the word "Bureau," and before the word "county" the following "county elected officials and county employees engaged in hazardous employment,".

Senator Smith moved to amend the Capps amendment by inserting after the word "officials" and before the word "and" the following: "while engaged in a hazardous employment at the time of injury", which amendment was declared adopted.

Senator Capps pressed his motion to amend, which amendment, as amended, was declared adopted.

Senator Young moved to amend HB 1228, Page 6, Line 22, by striking "1979" and inserting in lieu thereof "1978".

Senator Funston moved to table the Young amendment, which motion to table was declared adopted.

Senator Crow moved to amend HB 1228, Page 2, Line 8, by adding after the word "large" and before the word "and" a period and striking the balance of the subsection and inserting the following: "Said judges shall be elected by the qualified voters of the area they represent with the exception of the judge which represents the entire state who shall be appointed by the Chief Justice of the Supreme Court of Oklahoma for a term of six years."

Senator Howell moved to table the Crow amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lambert, Luton, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Watson, Wolfe and York.—32.

Nay: Boatner, Capps, Crow, Field, Green, Holden, Lamb, Murphy, Porter, Rozell, Tinsley, Vann, Wadley and Young.—14.

Excused: Keller and Lane.—2.

Senator Young moved to amend HB 1228, Page 6, Lines 19 and 20, by striking after the word "than" the words and figure "\$65,000" and inserting in lieu therefor the words and figure "\$20,000", which amendment was declared failed of adoption upon roll call as follows:

Aye: Butler, Holden, Kilpatrick, Shatwell, Smith, Stipe and Young.—7.

Nay: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Taliaferro, Terrill, Tinsley, Wadley, Watson and Wolfe.—35.

Excused: Keller, Lane, Pierce, Porter, Vann and York.—6.

Senator Green moved to amend HB 1228, Page 2, Line 5, by striking all language in Section 2 on Pages 2 and 3 and inserting new language as follows: "Cases heard will be assigned to the District Court of the jurisdiction in which the accident occurred."

Senator Stipe moved to table the Green amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Dahl, Field, Funston, Giles, Grantham, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Tinsley, Wadley, Watson and York.—31.

Nay: Boatner, Clifton, Crow, Dawson, Green, Helm, Holden, Keating, McCune, Murphy, Taliaferro, Terrill, Wolfe and Young.—14.

Excused: Keller, Pierce and Vann.—3.

Senator Young moved to amend HB 1228, Page 6, Line 30, by striking "\$10,000" and inserting in lieu thereof "\$4,500", which amendment was declared failed of adoption.

Senator Howell moved to amend HB 1228, Page 7, Line 24, by striking after the word "insurance" and before the word "be" on Line 25 the word "shall" and inserting in lieu thereof the word "may",

which amendment was declared failed of adoption upon roll call as follows:

Aye: Cate, Crow, Holden, Howell and Murphy.—5.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—39.

Excused: Field, Howard, Keller and Pierce.—4.

Senators Berrong and Funston moved to amend HB 1228, Page 8, Line 28, by striking after the word "means" and before the word "the" the words "a judge of", which amendment was declared adopted.

Senator Green presiding.

Senator Young moved to amend HB 1228, Page 13, Line 5, by inserting after the word "with" and before the word "the" the following "the worker's ability to perform ordinary manual labor" and by striking all of Lines 6 and 7 through the word "Association".

Senator Dawson moved to amend HB 1228, Page 13, Line 5, as a substitute amendment for the Young amendment, by adding after the word "in" and before the word "accordance" the word "general".

Senator Wadley presiding.

Senator Stipe moved that HB 1228 be advanced, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Crow, Dahl, Field, Funston, Green, Holden, Howell, Johnson, Keating, Lane, Luton,

McDaniel, Martin, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—29.

Nay: Boatner, Cate, Clifton, Dawson, Giles, Grantham, Helm, Kilpatrick, Lamb, Lambert, McCune, Murphy, Porter and Randle.—14.

Excused: Capps, Howard, Keller, Pierce and Vann.—5.

By unanimous consent, upon request of Senator Funston, HB 1228, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Stipe asked unanimous consent, which was granted, that all amendments to HB 1228 on the clerk's desk at the time the motion to advance the bill was made be sent to the conference committee on HB 1228.

HB 1228 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—39.

Nay: Clifton, Porter and Young.—3.

Excused: Capps, Howard, Keller, Pierce, Shatwell and Vann.—6.

The bill passed.

HB 1228 was referred for engrossment.

SPECIAL COMMITTEE REPORT

Pursuant to SJR 27, Senator Martin submitted the report of the Special Committee on Federal Surplus Property to the Senate and a copy of said report was given to each Senator.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 10.

The above numbered Enrolled Bill was referred to the Governor.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1322, requesting Conference and naming Conferees as follows: Representatives Craighead, Nance and Cowan.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for a conference on HB 1322 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Crow, Lane and Randle.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1416, and requesting Conference.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for a conference on HB 1416 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Lambert, Dawson and Randle.

MESSAGE FROM THE GOVERNOR

This is to advise you that on this date (May 10, 1977) I vetoed Enrolled SB 200 by York, Birdsong and Lambert of the Senate and Steward, Frates and Lawter of the House.

The Constitution imposes upon me the obligation to disapprove those measures which I feel, in conscience, would not be in the best interest of the people. This legislation fits that category.

By requiring a simple majority, rather than a three-fourths vote of the City Council to overrule the Planning Commission, this bill would weaken a neighborhood's ability to resist unwanted development. Cities across America have been plagued by the deterioration of residential areas. Commercial developments are vital to the orderly growth of any community, but even more important, is the protection of the integrity of neighborhoods.

Since the City Council is not elected at-large, the people in affected neighborhoods have direct influence only on the council member which they elect from their own ward. This bill would make it possible for others, who have no concern with the neighborhood themselves, to go around the council member from the affected neighborhood to obtain a simple majority on the council. I feel, that at the very least, a simple majority should be required only when the council member from the affected neighborhood votes to overrule the Planning Commission.

In summary, it is my sincere belief that this bill provides inadequate protection against unwanted commercial encroachment upon neighborhoods.

**PENDING SENATE ACTION —
VETO OVERRIDE ON SB 200**

Senator York moved that SB 200 be enacted into law notwithstanding the veto of

the Chief Executive, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Crow, Dahl, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—37.

Nay: Berrong, Capps, Dawson, Giles, McCune and McDaniel.—6.

Excused: Clifton, Howard, Keller, Pierce and Vann.—5.

In accordance with Section 12, Article 6, of the Constitution, SB 200, together with the Governor's Veto Message thereon, was transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1335.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 10, 1977, of Enrolled SBs 6, 15, 70, 166 and 349 and SJR 30.

GENERAL ORDER

HB 1055 by Cleveland, et al, of the House and Stipe, Terrill and Lambert of the Senate was read and considered.

Senator Luton asked to be made a coauthor of HB 1055, which was the order.

Senator Stipe, citing Rule 8(d), asked unanimous consent that Representative

Fried be made a coauthor of HB 1055, which was the order.

Senator Stipe moved to amend HB 1055 as follows:

Page 8, Lines 1, 2, 3 and 4, by striking all language;

Page 8, Lines 6, 7, 8 and 9, by placing a period after the word "commission" and striking the remainder of the language;

Page 8, Lines 23, 24 and 25, by striking all new language;

Page 10, Line 21, by adding the words "among other factors," between the words "shown" and "that";

Page 11, Lines 28-33, by striking all language;

Page 26, Line 33, by striking the words "more than"; and

Page 79, Line 17½, by adding a new Section 12 to read as follows: "40 O.S. 1971, § 238, is hereby repealed effective December 31, 1977.", which amendment was declared adopted.

Senator Stipe moved to amend HB 1055, Page 7, Lines 14 through 30, by striking all language and substituting the following:

"(h) (1) Effective January 1, 1978, benefits shall not be paid on the basis of services performed by an alien unless such alien is an individual who has been lawfully admitted for permanent residence or otherwise is permanently residing in the United States under color of law, including an alien who is lawfully present in the United States as a result of the application of the provisions of Section 203 (a) (7) or Section 212 (d) (5) of the Immigration and Nationality Act. Provided, that any modifications to the provisions of Section 3304 (a) (14) of the Federal Unemployment Tax Act as provided by Public Law 94-566

which specify other conditions or other effective dates than stated herein for the denial of benefits based on services performed by aliens and which modifications are required to be implemented under state law as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, shall be deemed applicable under the provisions of this paragraph.

(2) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(3) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his alien status shall be made except upon a preponderance of the evidence.

(i) Benefits based on service in employment defined in Section 4 229 (f) (1) (B), (C) or (D) of this title shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to the Oklahoma Employment Security Act, Sections 211 et seq. of this title; except that benefits based on service in instructional, research, or principal administrative capacity in an institution of higher education, as defined in Section 4 229 (s) of this title, shall not be paid to an individual for any week of unemployment which begins during the period between two (2) successive academic years, or during a similar period between two (2) regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for any institution or institutions of higher education for both such academic years or both such terms.

(j) Benefits based on service in employment defined in Section 229 (f) (1) (B), (C) or (D) of this title shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other service subject to the Oklahoma Employment Security Act, except that:

(1) With respect to service performed after December 31, 1977, in an instructional, research or principal administrative capacity for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two (2) successive academic years, or during a similar period between two (2) regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms. Provided, that subsection (h) of this section shall apply with respect to such services prior to January 1, 1978.

(2) With respect to services performed after December 31, 1977, in any other capacity for an educational institution, other than an institution of higher education as defined in Section 229 (s) of this title, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two (2) successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms.”,

which amendment was declared adopted.

Senator Stipe moved to amend **HB 1055**,

Page 9, Line 8, by striking the word “opened” and replacing it with the word “offered”, which amendment was declared adopted.

Senator Stipe moved to amend **HB 1055**, Page 28, Line 18, by changing the figures “311” to “211”, which amendment was declared adopted.

Senator Stipe moved to amend **HB 1055**, Page 79, Line 21½, by adding a new Section 14 to read as follows:

“SECTION 14. Sections 1, 2 and 3 of this act shall become effective July 1, 1977.”,

and by renumbering the last section as “15”, which amendment was declared adopted.

Upon motion of Senator Stipe, **HB 1055**, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, **HB 1055**, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1055 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Howard, Howell, Keller, Pierce and Vann.—5.

The bill passed.

Senator Howell desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44. Excused: 4.

The emergency passed.

HB 1055 was referred for engrossment.

DECLARATION OF VOTE

Senator Shatwell asked that the record show had he been present at the time of third reading and final passage of HB 1228 he would have voted "aye" on the bill, which was the order.

DECLARATION OF VOTE

Senator Capps asked that the record show had he been present at the time of third reading and final passage of HB 1228 he would have voted "aye" on the bill, which was the order.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 283 and 357.

The above numbered Bills were referred for enrollment.

RESOLUTION

Senator Lambert introduced the following Resolution:

SCR 23 — By Lambert.

A Concurrent Resolution expressing legislative approval of both the Oklahoma Natural Heritage Development Trust and the acceptance of beneficial interest therein on behalf of this state by the Governor; and directing distribution.

SCR 23 was read at length, adopted upon

motion of Senator Lambert, and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 36, 124, 202, 218 and 365.

The above numbered Enrolled Bills were referred to the Governor.

PENDING CONSIDERATION OF HAS

HAs to SB 158 were called up for consideration.

Upon motion of Senator Cate, the Senate concurred in HAs to SB 158.

SB 158, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, York and Young.—39.

Nay: Dawson, Funston, Howell and Wolfe.—4.

Excused: Boatner, Howard, Keller, Pierce and Vann.—5.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

SB 232 by Luton, Howard and Lane was read and considered.

Senator Luton moved to amend SB 232, Page 3, Line 14, by changing the figures "\$600.00" and "\$850.00" to "\$800.00" and "\$1,100.00", which amendment was declared adopted.

Upon motion of Senator Luton, SB 232, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, SB 232, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 232 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune,

McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—40.

Nay: Dawson, Smith and Young.—3.

Excused: Boatner, Howard, Keller, Pierce and Vann.—5.

The bill and emergency passed.

SB 232 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1211, as amended.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, May 11, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 5:30 p.m. to meet Wednesday, May 11, 1977, at 1:30 p.m.

Seventy-fourth Legislative Day

Wednesday, May 11, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Vann, Watson, Wolfe, York and Young.—41.

Excused: Keller, Kilpatrick, Pierce, Smith, Stipe, Tinsley and Wadley.—7.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Draper, and incorporated into the Journal upon request of Senator Tinsley.

Lord Jesus, all of nature reminds us of Your concern for man, as You have created all its bounty for us! We thank You and stand in awe of the infinite love You have shown us in a thousand ways. Keep us aware of Your presence and devoted to Your purposes. May these leaders in our state government serve effectively as they work to improve the quality of life for all of our people.

May we recognize always that You are the source and substance of all that we possess.

I pray in the name of Jesus, who died in our place, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Berrong introduced Susan Sullivan, R.N., Thomas, as Nurse of the Day.

Senator Tinsley introduced Gary K. Borrell, M.D., Yukon, as Doctor of the Day.

UNANIMOUS CONSENT REQUEST

Senator Murphy asked unanimous consent, which was granted, that the Committee on Constitutional Revision and Regulatory Services be allowed to report out SJR 34.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 399 — Appropriations and Budget, as coauthored by Porter.

SJR 34 — Constitutional Revision and Regulatory Services.

DO PASS, as amended:

HB 1139 — Appropriations and Budget, as coauthored by Young.

HB 1188 — Professions and Occupations, as coauthored by Funston and Cate and be referred to Committee on County, State and Federal Government by previous order.

HB 1345 — Education, Common, as coauthored by Terrill and Funston and be referred to Committee on Rules by previous order.

FIRST READING

The following were introduced and read the first time.

SJR 37 — By Murphy.

A Joint Resolution waiving the statute of limitations and authorizing James E. Edwards, Jr., to bring suit against Oklahoma State University to determine the amount of damages, if any, sustained by him from personal injuries due to an explosion while in employment with Oklahoma State University; providing for service of summons; providing for venue; and directing the payment of any judgment rendered in said suit out of the Oklahoma State University general fund.

UNANIMOUS CONSENT REQUEST

Senator Luton asked unanimous consent, which was granted, that when **HJR 1036** is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 36 — Education, Higher.

HJR 1036 — Direct to Calendar.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 1229**.

HB 1229 — By Matheson, et al, of the House and Dawson of the Senate.

An Act relating to state government; regulating lobbying practices in Oklahoma; defining terms; requiring certain persons to register and making exclusions; specifying information required for registration; requiring reports of registrants and specifying contents; providing method for notifying of termination of activities registered; providing record procedures; prohibiting certain practices and providing penalties; providing for enforcement; imposing certain duties on the Joint Legislative Ethics Committee; repealing 21 O.S. 1971, Sections 313 and 314; directing codification; providing for severability; and providing effective date.

The above numbered **HB** was read for the first time.

MOTION

Senator Martin moved that the report of the Special Committee on Federal Surplus Property which had been previously submitted (page 659) be adopted, which motion was declared adopted.

CONFERENCE COMMITTEE REPORT

The following **CCR** on **SB 265** was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred **SB 265** by York, Luton, et al, of the Senate and Nance, Elder, et al, of the House, entitled:

An Act relating to motor vehicles; *** providing for powers, duties and salaries

of certain motor license and tag agents *** 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 Amendment.

2. That the attached Conference Substitute be accepted.

3. That the following coauthors be added: Murphy, Field and Cate of the Senate and Matheson of the House.

(Pursuant to Rule 10(b), copies of the CCS for SB 265 were distributed to all Senators.)

Respectfully submitted,

FOR THE SENATE: York, Luton, Murphy, Field and Cate.

FOR THE HOUSE: Nance, Elder, Davis (Don) and Matheson.

GENERAL ORDER

HB 1088 by Sanders of the House and Howell of the Senate was read and considered.

Upon motion of Senator Howell, HB 1088 was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, HB 1088 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1088 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Vann, Watson, York and Young.—39.

Nay: Lambert and Wolfe.—2.

Excused: Keller, Kilpatrick, Pierce, Smith, Stipe, Tinsley and Wadley.—7.

The bill and emergency passed.

HB 1088 was ordered withheld pursuant to Rule 19(f).

Senators Kilpatrick, Tinsley and Wadley asked to be shown present, which was the order.

GENERAL ORDER

HB 1077 by Monks and Bradley of the House and Dahl of the Senate was read and considered.

Upon motion of Senator Dahl, HB 1077 was advanced to engrossment.

By unanimous consent, upon request of Senator Dahl, HB 1077 was considered engrossed and placed on third reading and final passage.

Senator Randle presiding.

THIRD READING

HB 1077 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—40.

Nay: Martin, Wolfe and Young.—3.

Excused: Keller, Pierce, Porter, Smith and Stipe.—5.

The bill passed.

HB 1077 was ordered withheld pursuant to Rule 19(f).

CONFERENCE COMMITTEE REPORT

The following CCR on SB 144 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred Engrossed SB 144 by Tinsley, Lane, Vann, Capps, Dahl, Field, Giles, Holden and Schuelein of the Senate and Dunn, et al, of the House, entitled:

An Act relating to public finance; amending 62 O.S. 1971, Sections 310.1, 310.2, 310.3 and 310.4; modifying purchasing procedures of county, school district *** 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 Senate accept House Amendments 1, 2 and 4.

2. That the House recede from House Amendments 3 and 5.

3. That the following Conference Committee Amendments be adopted:

(1) Page 4, Lines 12 through 16, after the word and figure "SECTION 4", delete all language through the word "supervision;" on line 16 and insert the following:

"A. The board of county commissioners may designate each of its members and not to exceed four other county employees as purchasing officers for the department of county highways. The board may also designate not to exceed two county employees as purchasing officers for each of the other departments of county government under the direct control and supervision of the board of county commissioners. Each such purchasing officer shall have the authority to make purchases of supplies, materials, and repairs necessary for the normal maintenance and operation of the applicable department of government;"

(2) Page 4, after line 33, add a new subsection "B" to read as follows:

"B. It shall also be the responsibility of the board of county commissioners to determine and enter in the minutes of their meeting at the beginning of each month the amount of county highway funds which may be encumbered by the purchasing officers during that month. The amounts so determined may be amended at any subsequent meeting during the month by a motion properly approved and entered in the minutes of their meeting. Purchasing agents for those departments under the direct control and supervision of the board of county commissioners, other than the department of county highways, shall not incur an indebtedness in excess of Five Hundred Dollars (\$500.00) without prior authorization by the board of county commissioners."

(3) Page 6, line 32, after the word "repealed" and before the period insert the following: "except that none of the provisions of this act shall be applicable to school districts operating under the provisions of 70 O.S. 1971, Section 5-135, nor shall any of the provisions of this bill be interpreted as repealing or amending any laws or statutes requiring competitive bids on supplies, materials or equipment".

(4) Amend the Title to read as follows:

"An Act relating to public finance; amending 62 O.S. 1971, Sections 310.1, 310.2, 310.3 and 310.4; modifying purchasing procedures of certain county, school district and municipal officers and designated employees; requiring that invoices be signed by person accepting delivery of goods; providing for approval of purchase order by governing board; authorizing boards of county commissioners to designate purchasing officers; specifying penalties for unauthorized purchases; requiring that all county purchasing officers be bonded; restricting authority of such purchasing officers; setting county and municipal fiscal procedures; setting an operative date; providing for severability; repealing conflicting laws with specified limitations; directing codification; and declaring an emergency."

Respectfully submitted,

FOR THE SENATE: Tinsley, Lane and Vann.

FOR THE HOUSE: Dunn, Bradley and Bernard.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 10, 1977, of Enrolled SB 10.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1211.

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 Enrolled SB 11, as coauthored, SB 96, as coauthored, SB 99, as coauthored, SB 112 and SB 191, as coauthored, and SJR 23, as coauthored, each as amended.

HOUSE AMENDMENTS

HAS to SB 11 were read as follows and consideration deferred.

Authors: Add the following coauthors: Cotner and Anderson of the House.

Amendment No. 1. Amend Page 1, Lines 16 and 17, after the word "shall" and before the word "display", delete the words "cause to be constructed" and insert the word "PROVIDE".

Amendment No. 2. Amend Page 1, Line 24, after the word "wars," and before the word "and" insert the following language: "AS RECOGNIZED BY THE STATE HISTORICAL SOCIETY,".

HOUSE AMENDMENTS

HAS to SB 96 were read as follows and consideration deferred.

Authors: Add the following coauthor: Wilson of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and entire bill and substituting the following:

(At the direction of the President Pro Tempore, HAS to SB 96 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 99 were read as follows and consideration deferred.

Authors: Add the following coauthor: Vaughn of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 99 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 112 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 112 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 191 were read as follows and consideration deferred.

Authors: Add the following coauthor: Wilson of the House.

Amendment No. 1. Amend Page 1, Line 25, by adding after the word "Unions" and before the period the following: ", and provided that any changes made in the Federal Credit Union Act shall first be ap-

proved by the State Banking Board", and Line 11½ of the Title by inserting after "BOARD" the following: "AND PROVIDING FOR APPROVAL BY THE STATE BANKING BOARD".

HOUSE AMENDMENTS

HAs to SJR 23 were read as follows and consideration deferred.

Authors: Add the following coauthors: Craighead and Bennett of the House.

Amendment No. 1. Amend Page 1, Line 29, by striking the word "Each" and inserting in lieu thereof the following: "The board of regents of each".

Amendment No. 2. Amend Page 1, Line 35, by striking the word "institution" before the word "is" and inserting in lieu thereof the following: "board of regents".

Amendment No. 3. Amend Page 2, Line 1, by striking the words "Each institution" and inserting in lieu thereof the following: "The board of regents of each public institution of higher education".

Amendment No. 4. Amend Page 2, Line 9, by inserting before the word "each" the following: "the board of regents of", and amend the Title on Line 10½ by inserting after the word "DIRECTING" and before the word "EACH" the words "THE BOARD OF REGENTS OF".

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 232 and 400 and SCR 23 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1055 and 1228 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 158, 180, 283 and 357 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

PENDING CONSIDERATION OF CCR

The CCR on SB 265 was called up for consideration.

Senator York asked unanimous consent, which was granted, that Bob Goldfield be given privileges of the floor to assist in the explanation and questions on the bill.

Senators Keating and Johnson asked to be made coauthors of SB 265, which was the order.

Senator McDaniel moved that consideration of the CCR on SB 265 be deferred until Monday, May 16, 1977.

Senator McDaniel asked unanimous consent to change the date on his motion to Thursday, May 12, 1977, to which request objection was heard.

Senator Murphy moved, as an in lieu motion to the McDaniel motion, that the explanation of the CCR on SB 265 be continued and that the vote on the bill be deferred until Thursday, May 12, 1977.

Senator Luton moved, as a substitute motion to the Murphy in lieu motion, that the explanation of the CCR on SB 265 continue and at the end thereof the decision be made as to when to vote on the bill, which substitute motion was declared adopted.

Senator Martin moved that the Senate operate under the Call of the Senate for this legislative day, as provided by Rule 5.

Senator Lamb moved to table the Martin motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Capps, Clifton,

Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Lamb, Lane, Luton, McCune, Murphy, Randle, Taliaferro, Terrill, Tinsley, Watson, Wolfe and York.—25.

Nay: Birdsong, Butler, Cate, Dahl, Dawson, Giles, Kilpatrick, Lambert, McDaniel, Martin, Porter, Rozell, Schuelein, Shatwell, Vann, Wadley and Young.—17.

Excused: Crow, Howard, Keller, Pierce, Smith and Stipe.—6.

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

Senator Wadley presiding.

Senator Green presiding.

Senator Luton moved that the CCR on SB 265 be rejected, further conference be requested and that the same Senate Conferees be appointed, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HJR 1019, requesting Conference and referring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for Conference on HJR 1019 was ordered granted, said bill to be referred to GCCA.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day:

SCR 24 — By Tinsley, Field, Grantham and Stipe.

A Concurrent Resolution recalling the

distinguished career of James A. Rinehart, the former Dean of the Senate; extending the sympathy and condolences of the Oklahoma Legislature to the family of Mr. Rinehart; and directing distribution.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 67 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 67 by Keating of the Senate and Twidwell, et al, of the House, entitled:

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 455; establishing penalty for prevention of witness from answering summons or subpoena; and prohibiting the intimidation of witnesses.

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 Senate accept Engrossed House Amendments 2 and 3.
2. That the House recede from Engrossed House Amendment 1.
3. That the Conference Committee amendment be adopted as follows:

Amend Page 1, Lines 18 through 23, to read as follows:

“Every person who wilfully prevents or dissuades any person FROM GIVING TESTIMONY who has been duly [summoned or] subpoenaed OR EN-

DORSED ON THE CRIMINAL INFORMATION as a witness [from attending pursuant to the command of the summons or subpoena] OR THREATENS PHYSICAL OR MENTAL HARM THROUGH FORCE OR FEAR WITH THE INTENT TO PREVENT THE WITNESS FROM APPEARING IN COURT TO GIVE HIS TESTIMONY, OR TO ALTER HIS TESTIMONY, is guilty of a felony PUNISHABLE BY NOT LESS THAN ONE (1) YEAR NOR MORE THAN THREE (3) YEARS IN PRISON.”

Respectfully submitted,

FOR THE SENATE: Keating, Clifton and Cate.

FOR THE HOUSE: Twidwell, Craig and Davis (Guy).

CONFERENCE COMMITTEE REPORT

The following CCR on SB 190 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 190 by Dahl, et al, of the Senate and Weichel of the House, entitled:

An Act relating to agriculture; amending 2 O.S. 1971, Sections 3-61, 3-62, 3-64, 3-81 *** changing certain definitions; expanding provisions which prohibit certain acts *** modifying certain licensing provisions *** and modifying certain exemptions.

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 Senate accept House Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

Page 10, Line 3, by adding after the word "[defined.]" the following language: Provided, however, that any farmer while working for his neighbor in agricultural production on neighboring land, and not advertising, nor holding himself out to be in the business of applying restricted use pesticides, shall not be classified as a commercial applicator.

Respectfully submitted,

FOR THE SENATE: Dahl, Crow and Holden.

FOR THE HOUSE: Weichel, Kamas and Dunn.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 352, as coauthored by Elder, and SJRs 18 and 19.

The above numbered Bill and Resolutions were referred for enrollment.

MESSAGE FROM THE HOUSE

In accordance with the Oklahoma Constitution, Article VI, Section 12, the House of Representatives advises the Honorable

Senate that the House of Representatives has overridden the veto by the Governor of SB 200, by the vote of 77-16.

Enrolled SB 200 was transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 158, 180, 283 and 357.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 265, and naming same House Conferees.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, May 12, 1977, at 11:30 a.m., which motion prevailed.

BILLS RELEASED

SB 359 was referred for engrossment.

HBs 1077 and 1088 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 4:45 p.m. to meet Thursday, May 12, 1977, at 11:30 a.m.



Seventy-fifth Legislative Day

Thursday, May 12, 1977

Pursuant to adjournment, the Senate was called to order by Senator Holden, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Berrong, Keller, Pierce, Porter, Smith and Stipe.—6.

Senator Holden declared a quorum present.

The following remarks and prayer were offered by Reverend Draper, and incorporated into the Journal upon request of Senator Tinsley.

It has been a privilege for me to share in the affairs of this body for these few days, and I am deeply grateful to you for the invitation. I appreciate your devotion to the task that is yours, and your commitment to the people of Oklahoma.

I have only one thing to offer in any

forum, and that is the counsel of God as reflected in His word, the Bible. I would remind you that God created man for himself, and it is only as an individual is forgiven of his sins, and at peace with God that his life will give the satisfaction he seeks. Only through personal faith in Jesus Christ can a man come to God. The main business of life is to prepare for eternity, and nothing else we do will be fully meaningful until we make that preparation.

I applaud your effectiveness in government, and I sincerely hope that each of you will realize your fullest potential in service to God, your families, and your constituents.

Blessed Lord Jesus, I thank You that You cared for us enough to put skin on and become a man, living among us, showing us what we are intended to be. Thank You for dying a criminal's death, that we might be spared for eternity. I pray that each person here today will come to full assurance that he has a personal relationship to You, and that his eternity is secure. I pray with the Psalmist David, "Search me, O God, and know my heart; try me, and know my thoughts; and see if there be any wicked way in me, and lead me in the way, everlasting."

Forgive us, cleanse us, and make us over anew in the likeness of Jesus. In His name I pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Tinsley introduced Mary Gilmour, R.N., Kingfisher, as Nurse of the Day.

Senator Lambert introduced Johnny B. Roy, M.D., Oklahoma City, as Doctor of the Day.

Senator Johnson introduced his wife, Martha, to members of the Senate.

UNANIMOUS CONSENT REQUEST

Senator Murphy asked unanimous consent, which was granted, that the Committee on Education, Higher, be allowed to report out SJR 36.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1110 — Professions and Occupations, as coauthored by Lambert.

DO PASS, as amended:

CS for SJR 36 — Education, Higher, as coauthored by Manning of the House.

CS for HB 1158 — Appropriations and Budget, as coauthored by Young.

CS for HB 1328 — Constitutional Revision and Regulatory Services.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when SJR 37 is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 37 — Direct to Calendar.

HB 1229 — County, State and Federal Government.

RESOLUTION

SCR 24, introduced on page 671, was called up for consideration.

Senator Tinsley asked unanimous consent, which was granted, that all other members of the Senate be made coauthors of SCR 24.

SCR 24, as coauthored, was read at length, adopted upon motion of Senator Tinsley and ordered referred for engrossment.

Senator Green presiding.

GENERAL ORDER

HB 1271 by Anderson of the House and Howell of the Senate was read and considered.

Upon motion of Senator Howell, HB 1271 was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, HB 1271 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1271 was read for the third time at length.

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

Aye: Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm,

Holden, Howard, Howell, Johnson, Keating, Luton, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Wadley, Watson and York.—27.

Nay: Birdsong, Boatner, Capps, Funston, Grantham, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Vann, Wolfe and Young.—15.

Excused: Berrong, Keller, Pierce, Porter, Smith and Stipe.—6.

The bill passed.

HB 1271 was ordered withheld pursuant to Rule 19(f).

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

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 359 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 352 and SJRs 18 and 19 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

HJR 1036 by Hopkins and Cullison of the House and Shatwell of the Senate was read and considered.

Upon motion of Senator Shatwell, HJR 1036 was advanced to engrossment.

By unanimous consent, upon request of Senator Shatwell, HJR 1036 was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1036 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—39.

Nay: Wolfe.—1.

Excused: Berrong, Cate, Field, Keller, Murphy, Porter, Smith and York.—8.

The resolution and emergency passed.

HJR 1036 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HJR 1003 by Peterson of the House and Lambert and Grantham of the Senate was read and considered.

Upon motion of Senator Lambert, HJR 1003 was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, HJR 1003 was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1003 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden,

Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—37.

Nay: Johnson and Stipe.—2.

Excused: Berrong, Cate, Field, Keller, Luton, Murphy, Porter, Smith and York.—9.

The resolution and emergency passed.

HJR 1003 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

SB 88 by Crow and Randle of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Upon motion of Senator Crow, SB 88 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 88 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 88 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—39.

Nay: Pierce.—1.

Excused: Berrong, Cate, Field, Keller, Luton, Porter, Smith and York.—8.

The bill and emergency passed.

SB 88 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 122, as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 122 were read as follows and consideration deferred.

Authors: Add the following coauthors: Hood, Duckett and Hammons of the House.

Amendment No. 1. Amend Article I, Section 602, subsection 2, Page 2, Lines 3 through 5, by striking all language after the word "communication;" as follows: "or advertising relating to land exempt under Section 622 of this Code or transactions exempt under Section 623 of this Code;".

Amendment No. 2. Amend Article I, Section 602, subsection 3, Page 2, Lines 9 through 11, by striking all the language after the word "engaged" as follows: ", but does not include an attorney whose performance of such services is solely incidental to the practice of his profession".

Amendment No. 3. Amend Article I, Section 602, subsection 15, Page 3, Lines 28 through 30, after the word "person", strike the remaining language as follows: ", but shall not include a person whose dealings relate solely to property exempt under Section 622 of this Code or to transactions exempt under Section 623 of this Code".

Amendment No. 4. Amend Article II, Section 623, subsection 1, Page 2, Line 3, after the word "of" and before the word "lands" insert the word "subdivided".

Amendment No. 5. Amend Article II, Section 626 B, Page 7, Line 21, by changing the number "19" to "20".

Amendment No. 6. Amend Article II, Section 627 C, Page 9, Line 20, by changing the word "days" to "years".

Amendment No. 7. Amend Article IV, Section 642, Page 1, Line 14, after the word "subdivision" and before the word "subject" insert the following: "required to be registered under this Code which is".

Amendment No. 8. Amend Article V, Section 652, Page 1, Line 29 through Page 2, Line 2, by striking subsections "D" and "E" and inserting a new subsection "D" as follows:

"D. All funds collected hereunder shall be deposited to the General Revenue Fund."

Amendment No. 9. Amend Article V, Section 653, subsection 2, Page 2, Line 11, by striking the word "the" and inserting the word "a".

Amendment No. 10. Amend Article V, Section 654, Page 2, Line 20, by inserting after the word "made" and before the word "any" the following: ", in any document filed under this Code or in any proceeding under this Code,".

Amendment No. 11. Amend Article V, Section 657 B, Page 4, Line 25, by inserting after the word "land" and before the period "." the words "required to be registered under this Code".

Amendment No. 12. Amend Article V, Section 658, subsection A, Page 4, Line 34, by striking the words and figures "Five Thousand Dollars (\$5,000.00)" and inserting the words and figures "Twenty-five

Thousand Dollars (\$25,000.00)." and striking the remaining language in subsection "A" through the word "offense." on Page 5, Line 3.

Amendment No. 13. Amend Article V, Section 658, subsection B, Page 5, Lines 8 through 11, by striking the following language: "If referred to a district attorney, he shall within sixty (60) days file with the Administrator a statement concerning any action taken or, if no action has been taken, the reasons therefor."

Amendment No. 14. Amend Article V, Section 660, Page 7, Line 18, by striking the word "unregistered", and after the word "land" and before the word "is" insert the words "required to be registered under this Code".

GENERAL ORDER

SB 355 by Crow of the Senate and Miskelly of the House was read and considered.

Senator Crow asked unanimous consent to amend SB 355 by restoring the title, which was the order.

Upon motion of Senator Crow, SB 355, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, SB 355, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 355 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Funston,

Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—39.

Excused: Berrong, Cate, Field, Keller, Luton, Murphy, Porter, Smith and York.—9.

The bill and emergency passed.

SB 355 was referred for engrossment.

Senator Wadley presiding.

GENERAL ORDER

HB 1130 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1130 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1130 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1130 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—40.

Nay: Helm.—1.

Excused: Berrong, Cate, Keller, Murphy, Porter, Smith and York.—7.

The bill passed.

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

Senator Porter desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 41. Nay: 1. Excused: 6.

The emergency passed.

HB 1130 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1077 and 1088.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

SB 107 by Crow, Randle and Young of the Senate and Miskelly and Davis (Don) of the House was read and considered.

Senator Lambert moved to amend SB 107, Page 36, Line 5½, by adding a new Section 25 and renumbering subsequent sections as follows:

“SECTION 25. All Community Treatment Programs and Centers located within the city limits of any city or town and within 400 feet of any permanent residential housing shall not include any inmate who has a prior conviction and a prior institutional registration number, or who has been convicted of a crime of violence, or sex crime, or who is deemed to

be dangerous or violent by the Department Classification Committee. Provided further, that such Community Treatment Programs and Centers shall not include any inmate whose sentences are for a term more than four (4) years."

Senator Young moved to table the Lambert amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Butler, Dahl, Dawson, Field, Grantham, Green, Johnson, Keating, Lane, McCune, Martin, Porter, Rozell, Schuelein, Shatwell, Terrill, Vann, Wolfe and Young.—19.

Nay: Birdsong, Boatner, Capps, Clifton, Crow, Funston, Giles, Helm, Holden, Howard, Howell, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Pierce, Randle, Stipe, Taliaferro, Tinsley, Wadley, Watson and York.—24.

Excused: Berrong, Cate, Keller, Murphy and Smith.—5.

Senator Lambert pressed his motion to amend, which amendment was declared adopted upon roll call as follows:

Aye: Boatner, Capps, Clifton, Crow, Giles, Helm, Holden, Howell, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Murphy, Pierce, Randle, Taliaferro, Tinsley, Wadley and York.—21.

Nay: Birdsong, Butler, Dahl, Dawson, Field, Grantham, Green, Johnson, Keating, McCune, Martin, Porter, Rozell, Schuelein, Stipe, Terrill, Vann, Watson, Wolfe and Young.—20.

Excused: Berrong, Cate, Funston, Howard, Keller, Shatwell and Smith.—7.

Upon motion of Senator Crow, SB 107, as amended, was advanced to engrossment.

By unanimous consent, upon request of

Senator Crow, SB 107, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 107 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Grantham and Murphy.—2.

Excused: Berrong, Cate, Keller and Smith.—4.

The bill and emergency passed.

SB 107 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 11, 1977, of Enrolled SB 202.

GENERAL ORDER

HB 1134 by Miskelly, et al, of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1134 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1134 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1134 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Berrong, Cate, Keller and Smith.—4.

The bill and emergency passed.

HB 1134 was referred for engrossment.

GENERAL ORDER

HB 1136 by Miskelly and Davis (Don) of the House and Crow, Randle and Keating of the Senate was read and considered.

Upon motion of Senator Keating, HB 1136 was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, HB 1136 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1136 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps,

Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—42.

Excused: Berrong, Cate, Clifton, Keller, Smith and Young.—6.

The bill and emergency passed.

HB 1136 was referred for engrossment.

GENERAL ORDER

HB 1148 by Miskelly, et al, of the House and Crow, Randle and Stipe of the Senate was read and considered.

Upon motion of Senator Stipe, HB 1148 was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, HB 1148 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1148 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Vann, Wadley, Watson and York.—38.

Nay: Helm, McCune, Pierce and Wolfe.—4.

Excused: Berrong, Cate, Keller, Smith, Taliaferro and Young.—6.

The bill passed.

Senator Young desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 39. Nay: 4. Excused: 5.

The emergency passed.

HB 1148 was referred for engrossment.

GENERAL ORDER

HB 1150 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1150 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1150 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1150 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Dawson.—1.

Excused: Berrong, Cate, Keller, Lambert, Smith and Taliaferro.—6.

The bill and emergency passed.

HB 1150 was referred for engrossment.

GENERAL ORDER

HB 1156 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1156 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1156 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1156 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Nay: Dawson and McDaniel.—2.

Excused: Berrong, Cate, Keller, Lambert, Smith and Taliaferro.—6.

The bill passed.

Senator Lambert desired to vote aye on the emergency.

On the question of passage of the emer-

agency, the vote resulted as follows: Aye: 41. Nay: 2. Excused: 5.

The emergency passed.

HB 1156 was referred for engrossment.

GENERAL ORDER

SB 399 by Schuelein and Porter of the Senate and Sparkman of the House was read and considered.

Upon motion of Senator Schuelein, SB 399 was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, SB 399 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 399 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Berrong, Cate, Keller, Porter, Shatwell and Smith.—6.

The bill passed.

Senator Shatwell desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43. Excused: 5.

The emergency passed.

SB 399 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SJR 23 were called up for consideration.

Upon motion of Senator Funston, the Senate concurred in HAs to SJR 23.

SJR 23, as amended by the Honorable House, was read at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Nay: Field, Grantham and McCune.—3.

Excused: Berrong, Boatner, Keller, Porter and Smith.—5.

The resolution passed.

House Amendments were properly signed and the above-numbered resolution was referred for enrollment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 7 was read and consideration deferred.

Mr. President

Mr. Speaker

The Conference Committee, to which was referred SB 7 by Capps et al, of the Senate, and Wickersham, Bradshaw, et al, of the House, entitled:

An Act relating to oil and gas; amending 52 O.S. 1971, Section 87.1; authorizing the Corporation Commission to establish well spacing and drilling units; providing who can file application; *** 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 Senate accept House Amendments No. 1 and No. 3.

2. That the House recede from House Amendments No. 2 and No. 4.

3. That the following Conference Committee Amendments be adopted:

(1) Page 3, Line 9, by adding a new subsection "(b)" to read as follows:

"(b) A lease shall not be held by production outside the producing unit for more than ninety (90) days after the expiration date of the primary lease."

(2) Page 4, Line 31, by adding after the word "or" and before the word "to", the following new language: "upon the filing of a proper application therefor".

(3) Page 4, Line 34 by adding after the word "order" and before the period, the following new language: "and such proof discloses that the applicant is an owner within the area covered by the application."

(4) Amend Title to conform as follows:

"An Act relating to oil and gas; amending 52 O.S. 1971, Section 87.1; authorizing the Corporation Commission to establish well spacing and drilling units; imposing

certain time limitations; restricting the size of certain units; providing for notice and hearings; providing authority to alter the number, size and allowable production of wells; prohibiting certain drilling operations; providing for voluntary and compulsory pooling of interests; providing certain requirements for pooling and pooling orders; providing certain rights for operators of a unit; establishing certain provisions for royalty owners; providing exceptions; and declaring an emergency."

Respectfully submitted,

FOR THE SENATE: Capps, Funston and Lane.

FOR THE HOUSE: Bradshaw, Glover and Townsend.

GENERAL ORDER

HB 1287 by Lawter of the House and York of the Senate was read and considered.

Senator York moved to amend HB 1287, Page 2, Lines 10 and 11, by striking after the word "settlement" and before the word "within" all language, which amendment was withdrawn upon request of Senator York.

Senator Howell moved to amend HB 1287, Page 2, Line 14, by striking after the word "fees" and before the word "be" the word "shall" and inserting in lieu thereof the word "may", which amendment was withdrawn upon request of Senator Howell.

Upon motion of Senator York, HB 1287 was advanced to engrossment.

By unanimous consent, upon request of Senator York, HB 1287 was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Terrill presiding.

Senator Watson presiding.

Senator Terrill presiding.

HB 1287 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Clifton, Crow, Field, Funston, Giles, Grantham, Holden, Howard, Keating, Kilpatrick, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—35.

Nay: Dawson, Green, Howell, Johnson, Lamb and McDaniel.—6.

Excused: Berrong, Cate, Dahl, Helm, Keller, Porter and Smith.—7.

The bill passed.

HB 1287 was referred for engrossment.

PENDING SENATE ACTION ON HAS

Upon motion of President Pro Tempore Howard HAS to SB 191 were rejected, conference requested and the following appointed as Senate Conferees: Senators Terrill, Tinsley and Pierce.

PENDING CONSIDERATION OF CCR

Upon motion of Senator Keating the CCR on SB 67 was rejected and further conference requested, President Pro Tempore Howard appointing the same Senate Conferees.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, May 16, 1977, at 1:30 p.m.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 352 and SJR 19.

The above numbered Enrolled Bill and Resolution were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SJR 18.

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

BILLS RELEASED

HB 1271 and HJR 1003 and 1036 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 2:15 p.m. to meet Monday, May 16, 1977, at 1:30 p.m.

Seventy-sixth Legislative Day

Monday, May 16, 1977

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

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Keller, Smith and Stipe.—3.

President Pro Tempore Howard declared a quorum present.

The prayer was offered by Reverend Conrad Kitchell, Pastor, First Christian Church, Pond Creek.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Dahl introduced Mary Gilmour, R.N., Kingfisher, as Nurse of the Day.

SPECIAL INTRODUCTION

Senator Murphy asked unanimous consent, which was granted, that privileges of

the floor be extended to Dr. Lawrence L. Boger, President-elect of Oklahoma State University, Stillwater. Dr. Boger has been a special guest at OSU during this week and spoke to the Senate briefly on his pleasure and anticipation of his new position and his hopes for the future at OSU.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1184 — County, State and Federal Government.

HB 1194 — County, State and Federal Government.

HB 1368 — County, State and Federal Government, as coauthored by Murphy and Taliaferro of the Senate.

HB 1413 — County, State and Federal Government, as coauthored by Tinsley and Wadley.

DO PASS, as amended:

HB 1062 — County, State and Federal Government.

HB 1135 — Appropriations and Budget. Show Randle as principal Senate Author and Crow as coauthor.

CS for HB 1278 — County, State and Federal Government, as coauthored by Wadley.

CS for HB 1324 — Public and Mental Health.

FIRST READING

The following was introduced and read the first time.

SJR 38 — By Dawson and Porter.

A Joint Resolution relating to interim study; directing the Executive Committee to create a special committee to study needs of Langston University and to make recommendations; specifying composition and duties of the committee; directing reimbursement for expenses; and declaring an emergency.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1132, 1144 and 1163.

HB 1132 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Office of the State Industrial Court and making appropriations thereto; stating the purposes; providing that the judges shall fix the duties and compensation of employees within certain limitations; providing lapse date; providing severability; and declaring an emergency.

HB 1144 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the Oklahoma Education Council and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees and fixing the salary of the Director; limiting the number of employees; limiting expenditures for salaries and wages; amending Section 4, Chapter 22, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3804), pertaining to the financing of the Oklahoma Education Council; prohibits

expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency.

HB 1163 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate.

An Act relating to the State Board for Property and Casualty Rates and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees within certain limitations; limiting expenditures for salaries and wages; providing for a continuous study of insurance rates; providing for transfer of unappropriated funds to the General Revenue Fund with exception; providing lapse date; providing severability; and declaring an emergency.

The above numbered HBs were read for the first time.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 67, and naming same House Conferees.

PENDING CONSIDERATION OF HAS

Upon motion of Senator Crow HAs to SBs 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 115 and 117 were rejected and conference requested, said bills to be referred to GCCA.

PENDING CONSIDERATION OF CCR

The CCR on SB 7 was called up for consideration.

The CCR on SB 7 was adopted upon motion of Senator Capps.

SB 7, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Nay: Green, McCune and Wolfe.—3.

Excused: Clifton, Keller, Smith and Stipe.—4.

The bill and emergency passed.

SB 7, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

Senators Smith and Keller asked to be shown present, which was the order.

Senator Wadley presiding.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1271 and HJR 1003 and 1036.

The above numbered Enrolled Bill and Resolutions were, after fourth reading, properly signed and ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 88, 107, 355 and 399, and SCR 24 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1130, 1134, 1136, 1148, 1150, 1156 and 1287 were each correctly engrossed and,

together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SJR 23 was correctly enrolled and, 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 67 was read and consideration deferred.

Mr. President

Mr. Speaker

The Conference Committee, to which was referred SB 67, by Keating of the Senate and Twidwell of the House, entitled:

An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 455; establishing penalty for prevention of witness from answering summons or subpoena; and prohibiting the intimidation of witnesses.

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 Senate accept Engrossed House Amendments # 2 and # 3.

2. That the House recede from Engrossed House Amendment # 1.

3. That the Conference Committee amendment be adopted as follows:

Amend Page 1, Lines 18 through 23, to read as follows:

Every person who wilfully prevents or dissuades any person FROM GIVING

TESTIMONY who has been duly summoned or subpoenaed OR ENDORSED ON THE CRIMINAL INFORMATION as a witness [from attending pursuant to the command of the summons or subpoena] OR THREATENS PHYSICAL OR MENTAL HARM THROUGH FORCE OR FEAR WITH THE INTENT TO PREVENT THE WITNESS FROM APPEARING IN COURT TO GIVE HIS TESTIMONY, OR TO ALTER HIS TESTIMONY, is guilty of a felony PUNISHABLE BY NOT LESS THAN ONE (1) YEAR NOR MORE THAN THREE (3) YEARS IN PRISON.

Respectfully submitted,

FOR THE SENATE: Keating, Clifton and Cate.

FOR THE HOUSE: Twidwell, Craig and Davis (Guy).

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 310, as coauthored by Johnson (A.V.).

The above numbered Bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 17, as coauthored by Baughman, Camp, Cunningham, Holaday, Monks, Robinson, Whorton and Wickersham of the House; and SCR 21, as coauthored by Abbott, Atkins, Barker, Baughman, Bengtson, Bennett, Bernard, Bradley, Bradshaw, Caldwell, Cleveland, Converse, Cotner, Craig, Craighead, Crutcher, Cullison, Cunningham, Davis (Don), Davis (Guy), Deatherage, Denman, Draper, Duckett, Duke, Dunn, Elder, Ervin, Floyd, Fried, Glover, Hammons, Hardesty, Harper, Henry, Holden, Hood, Hooper, Hopkins, Johnson (A.V.), Johnson (Don),

Johnston, Joiner, Kardokus, Kennedy, Lancaster, Lawter, McIntyre, McKee, Matheson, Miskelly, Monks, Morgan, Murphy, Nance, Parris, Peterson, Poulos, Riggs, Roberts, Robinson, Rogers, Sanders, Sparkman, Stephenson, Steward, Swinton, Thompson (Don), Thompson (Mick), Townsend, Trent, Twidwell, Vaughn, Weichel, Wickersham, Willis, Wilson and Winn of the House.

The above numbered Resolutions were referred for enrollment.

UNANIMOUS CONSENT REQUEST

Senator Luton asked unanimous consent, which was granted, that the Second Conference Committee on SB 265 be allowed to submit as the 2nd Conference Committee Substitute only those pages of the bill that had been amended by the second Conference Committee and that the 1st Conference Committee Substitute (consisting of 104 pages) and the 2nd Conference Committee Substitute be combined as the official copy of SB 265 as amended by the Conference Committee.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 265 was read and considered.

Mr. President

Mr. Speaker

The Second Conference Committee, to which was referred SB 265 by York, Luton, et al of the Senate and Nance, Elder, et al, of the House, entitled:

An Act relating to motor vehicles; *** providing for powers, duties and salaries of certain motor license and tag agents *** and declaring an emergency.

together with House Amendments thereto — to which the Senate disagrees — having met and carefully considered disagree-

ments 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.

2. That the attached 2nd Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 265 were distributed to all Senators.)

Respectfully submitted,

FOR THE SENATE: York, Luton, Field and Cate.

FOR THE HOUSE: Nance, Elder, Matheson and Miskelly.

Senator Howell moved that SB 265 be referred for further conference with instructions to amend the Conference Committee Report to permit the tag agents to deduct agency fees before depositing the state funds.

Senator Luton moved, as an in lieu motion to the Howell motion, to adopt the Conference Committee Report on SB 265.

Senator Berrong questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Howell moved to table the Luton in lieu motion to adopt the Conference Committee Report on SB 265, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Capps, Crow, Giles, Grantham, Holden, Howell, Lamb, Martin, Porter, Taliaferro and Wadley.—12.

Nay: Birdsong, Boatner, Butler, Cate,

Clifton, Dahl, Dawson, Field, Funston, Green, Helm, Howard, Johnson, Keating, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Watson, Wolfe and York.—34.

Excused: Stipe and Young.—2.

Senator Luton pressed his motion to adopt the Conference Committee Report on SB 265, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Dawson, Field, Funston, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Vann, Watson, Wolfe and York.—34.

Nay: Berrong, Capps, Crow, Dahl, Giles, Grantham, Holden, McDaniel, Martin, Wadley and Young.—11.

Excused: Lane, Stipe and Tinsley.—3.

SB 265, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Dawson, Field, Funston, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Terrill, Tinsley, Vann, Watson, Wolfe and York.—35.

Nay: Berrong, Capps, Crow, Dahl, Giles, Holden, McDaniel, Martin, Schuelein, Taliaferro, Wadley and Young.—12.

Excused: Stipe.—1.

The bill and emergency passed.

SB 265, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1155, requesting further Conference and naming same Conferees.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane the request of the Honorable House for further conference on HB 1155 was ordered granted, President Pro Tempore Howard appointing the same Senate Conferees.

GENERAL ORDER

SB 267 by Smith was read and considered.

Upon motion of Senator Smith, SB 267 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, SB 267 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 267 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Lutton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein,

Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Crow and Howell.—2.

Excused: Helm and Stipe.—2.

The bill and emergency passed.

SB 267 was referred for engrossment.

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 7.

The above numbered Bill as amended in Conference was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SBs 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 108, 109, 110, 111, 112, 113, 115 and 117, and referring said bills to GCCA.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SJR 23.

The above numbered Enrolled Resolution was referred to the Governor.

EXECUTIVE SESSION

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

The Senate reassembled in open session

with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of GARY M. COOK, Tulsa, as a member of the State Board of Corrections to serve a 6-year term ending March 15, 1983, and effective upon Senate confirmation. Mr. Cook succeeds himself.

The Senate, in executive session, and upon motion of Senator Schuelein, advised and consented to the confirmation of MAXINE LOOPER, Miami, as a member of the Board of Corrections, District 2, to serve a 6-year term ending March 15, 1983, and effective upon Senate confirmation. Ms. Looper succeeds Pat Montgomery, Muskogee.

The Senate, in executive session, and upon motion of Senator Clifton, advised and consented to the confirmation of JIM McBEE, Shawnee, as a member of the Oklahoma State Bureau of Investigation Commission, to serve a 7-year term ending July 1, 1983, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Grantham, advised and consented to the confirmation of JACK McCARTY, Newkirk, as a member of the Oklahoma State Bureau of Investigation Commission, to serve a 6-year term ending July 1, 1982, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Taliaferro, advised and consented to the confirmation of COY ROGERS, Lawton, as a member of the Oklahoma State Bureau of Investigation Commission (sheriff member) to serve a 5-year term ending July 1, 1981, and effective upon Senate confirmation. This is an original appointment.

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of EUGENE L. SWEARINGEN, Tulsa, as a member of the Oklahoma State Regents for Higher Education to serve a 9-year term ending May 16, 1985, and effective upon Senate confirmation. Mr. Swearingen succeeds Ellis Gable.

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of JACK P. WALLACE, Tulsa, as a member of the Board of Regents, University of Science and Arts of Oklahoma, to serve a 7-year term ending June 30, 1983, and effective upon Senate confirmation. Mr. Wallace succeeds Mrs. Hildred Meinders.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 186 and SJR 29, as coauthored by Brunton and Craighead.

The above numbered Bill and Resolution were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 86, 114, 213 and 250; and SJR 6 each as amended and SBs 126 and 289 each as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 86 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 86 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each

member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 114 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Lines 19 through 36, and Page 2, Lines 1 through 15, by striking all the language.

HOUSE AMENDMENTS

HAs to SB 126 were read as follows and consideration deferred.

Authors: Add the following coauthor: Cotner of the House.

Amendment No. 1. Amend Page 1, Line 24, by changing the word "duplicitous" to "duplicative".

HOUSE AMENDMENTS

HAs to SB 213 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 213 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 250 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro

Tempore, HAs to SB 250 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 289 were read as follows and consideration deferred.

Authors: Add the following coauthor: Elder of the House.

Amendment No. 1. Amend Page 1, Line 22, by striking the word "minerals" and substituting the words "oil and gas".

HOUSE AMENDMENTS

HAs to SJR 6 were read as follows and consideration deferred.

Amendment No. 1. Amend by restoring the Title to read as follows:

"A Joint Resolution approving grade adjustments recommended by the Oklahoma State Personnel Board and establishing an effective date; providing for salary increases; specifying salary increase procedure for all state employees; providing legislative intent that this Resolution is not to modify or change salary and wage restrictions included in other legislation; amending 74 O.S. 1971, Section 919, as last amended by Section 7, Chapter 267, O.S.L. 1975, and Section 920, as last amended by Section 8, Chapter 267, O.S.L. 1975 (74 O.S. Supp. 1976, Sections 919 and 920); relating to the Oklahoma Public Employees Retirement System; modifying employee's and state's contributions to said System; providing operative date; and declaring an emergency."

RESOLUTION

Senators Randle and Green introduced the following Resolution, consideration of

which was deferred for this legislative day:

SCR 25 — By Randle and Green of the Senate and Arnold of the House.

A Concurrent Resolution criticizing conduct of certain personnel within the State Department of Transportation with regard to removal of a property owner from her premises pursuant to condemnation proceedings; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 16, 1977,

of Enrolled SBs 36, 158, 180, 218, 283, 352, 357 and 365; and SJR 19.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, May 17, 1977, at 1:30 p.m.

Upon motion of Senator Lane, the Senate adjourned at 4:15 p.m. to meet Tuesday, May 17, 1977, at 1:30 p.m.



Seventy-seventh Legislative Day

Tuesday, May 17, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Murphy, Porter and Stipe.—3.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Kitchell, and incorporated into the Journal upon request of Senator Grantham.

Eternal Father: We come to You this day knowing that You are the creator and sustainer of the entire universe. When we consider the greatness of Your creation and the vastness of Thy universe we are appalled. It is too much for our understanding. Then Father, as we consider our own efforts, our own dimension, our own size Thy greatness and mercy overcomes

us. Indeed, we can sing ... HOW GREAT THOU ART!

Today as this body gathers here may Thy presence be constantly with them each hour. May Thy love and mercy be freely granted to each person present here today. We seek after truth and righteousness, Father. Grant to each person an understanding of what is right and what is wrong. May this desire for truth be stronger than any desire for gain. May Thy presence be obvious here and the work performed by this body be pleasing to You and beneficial to all those represented here.

We thank Thee for Thy goodness. We thank Thee for the abundant blessings bestowed upon us as a people. We acknowledge, Father, we are a people with an overflowing cup. This we ask in Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Watson introduced Richard Gross, M.D., Edmond, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 354 — County, State and Federal Government.

HB 1384 — Insurance, as coauthored by Kilpatrick.

DO PASS, as amended:

HB 1100 — Municipal Government, as coauthored by Lambert.

HB 1250 — Banks and Banking.

UNANIMOUS CONSENT REQUEST

Senator Dawson asked unanimous consent, which was granted, that when SJR 38 is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 38 — Direct to Calendar.

HB 1132 — Appropriations and Budget.

HB 1144 — Appropriations and Budget.

HB 1163 — Appropriations and Budget.

RESOLUTION

SCR 25, introduced on page 695, was called up for consideration.

SCR 25 was read at length, adopted upon motion of Senator Randle and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1016.

HCR 1016 — By Kamas of the House and Field of the Senate.

A Concurrent Resolution expressing legislative intent that a specified state

agency transfer leased property in Boiling Springs State Park to its owner, the City of Woodward, Oklahoma.

RESOLUTION

Senator Field asked for immediate consideration of HCR 1016, which was the order.

HCR 1016 was read at length, adopted upon motion of Senator Field, properly signed and ordered returned to the Honorable House.

Senator Cate presiding.

PENDING CONSIDERATION OF CCR

The CCR on SB 144 was called up for consideration.

The CCR on SB 144 was adopted upon motion of Senator Tinsley.

SB 144, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Holden, Howard, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Pierce, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—31.

Nay: Crow, Funston, Grantham, Green, Helm, Howell, Keating, Keller, McCune, Martin, Randle, Smith, Wolfe and Young.—14.

Excused: Murphy, Porter and Stipe.—3.

The bill passed.

Senators Martin, Grantham, Helm, Keating and Howell desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36. Nay: 9. Excused: 3.

The emergency passed.

SB 144, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 24 as coauthored by Hammons, Duckett, Stephenson and all other members of the House.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 16, 1977, of Enrolled SB 124.

MESSAGE FROM THE HOUSE

Advising House Conferees named on Engrossed HB 1416 as follows: Representatives Deatherage, Matheson and Elder.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 191, and naming House Conferees as follows: Representatives Townsend, Poulos and Steward.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1130, 1134, 1136, 1148, 1150, 1156, 1157 and 1159, requesting Conference and referring said bills to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for Con-

ference on HBs 1130, 1134, 1136, 1148, 1150, 1156, 1157 and 1159 was ordered granted, said bills referred to GCCA.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 77 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 77, entitled:

(Lieutenant Governor — Appropriation — 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 Engrossed House Amendments Nos. 1 and 2.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill No. 77 be adopted:

a. Restore Title to read as follows:

"An Act relating to the Office of the Lieutenant Governor and making an appropriation thereto; stating the purpose; providing the appointment, duties and compensation of employees; limiting number of employees; providing for travel expenses of Lieutenant Governor; providing lapse date; directing codification; providing severability; and declaring an emergency."

b. Page 1, Lines 23 and 24, by deleting the words and figures "Eighty-two Thousand Five Hundred Seven Dollars (\$82,507.00)" and inserting in lieu thereof the words and

figures "Eighty-seven Thousand Four Hundred Twenty Dollars (\$87,420.00)".

c. Page 1, Section 2, Line 33, by inserting after "1978" and before the period (.) the following language: "except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

d. Page 2, Line 5½, by adding a new "Section 5" to read as follows:

"SECTION 5. Section 3 of this act shall be codified in the Oklahoma Statutes as Section 500.21 of Title 74, unless there is created a duplication in numbering."

e. Renumber present Section 5 to read "Section 6" and renumber succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 78 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your Conference Committee on Appropriations, to whom was referred Engrossed SB No. 78, entitled:

(Office of the Budget — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 5, 6 and 7.

2. That the Senate accept Engrossed House Amendment No. 4.

3. That the following Conference Committee Amendments to the Engrossed Senate Bill No. 78 be adopted:

a. Amend the bill title to read as follows:

"An Act relating to the Division of the Budget and making an appropriation thereto; stating the purposes; fixing the salary of the Director of State Finance; authorizing the Director of State Finance to appoint and fix the duties and compensation of personnel; limiting number of employees; limiting expenditures for salaries and wages; providing for payment of expenses of the Board on Legislative Compensation; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Line 29, by deleting the figures "\$846,638.00" and substitute in lieu thereof the figures "\$850,281.00".

c. Page 1, Line 35, by deleting the figures "\$20,950.00" and substitute in lieu thereof the figures "\$23,050.00".

d. Page 2, Line 5, by deleting the figures "\$946,808.00" and substitute in lieu thereof the figures "\$951,051.00".

e. Page 2, Line 14, after the date "1978" insert the phrase "except as may be authorized under the provision of Section 3603, Title 74, Oklahoma Statutes."

f. Page 2, Lines 17 and 18, by deleting the words and figures "Six Hundred Fourteen

Thousand Four Hundred Ninety Dollars (\$614,490.00)" and substitute in lieu thereof the words and figures "Six Hundred Thirty-three Thousand Dollars (\$633,000.00)".

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 79 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 79, entitled:

(Secretary of State — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5 and 6.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill be adopted:

a. Restore the bill title to read as follows:

"An Act relating to the Office of the

Secretary of State and making appropriation thereto; stating the purposes; providing for appointment, duties and compensation of employees; limiting number of employees; limiting expenditures for salaries and wages; providing lapse dates; providing severability; and declaring an emergency."

b. Page 1, Line 25, by deleting the figures "\$174,503.00" and substitute in lieu thereof the figures "\$177,147.00".

c. Page 1, Line 27, by deleting the figures "\$200,953.00" and substitute in lieu thereof the figures "\$203,597.00".

d. Page 2, Line 4, after the date "1978." insert the phrase "except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes."

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 82 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 82, entitled:

(State Auditor — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4 and 5.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill No. 82 be adopted:

a. Restore Title to read as follows:

"An Act relating to the Office of the State Auditor and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; limiting number and compensation of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Section 1, Lines 21 and 22, by deleting the words and figures "Ninety-seven Thousand Five Hundred Ninety Dollars (\$97,590.00)" and by substituting in lieu thereof the words and figures "Ninety-seven Thousand Dollars (\$97,000.00)".

c. Page 1, Section 2, Line 28, by inserting after the word "and" and before the word "compensation" the word "annual".

d. Page 1, Section 2, Line 30, by inserting after "schedule" and before the colon (:) "exclusive of overtime pay, except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelin, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott,

Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 89 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 89, entitled:

(State Treasurer — Appropriation — 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 Engrossed House Amendment Nos. 1 and 2.

2. That the Senate accept Engrossed House Amendment No. 3.

3. That the following Conference Committee Amendments to the Engrossed Senate Bill No. 89 be adopted:

a. Restore the title to read as follows:

"An Act relating to the Office of the State Treasurer and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number of employees; limiting expenditures for salaries and wages; providing for increase of salary limit; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Section 2, Line 33, by inserting

after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

Senate Conferees: Crow, Chairman, Randle; Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

PENDING CONSIDERATION OF CCR

The CCR on SB 190 was called up for consideration.

The CCR on SB 190 was adopted upon motion of Senator Dahl.

SB 190, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Randle, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—36.

Nay: Funston, Helm, Lamb, McCune, Pierce, Schuelein, Smith, Watson and Wolfe.—9.

Excused: Murphy, Porter and Stipe.—3.

The bill passed.

SB 190, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

HB 1127 by Miskelly and Davis (Don) of the House and Crow, Randle and Berrong of the Senate was read and considered.

Upon motion of Senator Berrong, HB 1127 was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, HB 1127 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1127 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Keating and Wolfe.—2.

Excused: Murphy, Porter and Stipe.—3.

The bill and emergency passed.

HB 1127 was referred for engrossment.

GENERAL ORDER

HB 1139 by Miskelly, et al, of the House and Crow, Randle and Young of the Senate was read and considered.

Senators Shatwell and Holden asked to be made coauthors of HB 1139, which was the order.

Upon motion of Senator Young, **HB 1139**, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1139**, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1139 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Murphy, Porter and Stipe.—3.

The bill and emergency passed.

HB 1139 was referred for engrossment.

GENERAL ORDER

HB 1158 by Miskelly and Davis (Don) of the House and Crow, Randle and Young of the Senate was read and considered.

Upon motion of Senator Young, **HB 1158** was advanced to engrossment.

By unanimous consent, upon request of Senator Young, **HB 1158** was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1158 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Murphy, Porter and Stipe.—3.

The bill and emergency passed.

HB 1158 was referred for engrossment.

Senator Howell presiding.

GENERAL ORDER

HB 1137 by Miskelly and Davis (Don) of the House and Crow, Randle and Berrong of the Senate was read and considered.

Upon motion of Senator Berrong, **HB 1137** was advanced to engrossment.

By unanimous consent, upon request of Senator Berrong, **HB 1137** was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1137 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Murphy, Porter and Stipe.—3.

The bill and emergency passed.

HB 1137 was referred for engrossment.

GENERAL ORDER

HB 1168 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Randle, HB 1168 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, HB 1168 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1168 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Murphy, Porter and Stipe.—3.

The bill and emergency passed.

HB 1168 was ordered withheld pursuant to Rule 19(f).

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1228, and requesting Conference.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for Conference on HB 1228 was ordered granted, President Pro Tempore Howard appointing Senate Conferees as follows: Senators Funston, Berrong, Butler, Stipe and Luton.

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 1128, 1133, 1143, 1146, 1152, 1160 and 1161.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1128 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1128, entitled:

An Act relating to the Office of the Court of Criminal Appeals 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:

1. That the Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to the Engrossed House Bill No. 1128 be adopted:

a. Page 1, Line 26, by deleting the figures "\$278,736.00" and substitute in lieu thereof "\$274,714.00".

b. Page 1, Line 30, by deleting the figure "\$307,680.00" and substitute in lieu thereof "\$303,658.00".

c. Page 2, Line 2, after the phrase "The number and" insert the word "annual".

d. Page 2, Line 5, after the word "schedule" delete the semicolon ";" and add the following phrase: ", except as may be authorized under provisions of Section 3603, Title 74, Oklahoma Statutes."

e. Page 2, Line 15, by deleting the word and figure "four (4)" and substitute in lieu thereof "seven (7)".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1133 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1133, entitled:

An Act relating to the Office of the State Supreme Court and the Court of Appeals 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 Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to the Engrossed House Bill No. 1133 be adopted:

a. Page 1, Line 27 and 28, by deleting the words and figures "Sixty-seven Thousand Eight Hundred Fifty-seven Dollars (\$67,857.00)" and substitute in lieu thereof "Sixty-two Thousand Five Hundred Four Dollars (\$62,504.00)".

b. Page 1, Line 35, by deleting the figures "\$973,908.00" and substituting in lieu thereof "\$968,555.00".

c. Page 2, Line 3, by deleting the figures "\$1,075,517.00" and substituting in lieu thereof "\$1,070,164.00".

d. Page 2, Line 6, after the words "number and" add the word "annual".

e. Page 3, Line 2, by deleting the figures "\$357,933.00" and substituting in lieu thereof "\$356,333.00".

f. Page 3, Line 4, by deleting the figures "\$458,995.00" and substituting in lieu thereof "\$457,395.00".

g. Page 3, Line 5, after the words "number and" add the word "annual".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1143 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1143, entitled:

An Act relating to the Commission on Fire Protection Personnel Standards and Education; 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:

1. That the Senate recede from Engrossed Senate Amendment No. 1.
2. That the House accept Engrossed Senate Amendment No. 2.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate,

Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1146 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1146, entitled:

An Act relating to the Governor's Committee on Employment of the Handicapped and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1 to HB 1146 which crippled the Title.
2. That the following Conference Committee Amendments be adopted:

(a) Page 1, Lines 23 and 24, by deleting the words and figures "Thirty-eight Thousand Nine Hundred Thirty-three Dollars (\$38,933.00)" and substituting in lieu thereof the words and figures "Thirty-nine Thousand Four Hundred Sixty Dollars (\$39,460.00)".

(b) Page 1, Line 35, after "1978" and before the period (.), by adding the language "except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

House Conferees: Miskelly, Chairman,

Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1152 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1152, entitled:

An Act relating to the Western Plains Indians Arts and Crafts Commission and making an appropriation 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 Senate recede from its Engrossed Amendment No. 1.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1160 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1160, entitled:

An Act relating to the Office of the Liquefied Petroleum Gas Board and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to Engrossed House Bill No. 1160 be adopted:

a. Page 1, Amend the Title to read as follows:

"An Act relating to the Office of the Liquefied Petroleum Gas Board and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; designating administrator's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; prohibiting expenditure of certain funds for certain fees and services; providing for transfer of unappropriated balance at end of the fiscal year; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Section 1, Lines 25 and 26, by

deleting the words and figures "One Hundred Thirty-nine Thousand Three Hundred Fifty-two Dollars (\$139,352.00)" and by substituting in lieu thereof the words and figures "One Hundred Forty-two Thousand Three Hundred Eighty-one Dollars (\$142,381.00)".

c. Page 1, Section 2, Line 36, by adding after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

d. Page 2, Section 2, Line 2, by deleting the words and figures "Eighty-six Thousand Five Hundred Eighty Dollars (\$86,580.00)" and by substituting in lieu thereof the words and figures "Eighty-six Thousand Five Hundred Twenty Dollars (\$86,520.00)".

e. Page 2, Section 3, Lines 4 through 19, by deleting all of the present Section 3.

f. Renumber present Section 4 to read "Section 3" and renumber succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1161 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Com-

mittee on Appropriations, to whom was referred Engrossed HB No. 1161, entitled:

An Act relating to the State Mining Board and making an appropriation there-to; 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 Senate recede from Engrossed Senate Amendment No. 1.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

PENDING SENATE ACTION ON CCRs

Upon motion of Senator Crow, the CCRs on HBs 1128 and 1133 were rejected and further conference requested, said bills to be rereferred to GCCA.

Senator Boatner presiding.

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

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1154, requesting further Conference and rereferring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the re-

quest of the Honorable House for further conference on HB 1154 was ordered granted, said bill to be rereferred to GCCA.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 267 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 7, 186 and 310 and SJR 29 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCRs 17 and 21 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 84 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 84, entitled:

(Board of Equalization — Appropriation — 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 accept Engrossed House Amendments Nos. 1 and 5.

2. That the House recede from Engrossed House Amendments Nos. 2, 3 and 4.

3. That the following Conference Committee Amendments to Engrossed Senate Bill No. 84 be adopted:

a. Page 1, Section 1, Lines 22 and 23, by deleting the words and figures "Twenty-four Thousand Forty-seven Dollars (\$24,047.00)" and by substituting in lieu thereof the words and figures "Twenty-three Thousand Eight Hundred Twenty-eight Dollars (\$23,828.00)".

b. Page 1, Section 2, Line 28, by inserting after the word "and" and before the word "compensation" the word "annual".

c. Page 1, Section 2, Line 31, by inserting after "schedule" and before the colon (:) the following language: "exclusive of overtime pay, and except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

d. Page 1, Section 2, Line 34, by deleting the figure "\$9,990" and by substituting in lieu thereof the figure "\$9,840.00".

e. Page 1, Section 2, Line 35, by deleting the figure "9,270" and by substituting in lieu thereof the figure "9,120.00".

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Campbell, Denman, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 85 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 85, entitled:

(State Examiner and Inspector — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5, 6 and 7.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill be accepted:

a. Restore the title to read:

"An Act relating to the Office of the State Examiner and Inspector and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees within prescribed limits; limiting number of employees; limiting expenditures for salaries and wages; providing for transfer of certain unappropriated funds; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Line 28, by deleting the amount "\$391,388.00" and substituting in lieu thereof the amount "\$389,954.00".

c. Page 1, Line 30, by deleting the amount "\$486,962.00" and substituting in lieu thereof the amount "\$485,528.00".

d. Page 1, Line 33, by deleting the amount "\$99,411.00" and substituting in lieu thereof the amount "\$100,105.00".

e. Page 1, Line 35, by deleting the amount "\$107,045.00" and substituting in lieu thereof the amount "\$107,739.00".

f. Page 2, Line 2, by deleting the amount "\$205,475.00" and substituting in lieu thereof the amount "\$207,473.00".

g. Page 2, Line 4, by deleting the amount "\$254,070.00" and substituting in lieu thereof the amount "\$256,068.00".

h. Page 2, Line 8, by inserting after the word "and" and before the word "compensation" the word "annual".

i. Page 2, Line 12, by inserting after the word "only" and before the period (.) the following language: ", exclusive of overtime pay".

j. Page 2, Line 15, by inserting after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Campbell, Denman, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 90 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 90, entitled:

(Oklahoma Capitol Improvement Authority — Appropriation — 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 Engrossed Amendments Nos. 1, 2, 3, 4 and 5.

2. That the following Conference Committee Amendments to Engrossed Senate Bill No. 90 be adopted:

a. Restore the Title to read as follows:

"An Act relating to the Oklahoma Capitol Improvement Authority and making appropriations thereto; stating the purposes; specifying the number of full-time-equivalent employees; limiting expenditures for salaries and wages; providing lapse date; making provisions of this act severable; and declaring an emergency."

b. Page 1, Line 28, after the word "for" add the following "rent of space in" and on Line 28 delete the words "the purpose of maintenance of" and on line 29 after the word "Oklahoma" insert a period (.) and delete the remainder of line 29 and all of lines 30 and 31.

c. Page 1, Line 35, after the number "1978" insert a comma (,) and add the following "except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Butler, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Campbell, Denman, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

MESSAGE FROM THE HOUSE

Advising House Conferees named on Engrossed HB 1228 as follows: Representatives Floyd, Wiseman, Fried, Riggs and Morgan.

DECLARATION OF VOTE

Senator Murphy asked that the record show had he been present in the Chamber at the time of passage of SBs 144 and 190 and HBs 1127, 1137, 1139, 1158 and 1168 he would have voted "aye" on said bills, which was the order.

GENERAL ORDER

SB 386 by Terrill, Birdsong, Dawson, Randle and York of the Senate and Weichel and Converse of the House was read and considered.

Senator Randle asked that his name be removed as a coauthor of SB 386, which was the order.

Senator Randle moved to amend SB 386, Page 11, Line 3, by deleting after the word "patrons" and before the word "other" the word "employees," which amendment was declared adopted.

Senator McDaniel moved to amend SB 386, Page 15, Line 6, by striking after the period the remaining language on Line 6 and all language on Lines 7 and 8, which amendment was declared failed of adoption upon roll call as follows:

Aye: Berrong, Capps, Dahl, Giles, Holden, Keller, Lamb, McDaniel, Martin, Taliaferro, Vann, Watson, Wolfe and Young.—14.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dawson, Field, Funston, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lambert, Lane, Luton, McCune, Murphy, Randle,

Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Wadley and York.—31.

Excused: Pierce, Porter and Stipe.—3.

Senator Randle moved to amend SB 386, Page 15, Line 17, by adding after the period a new sentence to read as follows: "The term 'owner' as used in this section shall not apply to a member of a cooperative corporation.", which amendment was declared adopted.

Senator Giles moved to amend SB 386, Page 14, Line 6, by striking after the word "utilities" all remaining language on Lines 6, 7, 8 and 9 and substituting the following: "The Board shall consist of three (3) members who shall be elected by the people of Oklahoma at the next General Election."

Senator Rozell moved to amend SB 386, as a substitute amendment to the Giles amendment, Page 11, Line 10, through Page 20, Line 12, by striking all of Sections 3 through 5 and inserting in lieu thereof the following:

"SECTION 3. There is hereby created the Oklahoma Public Utilities Commission, which shall consist of five (5) members. All members of the Commission shall be citizens of the United States, shall have been residents of the State of Oklahoma for at least five (5) years prior to their election or appointment, shall have been residents of the district from which elected or appointed for at least six (6) months prior to such election or appointment, shall be at least thirty (30) years of age, shall be graduates of four-year accredited colleges or universities and shall have no direct or indirect financial interest in any public utility or its subsidiary.

SECTION 4. After the effective date of this act, the Governor, with the advice and consent of the Oklahoma Legislature, shall appoint, from each of five (5) districts, the

first members of the Oklahoma Public Utilities Commission to hold office until the next general election is held. Thereafter, one member of the Public Utilities Commission shall be elected from each of five (5) districts during general elections. The first five (5) members of the Commission shall be elected during the general elections held in 1978 to terms of office as follows: the members first elected from District Nos. 1, 3 and 5 shall hold office until the first Tuesday following the first Monday in January in 1983 and the members first elected from District Nos. 2 and 4 shall hold office until the first Tuesday following the first Monday in January in 1981. Thereafter, the term of office of each Commission member shall be for four (4) years or until the first Tuesday following the first Monday in January in the year following the election of his successor. Vacancies which occur in the membership of the Commission shall be filled by appointment by the Governor with the advice and consent of the Oklahoma Legislature. Each person appointed to fill a vacancy shall be a resident of the unrepresented district and shall serve until the first Tuesday following the first Monday in January in the year following the next general election when a successor shall have been elected to fill the unexpired term. Each member shall take and subscribe to the oath of office as prescribed in the Oklahoma Constitution and statutes and shall file such oath with the Secretary of State of Oklahoma.

Members of the Commission may be removed from office for malfeasance in office in the manner provided by law for the removal of officers not subject to impeachment.

SECTION 5. For the purpose of this act, the State of Oklahoma is divided into five (5) districts, as follows:

District No. 1. The counties of Pawnee, Nowata, Craig, Ottawa, Rogers, Mayes,

Delaware, Adair, Cherokee, Wagoner, Muskogee, Sequoyah, Okfuskee, McIntosh, Haskell, LeFlore, McCurtain, Choctaw, Pushmataha, Latimer, Pittsburg, Atoka, Bryan, Coal and Hughes.

District No. 2. The counties of Tulsa, Washington, Okmulgee, Osage and Creek.

District No. 3. The counties of Lincoln, Pottawatomie, Cleveland, McClain, Garvin, Murray, Carter, Love, Marshall, Johnston, Pontotoc, Seminole, Grady, Stephens, Jefferson, Cotton, Comanche, Caddo and Tillman.

District No. 4. The county of Oklahoma.

District No. 5. The counties of Kay, Noble, Payne, Logan, Canadian, Kingfisher, Garfield, Grant, Alfalfa, Major, Blaine, Kiowa, Jackson, Greer, Harmon, Beckham, Custer, Washita, Roger Mills, Dewey, Woodward, Ellis, Harper, Woods, Beaver, Texas and Cimarron.

SECTION 6. The Public Utilities Commission shall organize by electing one of its members chairman and appointing a secretary. A majority of said Commission shall constitute a quorum, and the concurrence of the majority of said Commission shall be necessary to conduct all business of the Commission."

, and by renumbering the remaining sections.

Senator Watson moved to amend SB 386, Page 14, Line 6, by deleting after the period all language through Line 9 and inserting the following:

"The Board shall consist of six (6) members who shall be elected from each of the existing Congressional Districts to serve four-year staggered terms to be elected as follows: Districts I, III and V in 1978; Districts II, IV and VI in 1980. In the event reapportionment should reduce the number

of Congressional Districts below six (6), the difference between that number and six (6) will be elected statewide in the first general election following the enactment of the reapportionment. In the event reapportionment should increase the number of congressional districts above six (6), the number of members of this Board shall be increased proportionately. Elections will be held according to the even or odd numbers of the new district or districts.", which amendment was declared failed of adoption upon roll call as follows:

Aye: Capps, Funston, Giles, Green, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Murphy, Randle, Taliaferro, Tinsley, Wadley, Watson, Wolfe and Young.—19.

Nay: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Holden, Howard, Johnson, Lane, Luton, Martin, Rozell, Schuelein, Shatwell, Smith, Terrill, Vann and York.—24.

Excused: Helm, Howell, Pierce, Porter and Stipe.—5.

The Chair advised the Senate that Senator Helm, having been present in the Chamber during the vote, would be shown voting "no" on the Watson in lieu amendment in compliance with Rule 1(b). The vote thereby resulted as follows: Aye: 19. Nay: 25. Excused: 4.

Senator McDaniel moved to amend the Rozell substitute amendment to the Giles amendment by striking the following language of Section 4 therein: "After the effective date of this act, the Governor, with the advice and consent of the Oklahoma Legislature, shall appoint, from each of five (5) districts, the first members of the Oklahoma Public Utilities Commission to hold office until the next general election is held. Thereafter, one member of the Public Utilities Commission shall be elected

from each of five (5) districts during general elections.”, which amendment was declared failed of adoption upon roll call as follows:

Aye: Berrong, Funston, Giles, Keller, Kilpatrick, Lamb, McDaniel, Randle, Taliaferro, Tinsley, Vann and Wadley.—12.

Nay: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lambert, Lane, Luton, McCune, Martin, Murphy, Rozell, Schuelein, Shatwell, Smith, Terrill, Watson, Wolfe, York and Young.—32.

Excused: Capps, Pierce, Porter and Stipe.—4.

Senator Rozell pressed his motion to adopt his in lieu amendment to the Giles amendment, which motion was declared failed of adoption upon roll call as follows:

Aye: Boatner, Dahl, Funston, Giles, Green, Helm, Keating, Kilpatrick, Lambert, Luton, McCune, Murphy, Randle, Rozell, Schuelein, Tinsley, Vann, Wadley, Wolfe and Young.—20.

Nay: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dawson, Field, Grantham, Holden, Howard, Howell, Johnson, Keller, Lamb, Lane, McDaniel, Martin, Shatwell, Smith, Taliaferro, Terrill, Watson and York.—24.

Excused: Capps, Pierce, Porter and Stipe.—4.

Senator Howard asked unanimous consent, which was granted, that further consideration of SB 386 and the amendments thereto be deferred for this legislative day.

Senator Luton presiding.

THIRD READING

SB 403 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Murphy, Randle, Rozell, Shatwell, Smith, Tinsley, Vann, Wadley and York.—33.

Nay: Grantham, Green, Keating, McCune, McDaniel, Martin, Schuelein, Taliaferro, Terrill, Watson, Wolfe and Young.—12.

Excused: Pierce, Porter and Stipe.—3.

The bill passed.

Senators McDaniel, Taliaferro and Keating desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36. Nay: 9. Excused: 3.

The emergency passed.

SB 403 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 272 were called up for consideration.

Upon motion of Senator Rozell, the Senate concurred in HAs to SB 272.

SB 272, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert,

Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Helm, Pierce, Porter and Stipe.—5.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAS to SB 289 were called up for consideration.

Upon motion of Senator McDaniel, the Senate concurred in HAS to SB 289.

SB 289, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Capps, Clifton, Dahl, Field, Giles, Green, Holden, Keller, Lambert, Lane, McDaniel, Martin, Murphy, Randle, Shatwell, Smith, Taliaferro, Tinsley and Wadley.—20.

Nay: Birdsong, Boatner, Cate, Crow, Dawson, Funston, Grantham, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Luton, McCune, Rozell, Schuelein, Terrill, Vann, Watson, Wolfe, York and Young.—24.

Excused: Butler, Pierce, Porter and Stipe.—4.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator

McDaniel moved that the vote be reconsidered by which SB 289 failed of passage.

GENERAL ORDER

HB 1276 by Lancaster of the House and Smith and Green of the Senate was read and considered.

Upon motion of Senator Smith, HB 1276 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1276 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1276 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Dawson.—1.

Excused: Butler, Pierce, Porter and Stipe.—4.

The bill passed.

HB 1276 was ordered withheld pursuant to Rule 19(f).

Senator Wadley presiding.

GENERAL ORDER

HB 1110 by Sanders of the House and

Lambert of the Senate was read and considered.

Upon motion of Senator Lambert, HB 1110 was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, HB 1110 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1110 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Holden, Howard, Howell, Keating, Kilpatrick, Lambert, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Wadley, Watson and York.—29.

Nay: Berrong, Capps, Crow, Grantham, Green, Helm, Johnson, Keller, Lamb, Lane, McCune, Shatwell, Taliaferro, Wolfe and Young.—15.

Excused: Butler, Pierce, Porter and Stipe.—4.

The bill passed.

HB 1110 was ordered withheld pursuant to Rule 19(f).

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed HBs 1128 and 1133, and rerefering said bills to GCCA.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCRs 17 and 21.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 7, 186 and 310; and SJR 29.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

SUBCOMMITTEES OF GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

GENERAL GOVERNMENT JUDICIARY

House	Senate
Elder, V. Ch.	Grantham, Ch.
Draper	Luton
Trent	Smith
Cowan, Alt.	Butler, Alt.

EDUCATION

House	Senate
Abbott, Ch.	Randle, V. Ch.
Davis (Don)	Howell
Miskelly	Terrill
Duke, Alt.	Crow, Alt.

SOCIAL SERVICES PUBLIC AND MENTAL HEALTH

House	Senate
Sparkman, V. Ch.	Murphy, Ch.
Campbell	Schuelein
Denman	Berrong
Atkins, Alt.	McCune, Alt.

REGULATORY AND NATURAL RESOURCES

House	Senate
Townsend, Ch.	Lane, V. Ch.
Murphy	Cate
Morgan	Holden
Roberts, Alt.	Lamb, Alt.

PUBLIC SAFETY AND HIGHWAYS

House	Senate
Rogers, V. Ch.	Stipe, Ch.
Riggs	Boatner
Matheson	York
Parris, Alt.	Funston, Alt.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, May 18, 1977, at 12:00 noon, which motion prevailed.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1258, as amended.

BILLS RELEASED

HBs 1110, 1168 and 1276 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 4:30 p.m. to meet Wednesday, May 18, 1977, at 12:00 noon.

Seventy-eighth Legislative Day

Wednesday, May 18, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Butler, Capps, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Watson, York and Young.—35.

Excused: Boatner, Cate, Crow, Field, Helm, Howell, Keating, Keller, Porter, Rozell, Tinsley, Wadley and Wolfe.—13.

Senator Luton declared a quorum present.

The prayer was offered by Senator Lamb.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Johnson, on behalf of Senator Boatner, introduced Mary Rhea, R.N., Milburn, as Nurse of the Day.

Senator Martin introduced Layton R.

Sutton, M.D., Ardmore, as Doctor of the Day.

Senator Rozell introduced his son, Mike, and nephew, Gary, to the members of the Senate.

Senator Howell introduced his son, David, and noted that David is serving as Honorary Page for this legislative week.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1392 — Education, Common, as co-authored by Funston.

MOTION TO RECONSIDER VOTE

Senator McDaniel asked for consideration of his motion to reconsider the vote whereby SB 289 failed of passage. The vote occurring on the McDaniel motion, it was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howard, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell,

Smith, Terrill, Watson, York and Young — 31.

Nay: Johnson.—1.

Excused: Boatner, Cate, Crow, Field, Helm, Howell, Keating, Keller, Porter, Rozell, Stipe, Taliaferro, Tinsley, Vann, Wadley and Wolfe.—16.

Senator McDaniel moved to reconsider the vote whereby House Amendments to SB 289 were adopted, which motion was declared adopted.

PENDING CONSIDERATION OF HAS

Upon motion of Senator McDaniel, HAS to SB 289 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators McDaniel, Clifton and Grantham.

Senators Field, Howell, Keating and Rozell asked to be shown present, which was the order.

GENERAL ORDER

SJR 34 by Murphy was read and considered.

Senator Terrill asked to be made a coauthor of SJR 34, which was the order.

Upon motion of Senator Murphy, SJR 34, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SJR 34, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 34 was read for the third time at length.

On the question of passage of the resolu-

tion and emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Capps, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Watson, York and Young.—38.

Excused: Boatner, Butler, Cate, Crow, Helm, Keller, Porter, Tinsley, Wadley and Wolfe.—10.

The resolution and emergency passed.

SJR 34 was referred for engrossment.

Senator Randle presiding.

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

GENERAL ORDER

SJR 36 by Murphy of the Senate and Manning of the House was read and considered.

Upon motion of Senator Murphy, SJR 36 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SJR 36 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 36 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps,

Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Watson, Wolfe and Young.—39.

Excused: Boatner, Cate, Crow, Helm, Keller, Porter, Tinsley, Wadley and York.—9.

The resolution and emergency passed.

SJR 36 was referred for engrossment.

GENERAL ORDER

SJR 37 by Murphy was read and considered.

Upon motion of Senator Murphy, SJR 37 was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, SJR 37 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 37 was read for the third time at length.

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

Aye: Butler, Capps, Clifton, Dahl, Field, Giles, Green, Holden, Howard, Howell, Keating, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Stipe, Terrill, Vann, Watson and Young.—26.

Nay: Berrong, Birdsong, Dawson, Funston, Grantham, Johnson, Kilpatrick, Lambert, Lane, Rozell, Smith, Taliaferro and Wolfe.—13.

Excused: Boatner, Cate, Crow, Helm,

Keller, Porter, Tinsley, Wadley and York.—9.

The resolution passed.

SJR 37 was referred for engrossment.

Senators Boatner, Cate, Crow and Wadley asked to be shown present, which was the order.

GENERAL ORDER

SJR 38 by Dawson and Porter was read and considered.

Upon motion of Senator Dawson, SJR 38 was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, SJR 38 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 38 was read for the third time at length.

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

Aye: Berrong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson and Young.—36.

Nay: Birdsong, Boatner, Johnson, Lambert, Rozell, Schuelein and Wolfe.—7.

Excused: Helm, Keller, Porter, Tinsley and York.—5.

The resolution and emergency passed.

SJR 38 was referred for engrossment.

Senators Keller and Tinsley asked to be shown present, which was the order.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 403 and SCR 25 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1127, 1137, 1139 and 1158 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SB 272 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 24 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1016.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1110, 1168, 1258 and 1276.

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 Engrossed SB 214 as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 214 were read as follows and consideration deferred.

Authors: Add the following coauthors: Thompson (Mick) and Henry of the House.

Amendment No. 1. Amend Page 1, Lines 23 and 35, by reinstating the word "bird".

Amendment No. 2. Amend Page 1, Line 31, by adding after the word "bird" and before the word "which" the following: ", or has reared the bird himself,".

Amendment No. 3. Amend Page 2, Line 5½, by adding a new subsection 6 to read as follows:

"6. The land owner or lessee shall not be held liable for accidents."

CONFERENCE COMMITTEE REPORT

The following CCR on SB 76 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 76, entitled:

(Office of the Governor — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, and 5.
2. That the following Conference Com-

mittee Amendments to the Engrossed Senate Bill No. 76 be adopted:

a. Amend the bill title to read as follows:

"An Act relating to the Office of the Governor and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting number of employees; authorizing reimbursement for travel; authorizing appropriated funds for federal matching purposes; providing lapse date; directing codification; providing severability; and declaring an emergency."

b. Page 1, Line 25, by deleting the figures "\$954,024.00" and substituting in lieu thereof the figures "\$944,024.00".

c. Page 1, Line 27, by deleting the figures "\$984,024.00" and substituting in lieu thereof the figures "\$974,024.00".

d. Page 1, Line 33, after the date "1978" add the phrase ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes."

e. Page 2, Lines 7 through 11 by deleting the present Section 5 and substituting in lieu thereof a new Section 5 to read as follows:

"SECTION 5. 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."

f. Page 2, Line 11½ by inserting a new Section 6 to read as follows:

"SECTION 6. Section 3 of this act shall be inserted in the Oklahoma Statutes as Section 500.20 of Title 74 unless the same shall create a duplication in numbering."

and by renumbering the present "Section

6" to read "Section 7" and renumbering succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senator Watson presiding.

PENDING CONSIDERATION OF HAS

HAS to SJR 6 were called up for consideration.

Senator Crow asked unanimous consent, which was granted, that Rule 16 be suspended as to printing of SJR 6.

Upon motion of Senator Crow, the Senate concurred in HAS to SJR 6.

SJR 6, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—43.

Nay: Kilpatrick.—1.

Excused: Field, Helm, Porter and York.—4.

The resolution and emergency passed.

House Amendments were properly signed and the above-numbered resolution was referred for enrollment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 95 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 95, entitled:

(Will Rogers Memorial Commission — Appropriation — 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 all Engrossed House Amendments.

2. That the following Conference Committee Amendments to Engrossed Senate Bill No. 95 be adopted:

a. Page 1, Restore the title to read as follows:

"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 and make certain administrative decisions; designating the manager's maximum salary; limiting number of employees; limiting expenditures for salaries and wages; prohibiting expenditure of certain monies for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Section 1, Lines 22-23, by deleting the words and figures "One Hundred Twelve Thousand Two Hundred Forty-seven Dollars (\$112,247.00)" and inserting in lieu thereof the words and figures "One Hundred Thirteen Thousand Seven Hundred Forty-three Dollars (\$113,743.00)".

c. Page 1, Section 2, Line 35, by adding the following language after "1978" and before the period (.) " , except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

d. Page 2, Line 3½, by adding a new Section 3 to read as follows:

"SECTION 3. The expenditure of monies from the appropriation made in this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and by renumbering present "Section 3" to read "Section 4" and renumbering succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

GENERAL ORDER

HB 1314 by Draper, et al, of the House and Smith of the Senate was read and considered.

Senators Holden, Cate and Kilpatrick

asked to be made coauthors of HB 1314, which was the order.

Senator Lane asked unanimous consent, which was granted, that further consideration of HB 1314 be deferred temporarily.

The hour of 1:45 p.m. having arrived and that being the hour agreed upon for a Joint Session, Senator Lane moved that the Senate stand recessed and proceed to the House Chamber for the Joint Session, which motion was declared adopted.

JOINT SESSION

The Senate and House of Representatives of the 1st Regular Session of the 36th Legislature in Joint Session was called to order by Lieutenant Governor George Nigh, President of the Senate.

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

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Helm and Porter.—2.

President Nigh declared a quorum of the Senate present.

Upon motion of Representative Townsend, the attendance roll call of the House of Representatives was considered the attendance roll call of the House in Joint Session, as follows:

Present: Abbott, Anderson, Arnold, At-

kins, Barker, Baughman, Bengtson, Bennett, Bernard, Bradley, Bradshaw, Brunton, Caldwell, Camp, Campbell, Cleveland, Conaghan, Converse, Cotner, Cowan, Craig, Craighead, Crutcher, Cullison, Cummings, Cunningham, Davis (Don), Davis (Guy), Deatherage, Denman, Draper, Duckett, Duke, Dunn, Elder, Ervin, Fitzgibbon, Floyd, Ford, Frates, Fried, Glover, Hammons, Hardesty, Harper, Hastings, Henry, Holaday, Holden, Holt, Hood, Hooper, Hopkins, Johnson (A.V.), Johnson (Don), Johnston, Joiner, Kamas, Kane, Kennedy, Lancaster, Lawter, McCaleb, McIntyre, McKee, Manning, Matheson, Milacek, Miskelly, Monks, Monlux, Morgan, Murphy, Nance, Parris, Peterson, Poulos, Riggs, Roberts, Robinson, Rogers, Sanders, Smith, Sparkman, Stephenson, Steward, Swinton, Thompson (Don), Thompson (Mick), Townsend, Trent, Twidwell, Vaughn, Weichel, Whorton, Wickersham, Wilson, Winn, Wiseman and Mr. Speaker.—100.

Excused: Kardokus.—1.

President Nigh declared a quorum of the House of Representatives present.

President Nigh declared quorums of the Senate and House present and the Joint Session properly organized.

The invocation was offered by Reverend Larry Martin, House Chaplain for this legislative week.

Senator Lane moved that the President and Speaker appoint committees from the Senate and House, respectively, as a Joint Committee to notify The Honorable Carl Albert that the Joint Session was ready to receive him and hear his address, which motion was declared adopted.

The following were appointed as such committee:

For the Senate: President Pro Tempore

Howard and Senators Stipe, Randle, Martin, Holden and Boatner.

For the House: Speaker Willis and Representatives Davis (Guy), Caldwell, Converse, Roberts and Irwin.

Sergeant at Arms Truel was recognized and announced the arrival of The Honorable Carl Albert, accompanied by the Joint Committee appointed to escort him to the House Chamber.

Mr. Albert was escorted to the Speaker's desk by the Joint Committee, where he addressed the Joint Session.

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

The Senate reassembled in its Chamber with Senator Watson presiding.

Senator Lane questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

GENERAL ORDER

HB 1314 was considered further.

Upon motion of Senator Smith, HB 1314, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1314, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1314 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dawson, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Field, Keller and Martin.—3.

Excused: Berrong, Capps, Dahl, Helm, Howard, Porter and Stipe.—7.

The bill passed.

Senators Dahl and Martin desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40. Nay: 2. Excused: 6.

The emergency passed.

HB 1314 was referred for engrossment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 105 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 105, entitled:

(Office of Civil Defense — Appropriation — 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 all Engrossed House Amendments.

2. That the following Conference Committee Amendments be adopted:

(a) Page 1, Line 27, by striking the figure "\$126,405.00" and substituting in lieu thereof the figure "\$125,638.00", and Page 1, Line 29, by striking the figure "\$151,549.00" and substituting in lieu thereof the figure "\$150,782.00".

(b) Page 2, Line 2, by adding after "1978" and before the period (.) the language " , except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

(c) Restore the Title to read as follows:

"An Act relating to the Office of Civil Defense and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; fixing the salary of the Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency."

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 24.

The above numbered Enrolled Resolu-

tion was ordered referred to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 272.

The above numbered Enrolled Bill was referred to the Governor.

DECLARATION OF VOTE

Senator Dahl asked that the record show had he been present in the Chamber at the time of passage of HB 1314, he would have voted "aye" on the bill, which was the order.

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 144.

The above numbered Bill as amended in Conference was referred for enrollment.

DECLARATION OF VOTE

Senator Boatner asked that the record show had he been present in the Chamber at the time of passage of SJRs 34, 36, and 37, he would have voted "aye" on the resolutions, which was the order.

MESSAGE FROM THE HOUSE

Advising rejection of CCRs to Engrossed HBs 1147 and 1156, requesting further Conference and rereferring said bills to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HBs 1147 and 1156 was

ordered granted, said bills to be rereferred to GCCA.

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 1150, 1162 and 1165.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1150 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1150, entitled:

An Act relating to the Oklahoma Cerebral Palsy Center; making appropriations thereto; stating the purposes; *** 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 its Engrossed Amendment No. 1.

2. That the House accept Senate Engrossed Amendment No. 2.

3. That the following Conference Committee Amendments be adopted:

a. Amend the Title to read as follows:

"An Act relating to the Oklahoma Cerebral Palsy Center; making an appropriation thereto; stating the purpose; au-

thorizing appointment, duties and compensation of employees; fixing the salary of the administrative director, limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Lines 23 and 24, delete "Five Hundred Sixty-six Thousand Two Hundred Seventeen Dollars (\$566,217.00)" and substitute in lieu thereof "Five Hundred Sixty-four Thousand Five Hundred Thirty-one Dollars (\$564,531.00)".

c. Page 1, Line 35 after the number "1978", delete the (.) and add ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes."

d. Page 2, Lines 1 and 2, delete "Four Hundred Sixty-four Thousand Seven Hundred Fifty Dollars (\$464,750.00)" and substitute in lieu thereof "Four Hundred Fifty-nine Thousand Seventy Dollars (\$459,070.00)".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1162 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Com-

mittee on Appropriations, to whom was referred Engrossed HB No. 1162, entitled:

An Act relating to the Office of the Chief Mine Inspector and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to Engrossed House Bill No. 1162 be adopted:

a. Page 1, Section 1, Line 26, by deleting the figure "\$134,492.00" and by substituting in lieu thereof the figure "\$133,835.00".

b. Page 1, Section 1, Line 29, by deleting the figure "\$198,015.00" and by substituting in lieu thereof the figure "\$197,358.00".

c. Page 1, Section 2, Line 33, by adding after the word "and" and before the word "compensation" the word "annual".

d. Page 1, Section 2, Line 37, by adding after the word "only" and before the period (.), the following language "exclusive of overtime pay".

e. Page 2, Section 2, Line 2, by deleting the colon (:) after the word "below" and by substituting in lieu thereof the following language: "except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes."

f. Page 2, Section 2, Line 5, by deleting the figure "15,240.00" and by substituting in lieu thereof the figure "15,480.00".

g. Page 2, Section 2, Line 8, by deleting

the figure "12,120.00" and by substituting in lieu thereof the figure "12,240.00".

h. Page 2, Section 2, Line 10, by deleting the figure "10,680.00" and by substituting in lieu thereof the figure "10,740.00".

i. Page 2, Section 2, Line 11, by deleting the figure "10,260.00" and by substituting in lieu thereof the figure "10,320.00".

j. Page 2, Section 2, Line 12, by deleting the figures "6,060.00" and "6,840.00" respectively and by substituting in lieu thereof the figures "5,580.00" and "6,660.00" respectively.

k. Page 2, Section 3, Lines 17 and 18, by deleting the words and figures "One Hundred Fifteen Thousand Three Hundred Forty Dollars (\$115,340.00)" and by substituting in lieu thereof the words and figures "One Hundred Fifteen Thousand Nine Hundred Ten Dollars (\$115,910.00)".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1165 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1165, entitled:

An Act relating to the Department of Energy and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to Engrossed House Bill No. 1165 be adopted:

a. Page 1, Amend the Title to read as follows:

"An Act relating to the Department of Energy and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; fixing the salary of the Director and Deputy Director; limiting number of employees; limiting expenditures for salaries and wages; prohibiting the expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Section 1, Lines 23 and 24, by deleting the words and figures "One Hundred Sixty-nine Thousand Eighty-nine Dollars (\$169,089.00)" and by substituting in lieu thereof the words and figures "One Hundred Eighty Thousand Five Hundred Sixty-seven Dollars (\$180,567.00)".

c. Page 1, Section 2, Lines 30 and 31, by deleting the words and figures "Twenty-one Thousand Nine Hundred Dollars (\$21,900.00)" and by substituting in lieu thereof the words and figures "Twenty-two Thousand Five Hundred Dollars (\$22,500.00)".

d. Page 1, Section 2, Lines 32 and 33, by deleting the words and figures "Nineteen Thousand Two Hundred Dollars (\$19,200.00)" and by substituting in lieu thereof the words and figures "Nineteen Thousand Six Hundred Twenty Dollars (\$19,620.00)".

e. Page 1, Section 2, Line 36, by adding after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

f. Page 2, Section 2, Lines 2 and 3, by deleting the words and figures "One Hundred Five Thousand Nine Hundred Ten Dollars (\$105,910.00)" and by substituting in lieu thereof the words and figures "One Hundred Seven Thousand One Hundred Eighty Dollars (\$107,180.00)".

g. Page 2, Section 3, Lines 5 through 20, by deleting all of the present Section 3.

Renumber the present Section 4 to read "Section 3" and renumber succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

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 1155.

CONFERENCE COMMITTEE REPORT

The following 2nd CCR on HB 1155 was read and consideration deferred.

Mr. Speaker
and
Mr. President:

We, your Conference Committee to whom was rereferred Engrossed House Bill No. 1155, and Engrossed Senate Amendments thereto, by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate, entitled:

An Act relating to the Office of the Banking Department and making an appropriation thereto; stating the purpose; *** 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:

1. That the Senate recede from Engrossed Senate Amendment No. 1.

2. That the attached conference committee substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1155 were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Matheson, Miskelly and Townsend.

FOR THE SENATE: Crow, Holden and Terrill.

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

GENERAL ORDER

SB 386, previously considered and

amended on pages 712 - 715, was considered further.

Senator Giles pressed his motion to amend (amendment read on page 713), which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Dahl, Giles, Green, Helm, Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Taliaferro, Tinsley, Vann, Wadley, Wolfe and Young.—25.

Nay: Birdsong, Butler, Cate, Clifton, Crow, Dawson, Field, Funston, Grantham, Howard, Johnson, Lambert, Luton, Rozell, Schuelein, Shatwell, Terrill, Watson and York.—19.

Excused: Capps, Porter, Smith and Stipe.—4.

Senator Keating moved that SB 386 be referred to the committee on Appropriations and Budget for further consideration.

Senator York moved to table the Keating motion, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Crow, Dawson, Field, Funston, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Lane, Murphy, Randle, Rozell, Terrill, Tinsley, York and Young.—22.

Nay: Berrong, Dahl, Giles, Grantham, Green, Helm, Keating, Keller, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Schuelein, Shatwell, Taliaferro, Vann, Wadley, Watson and Wolfe.—21.

Excused: Boatner, Capps, Porter, Smith and Stipe.—5.

Senator Giles moved that SB 386 be rereferred to the committee on County, State and Federal Government with all amendments attached.

Senator York moved to table the Giles motion to commit, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Crow, Dawson, Field, Funston, Holden, Howard, Howell, Johnson, Kilpatrick, Lambert, Randle, Rozell, Terrill, Tinsley, Wolfe, York and Young.—21.

Nay: Berrong, Boatner, Dahl, Giles, Grantham, Green, Helm, Keating, Keller, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Shatwell, Taliaferro, Vann, Wadley and Watson.—23.

Excused: Capps, Porter, Smith and Stipe.—4.

Senator Giles pressed his motion to commit, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Crow, Dahl, Giles, Grantham, Green, Helm, Keller, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Shatwell, Taliaferro, Vann, Wadley and Watson.—23.

Nay: Birdsong, Butler, Cate, Clifton, Dawson, Field, Funston, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lambert, Randle, Rozell, Smith, Terrill, Tinsley, Wolfe, York and Young.—22.

Excused: Capps, Porter and Stipe.—3.

Senator Wadley presiding.

GENERAL ORDER

HB 1006 by Cunningham, et al, of the House and Johnson, Butler, McDaniel, Young and Martin of the Senate was read and considered.

Senators Boatner and Taliaferro asked

to be made coauthors of HB 1006, which was the order.

Upon motion of Senator Johnson, HB 1006, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Johnson, HB 1006, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1006 was read for the third time at length.

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

Aye: Boatner, Butler, Cate, Clifton, Dahl, Giles, Grantham, Holden, Howard, Howell, Johnson, Keller, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—29.

Nay: Berrong, Birdsong, Crow, Dawson, Field, Funston, Green, Helm, Keating, Kilpatrick, Lamb, Lambert, McCune, Pierce and Wolfe.—15.

Excused: Capps, Porter, Smith and Stipe.—4.

The bill passed.

Senators Kilpatrick, Keating, Funston, Helm, Dawson, Pierce and Green desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36. Nay: 8. Excused: 4.

The emergency passed.

HB 1006 was ordered withheld pursuant to Rule 19(f).

MOTION TO RECONSIDER VOTE

Pursuant to Rule 19, Senator Luton moved that the vote be reconsidered by which the Giles motion to commit SB 386 to the committee on County, State and Federal Government was adopted.

Senator Keller moved to table the Luton motion to reconsider, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Dahl, Field, Giles, Grantham, Green, Helm, Holden, Keating, Keller, Lamb, Lane, McCune, McDaniel, Martin, Pierce, Schuelein, Shatwell, Stipe, Taliaferro, Vann, Wadley, Watson and Wolfe.—25.

Nay: Birdsong, Butler, Cate, Clifton, Crow, Dawson, Funston, Howard, Howell, Johnson, Kilpatrick, Lambert, Luton, Murphy, Randle, Rozell, Smith, Terrill, Tinsley, York and Young.—21.

Excused: Capps and Porter.—2.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 106 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 106, entitled:

(Council on Law Enforcement Education and Training — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5 and 6.

2. That the following Conference Committee Amendments be adopted:

a. Page 1, Lines 24 and 25, by striking the words and figures "One Hundred Eighty-four Thousand Six Hundred Seventy-one Dollars (\$184,671.00)" and substituting in lieu thereof the words and figures "Sixty Thousand Nine Hundred Four Dollars (\$60,904.00)".

b. Page 1, Line 35 through Page 2, Line 6, after the words "Council as provided by law.", on Page 1, Line 35, by striking all language on these lines.

c. Page 2, Lines 9, 10 and 11, by striking the words and figures "One Hundred Ninety-eight Thousand Eight Hundred Thirty Dollars (\$198,830.00)" and substituting in lieu thereof the words and figures "One Hundred Seventy Thousand Five Hundred Forty-seven Dollars (\$170,547.00)".

d. Page 2, Line 14½, by adding new Sections 4 and 5 to read as follows:

"SECTION 4. The number and annual compensation of officials and employees for the fiscal year ending June 30, 1978, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only, exclusive of overtime pay. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below, except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes.

JOB TITLE	NO. AUTH.	MIN.	MAX.
Director	1	\$17,160	\$23,460
Assistant			
Director	1	16,380	20,700
Regional			
Coordinator II	1	14,940	19,800
Regional			
Coordinator I	5	12,360	16,380
Grant			
Administrator	1	12,360	16,380
Administrative			
Assistant I	1	10,140	13,620
Clerk			
Typist I	1	6,060	8,040
Secretary	<u>1</u>	5,580	6,660
	12		

SECTION 5. The Council on Law Enforcement Education and Training is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower job level within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all job levels in that specific occupational class."

Renumber the present Section 4 to read "Section 6" and renumber succeeding sections accordingly.

e. Restore the title to read as follows:

"An Act relating to the Council on Law Enforcement Education and Training and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting the amount of funds to be expended for salaries and wages; specifying the certification of payroll claims; specifying number and compensation of authorized employees; authorizing the filling of a designated position with a position in a lower level; providing lapse date; providing severability; and declaring an emergency."

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 108 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 108, entitled:

(Office of the Pardon and Parole Board — Appropriation — 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 all Engrossed House Amendments.
2. That the following Conference Committee Amendments be adopted:

a. Page 1, Lines 21 and 22, by changing the words and figures "One Hundred Thirty-eight Thousand One Hundred Six Dollars (\$138,106.00)" to read "One Hundred Thirty-seven Thousand Thirteen Dollars (\$137,013.00)".

b. Page 1, Line 25 through Page 2, Line 6, inclusive by striking all language and substituting new Sections 2 and 3 to read as follows:

"SECTION 2. The Pardon and Parole Board shall, subject to policies established by said Board, appoint and fix the duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the Board by law. The number and annual compensation of officials and employees, for the fiscal year ending June 30, 1978, payable from the appropriation made in this act, shall be subject to the following schedule, and the minimum and maximum amounts as listed shall in no way constitute an appropriation, but are listed for the purposes of establishing salary ranges only, exclusive of overtime pay. The number of full-time-equivalent employees shall not exceed the number by job title authorized below, except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes.

JOB TITLE	NO. AUTH.	MIN.	MAX.
Chief			
Coordinator	1	\$10,780	\$13,600
Professional			
Interviewer	4	10,780	13,200
Typist			
Clerk	4	5,640	8,340
Total			
Authorized	9		

The total funds from all sources expended by the Pardon and Parole Board for the payment of any payroll salary or wage, including tax-sheltered deferment contracts authorized by state statute, shall not exceed One Hundred Three Thousand Seven Hundred Sixty-seven Dollars (\$103,767.00) during the fiscal year ending June 30, 1978.

SECTION 3. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services

provided as a part of or in conjunction with a construction contract, is prohibited."

Renumber the present Section 3 to read "Section 4" and renumber succeeding sections accordingly.

c. Restore the title to read as follows:

"An Act relating to the Office of the Pardon and Parole Board and making an appropriation thereto; stating the purpose; providing for appointment, duties, compensation and number of employees; limiting expenditures for salaries and wages; prohibiting expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

GENERAL ORDER

HB 1064 by Parris of the House and Clifton of the Senate was read and considered.

Senator Clifton moved to amend HB 1064, Page 5, Lines 7 and 8, by striking after the word "of" and before the word "for" the words and figure "Ten Dollars (\$10.00)" and inserting therefor the following "Twenty Dollars (\$20.00)".

Senator Lamb moved to amend the Clifton amendment by striking the words and figures "Twenty Dollars (\$20.00)" and inserting "Fifteen Dollars (\$15.00)", which amendment was declared adopted.

Senator Clifton pressed his motion to adopt his amendment, as amended, which motion was declared adopted.

Senator McCune moved to amend HB 1064, Page 8, Line 14, by striking after the bracket on Line 14 and before the word "as" on Line 15 all language and substituting "State Department of Health" and by making the same change on Page 9, Lines 4 and 5; Page 9, Line 11; Page 9, Line 16; Page 10, Lines 7 and 8; and Page 7, Lines 4 and 5, which amendment was declared adopted.

Senator Berrong moved to amend HB 1064, Page 14, Line 15½, by adding after the word "instructor" a new Section 9 as follows:

"SECTION 9. None of the funds provided for in Section 2 shall be used by the Board or the Board employees for travel or per diem to out-of-state meetings."

and by renumbering subsequent sections, which amendment was declared adopted.

Upon motion of Senator Clifton, HB 1064, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, HB 1064, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1064 was read for the third time at length.

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

Aye: Berrong, Butler, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick,

Lamb, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and Watson.—37.

Nay: Birdsong, Boatner, Crow, Field, Lambert, Wolfe, York and Young.—8.

Excused: Capps, Luton and Porter.—3.

The bill and emergency passed.

Senator Luton asked that the record show he was in the Chamber at the time of final passage of HB 1064 and was unable to reach his desk to vote before the roll was closed. In compliance with Rule 1(b), Senator Luton was recorded as voting "no" on HB 1064. The vote thereby resulted as follows: Aye: 37. Nay: 9. Excused: 2.

HB 1064 was referred for engrossment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 97 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 97, entitled:

(Oklahoma Health Planning Commission — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5, 6 and 7.

2. That the following Conference Committee Amendments to Engrossed Senate Bill No. 97 be adopted:

a. Page 1, Restore the Title to read as follows:

"An Act relating to the Oklahoma Health Planning Commission and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; authorizing filling of designated positions within a specific occupational class; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Lines 23 and 24, by deleting the words and figures "One Hundred Eighty-two Thousand Seven Hundred Seventy-three Dollars (\$182,773.00)" and by substituting in lieu thereof the words and figures "One Hundred Seventy-four Thousand Eighty-four Dollars (\$174,084.00)".

c. Page 1, Lines 27 through 29, by deleting all of the present Section 2 and renumbering the present Section 3 to read "Section 2".

d. Page 1, Lines 33 through 36, by deleting all language after the word "law." on Line 33, by deleting all language on Lines 34 and 35, and by deleting all language before the word "The" on Line 36.

e. Page 2, Lines 3 and 4, by deleting the words and figures "Three Hundred Fifty-nine Thousand Nine Hundred Ninety Dollars (\$359,990.00)" and by substituting in lieu thereof the words and figures "Three Hundred Twenty-six Thousand Two Hundred Thirty Dollars (\$326,230.00)".

f. Page 2, Line 5½, by adding a new Section 3 and a new Section 4 to read as follows:

"SECTION 3. The number and annual compensation of officials and employees, for the fiscal year ending June 30, 1978, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only, exclusive of overtime pay. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below, except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

JOB TITLE	MERIT		MIN.	MAX.
	SYSTEM GRADE	NO. AUTH.		
Director of Health Planning		1	\$24,000	\$25,200
Health Systems Analyst H	38	2	18,900	24,000
Health Systems Analyst I	36	2	17,160	22,860
Mechanical Engineer	34	1	15,660	21,780
Health Planning Assistant	24	4	9,660	14,940
Clerk IV	19	2	7,680	11,760
Typist Clerk I	14	1	6,060	9,240
Typist Clerk II	15	1	6,360	9,660
Typist Clerk III	17	4	6,960	10,680
Health Planner I	27	2	11,220	17,160
Health Planner II	30	2	12,960	19,800
Accountant I	25	1	10,140	15,660
Account Clerk III	19	1	7,680	11,760
Total		24		

SECTION 4. The Oklahoma Health Planning Commission is authorized to fill a designated position, as authorized by this act, that is within a specific occupational class, with a position in a lower grade within that same occupational class, provided the total number of employees designated in the specific occupational class does not exceed the total number of employees authorized for all grades in that specific occupational class."

and renumbering the present Section 4 to read "Section 5" and renumbering succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

PENDING CONSIDERATION OF CCR

The CCR on HB 1155 was called up for consideration.

The CCR on HB 1155 was adopted upon motion of Senator Crow.

HB 1155, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein,

Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Lambert.—1.

Excused: Capps and Porter.—2.

The bill and emergency passed.

HB 1155, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

GENERAL ORDER

HB 1221 by Cotner of the House and Keating of the Senate was read and considered.

Upon motion of Senator Keating, HB 1221 was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, HB 1221 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1221 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Crow and Field.—2.

Excused: Capps and Porter.—2.

The bill and emergency passed.

HB 1221 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HB 1218 by Ford of the House and Wolfe of the Senate was read and considered.

Upon motion of Senator Wolfe, HB 1218 was advanced to engrossment.

By unanimous consent, upon request of Senator Wolfe, HB 1218 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1218 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Dawson.—1.

Excused: Capps and Porter.—2.

The bill passed.

HB 1218 was ordered withheld pursuant to Rule 19(f).

PENDING CONSIDERATION OF HAS

HAs to SB 65 were called up for consideration.

Upon motion of Senator Funston, the Senate concurred in HAs to SB 65.

SB 65, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Capps and Porter.—2.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on SB 77 was called up for consideration.

The CCR on SB 77 was adopted upon motion of Senator Crow.

SB 77, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein,

Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—44.

Excused: Berrong, Capps, Porter and Watson.—4.

The bill and emergency passed.

SB 77, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 79 was called up for consideration.

The CCR on SB 79 was adopted upon motion of Senator Crow.

SB 79, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—43.

Excused: Capps, Cate, Howard, Porter and Watson.—5.

The bill and emergency passed.

SB 79, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 82 was called up for consideration.

The CCR on SB 82 was adopted upon motion of Senator Crow.

SB 82, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—43.

Excused: Capps, Cate, Howell, Porter and Watson.—5.

The bill passed.

Senators Howell and Cate desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45. Excused: 3.

The emergency passed.

SB 82, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 84 was called up for consideration.

The CCR on SB 84 was adopted upon motion of Senator Crow.

SB 84, as amended in Conference, was read at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—43.

Nay: McCune and Wolfe.—2.

Excused: Capps, Porter and Watson.—3.

The bill and emergency passed.

SB 84, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 78 was called up for consideration.

The CCR on SB 78 was adopted upon motion of Senator Crow.

SB 78, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—45.

Excused: Capps, Porter and Watson.—3.

The bill and emergency passed.

SB 78, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 91 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 91, entitled:

(State Personnel Board — Appropriation — 74 O.S., Section 813 — 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 Engrossed House Amendment No. 1.

2. That the Conference Committee Substitute for Engrossed Senate Bill No. 91, attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 91 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day:

SCR 26 — By Howard.

A Concurrent Resolution commending the outstanding accomplishments of James Hugh Arrington during his life; and directing distribution.

Senator Lane moved that, when the

clerk's desk is clear, the Senate stand adjourned to meet Thursday, May 19, 1977, at 11:00 a.m., which motion prevailed.

BILLS RELEASED

HBs 1006, 1218 and 1221 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 5:15 p.m. to meet Thursday, May 19, 1977, at 11:00 a.m.

Seventy-ninth Legislative Day

Thursday, May 19, 1977

Pursuant to adjournment, the Senate was called to order by Senator Watson, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Holden, Stipe and Taliaferro.—3.

Senator Watson declared a quorum present.

The following prayer was offered by Reverend Kitchell, and incorporated into the Journal upon request of Senator Grantham.

Our eternal Father, we come, each of us to this place, because of Thy divine sanction. We realize that we are in Thy hands and it is our duty to seek the opportunity to be Thy servant. Grant, Father, the insight to each of these leaders great wisdom and compassion. Grant them the understanding that comes from serving their fellows.

Grant them a measure of goodness in all their dealings here in this chamber and throughout their lives. Remind us Father that long ago, the only one to live a sinless life said that the servant is not above the master. We are Thy servants, Father ... and as people together we are servants of the people whom we serve. May we always keep before us this understanding. Father, as we strive to serve Thee, we will then serve the great people of this state. This is our task.

We thank Thee for each moment we live. We thank Thee for the opportunity that lies before this state, this nation. Remind us always that we are given this gift and must seek to be good stewards of all Thou has given us.

Our prayer this day is that Thy blessing will be upon our President, our Governor, upon these who lead this state and all the people represented by this body of Thy servants. In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Field introduced his son, Ray, Stowe, Vermont, to the members of the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1192 — Revenue and Taxation, as coauthored by Funston and Green.

HB 1403 — Education, Common, as coauthored by Cate.

DO PASS, as amended:

CS for HB 1132 — Appropriations and Budget.

CS for HB 1138 — Appropriations and Budget.

HB 1144 — Appropriations and Budget.

HB 1163 — Appropriations and Budget.

HB 1170 — Business, Industry and Labor Relations.

HB 1248 — Education, Common, as coauthored by Howard.

FIRST READING

The following were introduced and read the first time.

SB 412 — By Pierce.

An Act relating to professions and occupations; amending Section 4, Chapter 203, O.S.L. 1973 (59 O.S. Supp. 1976, Section 1604); providing for license of speech pathologists and audiologists; providing certain exceptions to license requirements; and expanding exceptions to include certain other persons.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1441.

HB 1441 — By Rogers, et al, of the House and Howard of the Senate.

An Act relating to revenue and taxation; stating legislative purpose; providing for a conservation excise tax on natural gas and/or casinghead gas; providing procedures for computation and payment;

establishing a special fund; directing codification; and providing an effective date.

The above numbered HB was read for the first time.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 94 was read and consideration deferred.

Mr. President

and

Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 94, entitled:

(J. M. Davis Memorial Commission — Appropriation — 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 all Engrossed House Amendments.

2. That the following Conference Committee Amendments to Engrossed Senate Bill No. 94 be adopted:

a. Page 1, Restore the title to read as follows:

“An Act relating to the J. M. Davis Memorial Commission and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees and fixing the salary of the business manager; limiting the number of employees; limiting expenditures for salaries and wages; prohibiting expenditure of certain monies for certain fees and services; providing lapse date; providing severability; and declaring an emergency.”

b. Page 1, Section 1, Lines 22-23, by deleting the words and figures "One Hundred Twenty-six Thousand Four Hundred Dollars (\$126,400.00)" and inserting in lieu thereof the words and figures "One Hundred Twenty-seven Thousand Two Hundred Sixty-four Dollars (\$127,264.00)".

c. Page 1, Section 2, Line 33, by adding after the figures "1978" and before the period (.) the following language " , except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

d. Page 2, Line 2½, by adding a new Section 3 to read as follows:

"SECTION 3. The expenditure of monies from the appropriation made in this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and, by renumbering "SECTION 3" to read "SECTION 4" and renumbering succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Funston, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Cowan.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1006, 1155, 1218 and 1221.

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 23.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SJR 33, as amended and coauthored.

HOUSE AMENDMENTS

HAs to SJR 33 were read as follows and consideration deferred.

Authors: Add the following coauthor: Parris of the House.

Amendment No. 1. Amend Page 1, Line 32, after the word "vehicle" and before the word "on" insert the following: " , or the owner of a majority of the stock of any company which is the owner of the vehicle,".

RESOLUTION

Senator Capps introduced the following Resolution:

SCR 27 — By Capps of the Senate and Bradshaw of the House.

A Concurrent Resolution recalling from the office of the Governor Enrolled Senate Bill No. 7 passed by the First Session of the Thirty-sixth Oklahoma Legislature.

SCR 27 was read at length, adopted upon motion of Senator Capps and ordered referred for engrossment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 191 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 191 by Howard of the Senate and Townsend and Wilson of the House, entitled:

An Act relating to credit unions; providing that a state-chartered credit union may exercise any of the powers of a federally chartered credit union doing business in the state *** 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. Page 1, Line 20 after the word "state" and before the word "provided" by inserting the language "until otherwise provided by the legislature; and".

Respectfully submitted,

FOR THE SENATE: Terrill, Tinsley and Pierce.

FOR THE HOUSE: Townsend, Poulos and Steward.

GENERAL ORDER

HB 1104 by Hammons, et al, of the House and Schuelein, Randle, Watson and McCune of the Senate was read and considered.

Senators Johnson, Funston and Dahl

asked to be made coauthors of HB 1104, which was the order.

Senator Helm moved to amend HB 1104, Page 2, Line 12, by adding after the word "education," and before the word "administration," the following: "corrections, human relations, guidance and counseling," which amendment was declared adopted.

Senator Schuelein moved to amend HB 1104, Page 3, Lines 6 through 10, by striking after the word "duties" and before the word "of" on Line 6, the words "and compensation", and by striking after the word "superintendents" on Line 7 and before the word "appoint" on Line 10 all language and inserting the words "and to" in lieu thereof, which amendment was declared adopted.

Senator Johnson moved to amend HB 1104, Page 5, Line 2½, by inserting the following language and renumbering paragraphs accordingly after the word "Corrections;" on Line 2 and before the word "To" on Line 3:

"4. To designate as peace officers, at his or her discretion, personnel in any of the following job classifications: transportation officers, escape team officers, security chiefs, internal investigators, and training officers, when acting within the scope of their duties with the Department of Corrections. It shall be the duty of such peace officers to maintain custody of prisoners, prevent attempted escapes, pursue, recapture, and incarcerate escapees, and effect arrests. Such powers and duties of peace officers may be exercised for the purpose of maintaining custody, security, and control of any prisoner being transported outside the State of Oklahoma under the authority of the Uniform Criminal Extradition Act. Employees to be designated as peace officers shall meet the training and screening requirements set forth in Section 3311

of Title 70 of the Oklahoma Statutes before appointment;”

and by amending the title to conform, after the word “corrections;” and before the word “delegating” by inserting “providing for designation of peace officer status for certain employees;”, which amendment was declared adopted.

Upon motion of Senator Schuelein, **HB 1104**, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, **HB 1104**, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1104 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Butler, Holden, Howell, Porter, Randle, Stipe and Taliaferro.—7.

The bill passed.

HB 1104 was referred for engrossment.

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

GENERAL ORDER

HB 1102 by Hammons, et al, of the House

and Schuelein and Randle of the Senate was read and considered.

Senators Dahl, Funston and Watson asked to be made coauthors of **HB 1102**, which was the order.

Senator Schuelein moved to amend **HB 1102**, Page 2, Line 5, by striking after the word “may” and before the word “charge” the word “shall” and inserting the word “may” in lieu thereof, which amendment was declared adopted.

Upon motion of Senator Schuelein, **HB 1102**, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, **HB 1102**, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1102 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill; Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Butler, Clifton, Lane, Porter, Stipe, Taliaferro and Tinsley.—7.

The bill passed.

HB 1102 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 27 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

HB 1103 by Hammons, et al, of the House and Schuelein, Randle, Watson and McCune of the Senate was read and considered.

Senators Dahl and Funston asked to be made coauthors of HB 1103, which was the order.

Senator Wolfe moved to amend HB 1103, Page 2, Line 16, by adding after the word "the" and before the word "claims" the word "unsecured", which amendment was declared adopted.

Senator Berrong moved to amend HB 1103, Page 2, Line 12, by striking after the word "industry" all language on Lines 13 and 14, which amendment was withdrawn upon the unanimous consent request of Senator Berrong.

Upon motion of Senator Schuelein, HB 1103, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, HB 1103, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1103 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner,

Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Crow.—1.

Excused: Butler, Stipe and Taliaferro.—3.

The bill passed.

HB 1103 was referred for engrossment.

GENERAL ORDER

HB 1101 by Hammons, et al, of the House and Schuelein and Randle of the Senate was read and considered.

Senators Dahl, Funston and Watson asked to be made coauthors of HB 1101, which was the order.

Upon motion of Senator Schuelein, HB 1101, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, HB 1101, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1101 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert,

Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Butler, Funston, Porter, Stipe and Taliaferro.—5.

The bill passed.

HB 1101 was ordered withheld pursuant to Rule 19(f).

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

REPORT OF ENGROSSED AND ENROLLED BILLS

SJR 34, 36, 37 and 38 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1314 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 65 and 144 and SJR 6 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 27.

The above numbered Resolution was referred for enrollment.

GENERAL ORDER

HB 1105 by Hammons, et al, of the House and Schuelein, Randle and Dahl of the Senate was read and considered.

Senators Watson and Funston asked to be made coauthors of HB 1105, which was the order.

Senator Schuelein moved to amend HB 1105, Page 4, Line 10½, by adding a new paragraph as follows:

“It is the intention of the Legislature that no prison industry program hereafter established under the terms of this Section shall be set up if, in the determination of the Oklahoma Industrial Development Department, such an industry will compete to the detriment of any private industry in Oklahoma”;

Senator Helm moved to amend the Schuelein amendment by adding at the end thereof the following: “If at any time an established prison industry program appears, in the opinion of the Oklahoma Industrial Development Department, to compete to the detriment of any private industry in Oklahoma, such program shall be discontinued.”

Senator Berrong moved to amend HB 1105, as a substitute amendment to the Schuelein amendment, Page 2, Line 7, by striking after the word “county” all language and adding a comma and adding “city, town or other political subdivision”, which substitute amendment was withdrawn upon request of Senator Berrong.

Senator Berrong moved to amend HB 1105, as a substitute amendment to the Schuelein amendment, Page 1, Line 1, by striking Section 1, which amendment was declared adopted.

Senator Schuelein moved to amend HB 1105, Page 4, Line 11, by striking after the word “the” and before the word “Prison” the word “State” and inserting the word “Private” in lieu thereof, which amendment was declared adopted.

Senator McCune presiding.

Senator Schuelein moved to amend HB 1105, Page 9, Line 2, by striking after the word "an" and before the word "account" the words "interest bearing", which amendment was declared adopted.

Upon motion of Senator Schuelein, HB 1105, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Schuelein, HB 1105, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1105 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Crow and Stipe.—2.

Excused: Butler and Taliaferro.—2.

The bill passed.

HB 1105 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 27 was correctly enrolled, properly signed and ordered transmitted to the

Honorable House for the signature of the Speaker.

DECLARATION OF VOTE

Senator Holden asked that the record show had he been present in the Chamber at the time of passage of HB 1104 he would have voted "aye", which was the order.

BILL WITHDRAWN — REREFERRED

Senator Funston asked unanimous consent, which was granted, that HB 1392 be withdrawn from the Calendar and rereferred to the committee on Education, Common.

PENDING CONSIDERATION OF HAS

HAs to SB 122 were called up for consideration.

Upon motion of Senator Berrong, the Senate concurred in HAs to SB 122.

SB 122, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Funston and Howell.—2.

Excused: Butler and Taliaferro.—2.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator

Lane moved that the vote be reconsidered by which SB 122 passed.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 27.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 65 and 144 and SJR 6.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

MESSAGE FROM THE GOVERNOR

This is to advise you that on this date I am returning Enrolled Senate Bill 7 in accordance with Senate Concurrent Resolution 27.

MOTION RE RECALL OF SB 7

Senator Capps moved that the House be requested to rescind its fourth reading and signing of SB 7 and consider the bill further; and that the Senate rescind its fourth reading and signing of SB 7, which motion was declared adopted.

GENERAL ORDER

HB 1293 by Peterson, et al, of the House and Lambert of the Senate was read and considered.

Senators Kilpatrick and Randle moved to amend HB 1293, Page 17, Line 9, by adding after the period the following: "The lien described in this section shall not apply to homestead property."

Senator Keating moved to amend the Kilpatrick-Randle amendment by adding

the following: "where the homeowner shows proof of payment to the contractor".

Senator Crow moved that HB 1293 be advanced.

Senator Randle moved to table the Crow motion to advance, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Capps, Clifton, Dawson, Grantham, Helm, Howell, Johnson, Keating, Kilpatrick, Lambert, McCune, Randle, Schuelein, Terrill, Tinsley, Vann, York and Young.—19.

Nay: Berrong, Boatner, Cate, Crow, Dahl, Field, Giles, Green, Holden, Keller, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Rozell, Shatwell, Stipe, Wadley, Watson and Wolfe.—23.

Excused: Butler, Funston, Howard, Porter, Smith and Taliaferro.—6.

Senator Crow pressed his motion to advance the bill, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Capps, Cate, Crow, Dahl, Field, Giles, Grantham, Green, Holden, Keller, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Rozell, Shatwell, Tinsley, Wadley, Watson and Wolfe.—26.

Nay: Birdsong, Clifton, Dawson, Helm, Howell, Johnson, Keating, Kilpatrick, McCune, Randle, Stipe, Terrill, Vann, York and Young.—15.

Excused: Butler, Funston, Howard, Porter, Schuelein, Smith and Taliaferro.—7.

Senator Grantham asked unanimous consent that the title be crippled, which was the order.

By unanimous consent, upon motion of

Senator Lambert, **HB 1293** was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Luton moved that **HB 1293** be referred to the committee on Judiciary; and that said committee be permitted to report on the bill within five legislative days.

Senator Lambert moved to table the Luton motion to commit, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Capps, Clifton, Dawson, Giles, Grantham, Holden, Howell, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Terrill and Tinsley.—16.

Nay: Birdsong, Boatner, Cate, Crow, Dahl, Funston, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lane, Luton, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Vann, Wadley, Watson, Wolfe and York.—25.

Excused: Butler, Field, Howard, Porter, Smith, Taliaferro and Young.—7.

Senator Luton pressed his motion to commit, which motion was declared adopted.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1064 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on **SB 191** was called up for consideration.

The CCR on **SB 191** was adopted upon motion of Senator Terrill.

SB 191, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—40.

Excused: Butler, Capps, Field, Howard, Porter, Smith, Taliaferro and Young.—8.

The bill and emergency passed.

SB 191, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

HB 1233 by Ford of the House and Keating, Green and Wolfe of the Senate was read and considered.

Upon motion of Senator Keating, **HB 1233** was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, **HB 1233** was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1233 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Dahl, Funston, Giles, Green, Helm, Holden, Keating, Keller, Kilpatrick, Lamb,

Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Tinsley, Vann, Wadley, Watson, Wolfe and York.—33.

Nay: Boatner, Crow, Dawson, Grantham, Howell, Johnson and Young.—7.

Excused: Butler, Clifton, Field, Howard, Porter, Schuelein, Taliaferro and Terrill.—8.

The bill passed.

HB 1233 was referred for engrossment.

GENERAL ORDER

HB 1368 by Manning, et al, of the House and Murphy and Taliaferro of the Senate was read and considered.

Senators Dawson and Giles asked to be made coauthors of HB 1368, which was the order.

Upon motion of Senator Murphy, HB 1368, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Murphy, HB 1368, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1368 was read for the third time at length.

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

Aye: Berrong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Keating, Keller, Lamb, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Terrill, Tinsley, Vann, Watson and York.—29.

Nay: Birdsong, Johnson, Kilpatrick, Lane, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Wadley, Wolfe and Young.—13.

Excused: Butler, Field, Howard, Lambert, Porter and Taliaferro.—6.

The bill passed.

HB 1368 was ordered withheld pursuant to Rule 19(f).

Senator Lambert presiding.

MESSAGE FROM THE HOUSE

Advising the House has rescinded its fourth reading and signing of Enrolled Senate Bill 7, has reconsidered the vote by which SB 7, as amended in Conference, passed, has reconsidered the vote by which the Conference Committee Report was adopted, has rejected the Conference Committee Report and requests further Conference naming same Conferees.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Holden, the request of the Honorable House for further conference on SB 7 was ordered granted, President Pro Tempore Howard naming the same Senate Conferees.

GENERAL ORDER

HB 1430, previously considered on page 641, was considered further.

Senator Grantham moved to amend HB 1430, Page 17, Line 6, by adding after the word "nondestructive" and before the word "methods" the words "or destructive", which amendment was declared adopted.

Senator Holden asked unanimous consent, which was granted, that further con-

sideration of HB 1430 be deferred temporarily.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 289, and naming House Conferees as follows: Representatives Abbott, Townsend and Dunn.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 7 was read and adopted upon motion of Senator Capps.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 7 by Capps, et al, of the Senate, and Wickersham, Bradshaw, et al, of the House, entitled:

An Act relating to oil and gas; amending 52 O.S. 1971, Section 87.1; authorizing the Corporation Commission to establish well spacing and drilling units; providing who can file application; *** 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 Senate accept House Amendments No. 1 and No. 3.

2. That the House recede from House Amendments No. 2 and No. 4.

3. That the following Conference Committee Amendments be adopted:

(1) Page 3, Line 9, by adding a new subsection "(b)" to read as follows:

"(b) In case of a spacing unit of 160

acres or more, no oil and/or gas leasehold interest outside the spacing unit involved may be held by production from the spacing unit more than Ninety (90) days beyond expiration of the primary term of the lease.

(2) Page 4, Line 31, by adding after the word "or" and before the word "to", the following new language: "upon the filing of a proper application therefor".

(3) Page 4, Line 34 by adding after the word "order" and before the word period, the following new language: "and such proof discloses that the applicant is an owner within the area covered by the application."

(4) Amend Title to Conform as follows:

An Act relating to oil and gas; amending 52 O.S. 1971, Section 87.1; authorizing the Corporation Commission to establish well spacing and drilling units; imposing certain time limitations; restricting the size of certain units; providing for notice and hearings; providing authority to alter the number, size and allowable production of wells; prohibiting certain drilling operations; providing for voluntary and compulsory pooling of interests; providing certain requirements for pooling and pooling orders; providing certain rights for operators of a unit; establishing certain provisions for royalty owners; providing exceptions; and declaring an emergency.

Respectfully submitted,

FOR THE SENATE: Capps, Funston and Lane.

FOR THE HOUSE: Bradshaw, Glover and Townsend.

SB 7, as amended in Conference, was read at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—38.

Nay: Keller, McCune and Wolfe.—3.

Excused: Butler, Crow, Field, Murphy, Porter, Smith and Taliaferro.—7.

The bill and emergency passed.

SB 7, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

HB 1430, as amended, was considered further.

Upon motion of Senator Stipe, HB 1430, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, HB 1430, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1430 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Grantham, Green, Holden, Howard, Howell, Johnson, Kilpatrick, Lane, Luton, Martin,

Randle, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley and York.—27.

Nay: Berrong, Giles, Keating, Keller, Lamb, Lambert, McCune, McDaniel, Pierce, Rozell, Schuelein, Watson, Wolfe and Young.—14.

Excused: Butler, Crow, Field, Helm, Murphy, Porter and Taliaferro.—7.

The bill passed.

HB 1430 was referred for engrossment.

GENERAL ORDER

HB 1135 by Miskelly, et al, of the House and Randle and Crow of the Senate was read and considered.

Senator Terrill moved to amend HB 1135, Page 1, Line 5, by striking after the word "of" the words and figures "Nine Million Two Hundred Fifty-five Thousand One Hundred Ninety-four Dollars (\$9,255,194.00)" and inserting in lieu thereof the words and figures "Nine Million Eight Hundred Fifty-nine Thousand Three Hundred Twenty Dollars (\$9,859,320.00)", which amendment was declared adopted.

Senator Terrill moved to amend HB 1135, Page 2, Line 16, by striking after the word "exceed" all remaining language in Section 2 and inserting the words and figures "one thousand three hundred ninety-five (1,395) during the fiscal year ending June 30, 1978", which amendment was declared adopted.

Senator Terrill moved to amend HB 1135, Pages 3 through 29, by striking all of Section 3 and renumbering subsequent sections, which amendment was declared failed of adoption upon roll call as follows:

Aye: Berrong, Howard, Lambert, Lane, Rozell, Shatwell, Stipe, Terrill and Young.—9.

Nay: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Green, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Tinsley, Vann, Wadley, Watson, Wolfe and York.—30.

Excused: Butler, Field, Giles, Helm, Keller, Murphy, Porter, Smith and Taliaferro.—9.

Senator Terrill moved to amend HB 1135, Page 29, Line 10, by striking Section 4 and renumbering subsequent sections, which amendment was declared failed of adoption upon roll call as follows:

Aye: Holden, Howard, Lambert, Lane, Shatwell, Stipe, Terrill, Wadley, Watson and Young.—10.

Nay: Berrong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Funston, Grantham, Green, Howell, Johnson, Keating, Kilpatrick, Lamb, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Tinsley, Vann, Wolfe and York.—27.

Excused: Birdsong, Butler, Clifton, Field, Giles, Helm, Keller, Murphy, Porter, Smith and Taliaferro.—11.

Upon motion of Senator Randle, HB 1135, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, HB 1135, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Funston asked unanimous consent to amend HB 1135 on Third Reading, by striking Section 5, which amendment was declared adopted.

HB 1135 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Clifton, Dahl, Dawson, Funston, Green, Holden, Howell, Johnson, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson and York.—32.

Nay: Crow, Grantham, Keating, Wolfe and Young.—5.

Excused: Butler, Cate, Field, Giles, Helm, Howard, Keller, Kilpatrick, Murphy, Porter and Taliaferro.—11.

The bill and emergency passed.

HB 1135 was referred for engrossment.

GENERAL ORDER

HB 1311 by Draper, et al, of the House and Boatner of the Senate was read and considered.

Senator Howell asked to be made a coauthor of HB 1311, which was the order.

Senator Lane moved to amend HB 1311, Page 2, Line 1, by inserting a new Section 1 as follows:

"SECTION 1. 6 O.S. 1971, Section 202, as amended by Section 2, Chapter 109, O.S.L. 1975 (6 O.S. Supp. 1976, Section 202), is amended to read as follows:

Section 202. A. BANKING BOARD. The Banking Board shall consist of [four (4)] SIX (6) members. [and the] THE Commissioner [who] shall be Chairman AND VOTE ONLY IN CASE OF A TIE ON ANY QUESTION REQUIRING ACTION BY THE BOARD.

B. BOARD — QUALIFICATIONS. Other

than the Commissioner, [three] FOUR (4) members of the Board shall be active officers of state banks or trust companies, no one of whom shall be an officer or director of a national bank. One member of the board shall be a citizen of Oklahoma, thirty-five (35) years old or older, who shall not have been in the past or become during his service on the Board an officer or stockholder in any banking institution, nor shall such person be related in the first degree to any other person who [was in the past] IS or becomes during the term of such member an officer or stockholder in any banking institution.

C. BOARD — APPOINTMENT — QUALIFICATIONS — SUCCESSOR — REMOVAL. Members of the Board, including the Commissioner, shall be appointed by the Governor with the advice and consent of the Senate; provided, appointments to the Board, and not including the Bank Commissioner nor the member not affiliated in the past or during his term with any banking institution, shall only be made of individuals whose names shall be included in a list of twelve names submitted to the Governor by the Executive Committee of the Oklahoma Association of State Banks, a division of the Oklahoma Bankers Association. If the Oklahoma Association of State Banks shall not submit such list within thirty (30) days after a vacancy shall occur, then the Governor may appoint, with the advice and consent of the Senate, such person as he may select who shall meet the qualifications set forth in subsection B of this section.

[The first appointments shall be for the following terms as designated by the Governor: one member for a term of two (2) years; one member for a term of four (4) years; one member for a term of five (5) years; one member for a term of six (6) years. Thereafter, the term of office of each member shall be six (6) years. The Governor may after notice and hearing remove a member for cause.]

THE ADDITIONAL MEMBER AUTHORIZED BY THIS ACT SHALL BE APPOINTED FOR A TERM OF ONE (1) YEAR COMMENCING JULY 1, 1977. THE PRESENT TENURE AND TERMS OF ALL INCUMBENT MEMBERS SHALL REMAIN UNAFFECTED. UPON THE EXPIRATION OF THE TERMS OF EACH INCUMBENT THE TERM OF OFFICE OF EACH MEMBER OTHER THAN THE COMMISSIONER, APPOINTED TO FILL THE RESULTING MEMBER VACANCY, SHALL BE SIX (6) YEARS. THE GOVERNOR MAY AFTER NOTICE, HEARING AND PROCEEDING IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT, REMOVE A MEMBER FOR CAUSE.

D. BOARD — HONORARIUM — TRAVEL EXPENSE. Each member shall receive Twenty-five Dollars (\$25.00) for each day or portion thereof spent in attending meetings of the Board together with mileage at the state rate from and to his residence and the place of meeting or the place of performance of the duty, for each meeting or trip.

E. BOARD MEETINGS — QUORUM — DISQUALIFICATION. The Board shall meet at least once in each calendar quarter. The Commissioner may call additional meetings of the Board upon at least twenty-four (24) hours' notice and [shall do so upon the] IN ANY EVENT SHALL CALL A MEETING UPON THE WRITTEN request of two (2) members. [A majority] THREE (3) MEMBERS of the Board shall constitute a quorum, and action taken by a majority of those present at any meeting at which a quorum is present shall be the action of the Board. No member shall participate in a proceeding before the Board to which any corporation, partnership or unincorporated association of which he is or was at any time in the preceding twelve (12) months a director, officer, partner, employee, member or stockholder is a party. A member may dis-

qualify himself from participating in a proceeding for any other cause deemed by him to be sufficient.

F. LACK OF QUORUM — APPOINTMENT OF ACTING MEMBERS. At any meeting at which a quorum is not present, whether by reason of the inability of a member to participate or his voluntary disqualification, or otherwise, the Governor may designate the Deputy Commissioner, the Attorney General, or the head of any other department of the state government, in that order, as acting members of the Board for the purpose of constituting a quorum, but he shall not designate more acting members than shall be necessary to constitute a quorum."

, by renumbering subsequent sections and amending the title as follows: after the word "Sections" on Line 2, insert "202, as amended by Section 2, Chapter 109, O.S.L. 1975," and on Line 7 insert "202" after the word "Sections" and on Line 8 after "803);", insert "providing for six members of the Banking Board, terms of members, filling vacancies, qualifications, compensation of members, meetings, Governor's appointment of acting members and technical assistance of the Banking Board;", which amendment was declared adopted.

Senators Berrong and Boatner moved to amend HB 1311, Page 12, Line 3, by striking after the word "rate" and before the word "eight" the word "of" and substituting therefor the words "not to exceed", which amendment was declared adopted.

Senator Lane moved to amend HB 1311, Page 36, Line 12½, by adding a new Section 8 as follows:

"SECTION 8. 6 O.S. 1971, Section 710, as amended by Section 12, Chapter 109, O.S.L. 1975 (6 O.S. Supp. 1976, Section 710), is amended to read as follows:

Section 710. A. STOCKHOLDERS'

MEETINGS. (1) The annual meeting of stockholders of banks and trust companies shall be held at three o'clock in the afternoon of the second Tuesday in January of each year, unless another time be designated by a provision of the bylaws, by a resolution of the board of directors pursuant to authority granted by a provision in the bylaws, or by written consent of the shareholders entitled to vote at such meeting holding at least a majority of such shares, in any of which events such meeting may be held at such other time during the year as thus designated.

Additional meetings shall be held as may be provided in the bylaws.

(2) Notice shall be mailed at least ten (10) days before a meeting to every person who was a stockholder of record twenty (20) days before the date of the meeting or at such longer period as may be provided in the bylaws. Such notice shall be mailed to the stockholder's address on the records of the bank. No business shall be transacted at a special meeting which is not specified in the notice thereof or necessary or proper in connection with, or incidental to, the business specified.

(3) If any meeting of the shareholders be adjourned to another time or place, no notice as to such adjourned meeting need be given other than by announcement at the meeting at which such adjournment is taken, unless otherwise provided in the bylaws; provided, however, that in the event such meeting be adjourned for thirty (30) days or more, notice of the adjourned meeting shall be given as in the case of an original meeting.

(4) Notice of the time, place and purpose of any meeting of shareholders, whether required by this Code, by the articles of incorporation, or by the bylaws, may be waived in writing by any shareholder or by his attendance at such meeting. Such waiver may be given before or after the

meeting, and shall be filed with the secretary or entered upon the records of the meeting.

(5) The holders of a majority of the outstanding voting shares, or their authorized representatives, shall constitute a quorum. In the absence of a quorum, a meeting may be adjourned from time to time without notice to the stockholders.

B. VOTING — CUMULATIVE VOTING — BANK MAY NOT VOTE OWN SHARES — EXCEPTION. Except on the election of directors, when cumulative voting is provided for in the articles of incorporation or as they may be amended, each share of common stock shall have one vote which may be cast by the owner of record on the record date, or his proxy, whether or not the owner of record has the beneficial interest therein. The bank or trust company may not vote shares which it holds in any capacity other than as fiduciary.

C. PROXIES. A stockholder authorized to vote may by his proxy executed in writing appoint a representative to cast his vote. The Board may promulgate rules governing proxies and the solicitation thereof.

D. VOTING TRUST — BOARD APPROVAL REQUIRED. No shares deposited under a voting trust agreement shall be voted by the trustee unless the agreement has been approved by the Board. Approval shall be withheld, or, if previously granted, revoked whenever it appears that the existence of the trust would tend to reduce competition among lending institutions or to affect adversely the character or competence of the management or the bank's policies or operating procedures. In the absence of such approval, the record owner may vote his share. **NO SHARES HELD BY A LICENSED SECURITIES BROKER, OR BY ANY PERSON, FIRM OR CORPORATION ACTING FOR SUCH BROKER OR**

WHO IS AN OWNER, EMPLOYEE, ASSOCIATE SHAREHOLDER OR PARTNER OF A LICENSED SECURITIES BROKER, SHALL BE DIRECTLY OR INDIRECTLY VOTED UNLESS THE BANK'S BY-LAWS EXPRESSLY AUTHORIZE THE VOTING OF SUCH BROKER HELD SHARES.

E. PREEMPTIVE RIGHTS OF SHAREHOLDERS. All voting shares of capital stock of any bank or trust company shall vest preemptive rights to subscribe for any additional shares or any obligations convertible into shares to be allotted or used by such bank or trust company unless specifically negated by the articles of incorporation or unless the rights have been specifically waived at the time of authorization of new offering. The preemptive rights of shareholders shall not extend to fractional shares.

F. EXAMINATION OF STOCKBOOK. The stockbook and the minutes of stockholders' meeting shall be available for examination by a stockholder of the corporation at the principal place of business during business hours."

, and by renumbering subsequent sections, which amendment was declared adopted.

Senators Smith and Boatner moved to amend HB 1311, Page 42, Line 15, by striking after the word "provided" the following language: "on real estate in fee simple," which amendment was declared adopted.

Upon motion of Senator Boatner, HB 1311, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Boatner, HB 1311, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1311 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Green, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—37.

Excused: Butler, Capps, Giles, Grantham, Helm, Howard, Keller, Murphy, Porter, Taliaferro and Wadley.—11.

The bill passed.

Senator Boatner asked unanimous con-

sent, which was granted, that the emergency be added to HB 1311 and that the vote on the bill be considered the vote on the emergency.

The emergency passed.

HB 1311 was referred for engrossment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, May 23, 1977, at 11:00 a.m., which motion prevailed.

BILLS RELEASED

HBs 1101 and 1368 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 4:25 p.m. to meet Monday, May 23, 1977, at 11:00 a.m.

Eightieth Legislative Day

Monday, May 23, 1977

Pursuant to adjournment, the Senate was called to order by Senator Murphy, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—34.

Excused: Boatner, Funston, Grantham, Helm, Keating, Luton, Martin, Porter, Shatwell, Smith, Stipe, Terrill, Wolfe and Young.—14.

Senator Murphy declared a quorum present.

The following prayer was offered by Reverend John Bloss, Pastor, Del City Christian Church, Del City, and incorporated into the Journal upon request of Senator Randle.

O Lord, our God, giver of wisdom to those who seek it; we come before You today with searching minds. In Your great mercy, give us insight and courage to find the truth and to do justice on behalf of the people whom we serve. We know that we have done wrong, but ask Your help to

make this one day, one in which we do that which is right.

Forgive us our sins, and strengthen us to resist temptation. In Christ's name we pray, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Martin introduced Ruth McNeill, R.N., Healdton, and Senator Lamb introduced Naomi Pekrul, R.N., Enid, as Nurses of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS, as amended:

HB 1047 — County, State and Federal Government.

WITHOUT RECOMMENDATION:

HB 1188 — County, State and Federal Government. Accept the amendments of the Professions and Occupations Committee.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent,

which was granted, that when HB 1441 is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SB 412 — Professions and Occupations and then to County, State and Federal Government.

HB 1441 — Direct to Calendar.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1055, as coauthored by York of the Senate and as amended.

GENERAL ORDER

HB 1270 by Ford, et al, of the House and Watson of the Senate was read and considered.

Senator Schuelein asked to be made a coauthor of HB 1270, which was the order.

Upon motion of Senator Watson, HB 1270, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Watson, HB 1270, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1270 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Holden, Howard, Howell,

Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—34.

Excused: Boatner, Funston, Grantham, Helm, Keating, Luton, Martin, Porter, Shatwell, Smith, Stipe, Terrill, Wolfe and Young.—14.

The bill and emergency passed.

HB 1270 was referred for engrossment.

Senators Boatner and Terrill asked to be shown present, which was the order.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Crow, HAS to SBs 86 and 114 were rejected and conference requested, said bills to be referred to GCCA.

GENERAL ORDER

HB 1194 by Draper of the House and Kilpatrick of the Senate was read and considered.

Upon motion of Senator Kilpatrick, HB 1194 was advanced to engrossment.

By unanimous consent, upon request of Senator Kilpatrick, HB 1194 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1194 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Green, Holden, Howard,

Howell, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—34.

Excused: Dawson, Funston, Grantham, Helm, Johnson, Keating, Luton, Martin, Porter, Shatwell, Smith, Stipe, Wolfe and Young.—14.

The bill passed.

HB 1194 was ordered withheld pursuant to Rule 19(f).

Senators Martin, Shatwell, Smith, Helm and Grantham asked to be shown present, which was the order.

GENERAL ORDER

HB 1184 by Draper and Wilson of the House and Kilpatrick of the Senate was read and considered.

Upon motion of Senator Kilpatrick, HB 1184 was advanced to engrossment.

By unanimous consent, upon request of Senator Kilpatrick, HB 1184 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1184 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—41.

Excused: Funston, Keating, Luton, Porter, Stipe, Wolfe and Young.—7.

The bill passed.

HB 1184 was ordered withheld pursuant to Rule 19(f).

Senator Lane moved that the Senate stand recessed from 11:40 a.m. to 12:40 p.m., which motion was declared adopted.

Senator Crow presiding.

Senator Martin questioned the presence of a quorum. The Presiding Officer ordered the roll call, following which he declared a quorum present.

Senators Funston, Luton, Wolfe and Young asked to be shown present, which was the order.

GENERAL ORDER

HB 1198 by Henry, et al, of the House and Clifton and Keating of the Senate was read and considered.

Senator Clifton moved to amend HB 1198, Page 15, Line 6, by deleting all of paragraph (a) and relettering the subsequent paragraphs, which amendment was declared adopted.

Upon motion of Senator Clifton, HB 1198, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, HB 1198, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1198 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Funston, Grantham, Green, Holden, Howard, Howell, Keller, Kilpatrick, Lambert, McCune, Murphy, Randle, Shatwell, Smith, York and Young—22.

Nay: Boatner, Capps, Dahl, Dawson, Field, Giles, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Pierce, Rozell, Schuelein, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—22.

Excused: Helm, Keating, Porter and Stipe.—4.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Clifton moved that the vote be reconsidered whereby HB 1198 failed of passage.

GENERAL ORDER

HB 1205 by Hopkins of the House and Tinsley and Wadley of the Senate was read and considered.

Senator Tinsley moved to amend HB 1205, Page 2, Line 15, by striking after the word "matching" and before the word "administering" the word "or" and by adding after the word "administering" and before the word "federal" the language "or expending moneys appropriated for the specific purpose of matching", which amendment was declared adopted.

Senator Smith moved to amend HB 1205, Page 2, Line 15, by striking the word "matching", which amendment was declared adopted.

Upon motion of Senator Tinsley, HB

1205, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, HB 1205, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Wadley presiding.

HB 1205 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—40.

Nay: Crow, McCune, Wolfe and Young.—4.

Excused: Helm, Keating, Porter and Stipe.—4.

The bill and emergency passed.

HB 1205 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 213 were called up for consideration.

Upon motion of Senator Capps, the Senate concurred in HAs to SB 213.

SB 213, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Wolfe.—1.

Excused: Helm, Keating, Porter and Stipe.—4.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

HBs 1102, 1103, 1104, 1105, 1135, 1233, 1311 and 1430 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SCR 23 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

PENDING CONSIDERATION OF HAS

HAs to SB 214 were called up for consideration.

Upon motion of Senator Dahl, the Senate concurred in HAs to SB 214.

SB 214, as amended by the Honorable House, was read at length.

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

Aye: Birdsong, Crow, Dahl, Field, Giles, Green, Holden, Lamb, Lane, Martin, Pierce, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—19.

Nay: Berrong, Boatner, Butler, Cate, Clifton, Dawson, Funston, Grantham, Helm, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Luton, McCune, McDaniel, Murphy, Randle, Rozell, Schuelein, Shatwell, Watson and Wolfe.—25.

Excused: Capps, Keating, Porter and Stipe.—4.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Dahl moved that the vote be reconsidered whereby SB 214 failed of passage.

PENDING CONSIDERATION OF HAS

HAs to SB 220 were called up for consideration.

Upon motion of Senator Howell, the Senate concurred in HAs to SB 220.

SB 220, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—39.

Nay: Grantham, Johnson, Wolfe and Young.—4.

Excused: Crow, Keating, Porter, Stipe and Terrill.—5.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HB 1121 by Hood, et al, of the House and Cate of the Senate was read and considered.

Upon motion of Senator Cate, HB 1121 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, HB 1121 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1121 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Boatner, Capps, Field, Lane and Terrill.—5.

Excused: Crow, Howard, Keating, Porter and Stipe.—5.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Crow moved that the vote be reconsidered whereby HB 1121 passed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1101 and 1368.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

UNANIMOUS CONSENT REQUEST

Senator Dahl asked unanimous consent, which was granted, that he be allowed to press his motion to reconsider the vote where SB 214 failed, on the same day made.

MOTION TO RECONSIDER VOTE

Senator Dahl pressed his motion to reconsider the vote whereby SB 214 failed, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Crow, Keating, Murphy, Porter, Stipe and Terrill.—6.

Senator Dahl moved that the vote be reconsidered whereby HAs to SB 214 were adopted, which motion was declared adopted.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Dahl, HAS to SB 214 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Dahl, Wolfe and Funston.

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

GENERAL ORDER

SB 341 by Howell of the Senate and Davis (Don), et al, of the House was read and considered.

Senator Lambert asked to be made a co-author of SB 341, which was the order.

Upon motion of Senator Howell, SB 341, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Howell, SB 341, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 341 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Porter and Stipe.—2.

The bill passed.

SB 341 was referred for engrossment.

Senator Young presiding.

GENERAL ORDER

HB 1397 by Riggs, et al, of the House and Terrill, Dahl, McCune, Schuelein and Watson of the Senate was read and considered.

Senators Taliaferro, Lambert and Giles asked to be made coauthors of HB 1397, which was the order.

Senator Wolfe moved to amend HB 1397, Page 2, Line 11, by adding after the word "housing" and before the word "and" the word "bedding", which amendment was declared failed of adoption.

Senator Keating moved to amend HB 1397, Pages 3 and 4, Lines 15 through 18 on Page 3 and Lines 1 through 6 on Page 4, by striking all language and renumbering.

Senator Terrill moved to table the Keating amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—39.

Nay: Butler, Funston, Green, Keating, Keller and Randle.—6.

Excused: Porter, Stipe and Young.—3.

Senator Keating moved to amend HB 1397, Page 7, Lines 8 and 9, by striking all language after the word "time" on Line 8 through the period on Line 9 and substituting "for a period not to exceed an additional thirty days".

Senator Terrill moved to table the Keating amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Pierce, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley, Watson and York.—33.

Nay: Boatner, Butler, Funston, Green, Keating, Keller, Lambert, McCune, Murphy, Randle, Vann and Wolfe.—12.

Excused: Porter, Stipe and Young.—3.

Upon motion of Senator Terrill, HB 1397, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, HB 1397, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

Senator Watson presiding.

HB 1397 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—38.

Nay: Berrong, Boatner, Butler, Field, Holden, Johnson and Lane.—7.

Excused: Porter, Stipe and Young.—3.

The bill and emergency passed.

HB 1397 was referred for engrossment.

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

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 23.

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

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 214, and naming House Conferees as follows: Representatives Townsend, Henry and Converse.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 275, SB 292, as coauthored by Glover and Baughman, SB 321, as coauthored by Hood and Craig, SB 347, as coauthored by Camp, SB 399, as coauthored by Atkins, Fitzgibbon, Johnson (A. V.), Parris and Sanders, and SJR 28.

The above numbered bills and resolution were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 4, 267, 312 and 348, each as amended, and SBs 34, 243 and 350 and SJR 25, each as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 4 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 23, by adding after the period the following language: "Any damages recovered pursuant to this section shall be disposed of in

the same manner as provided by Section 83 of Title 12 of the Oklahoma Statutes."

Amendment No. 2. Amend Page 1, Lines 24 through 26, by striking all the language and substituting in lieu thereof the following:

"SECTION 2. This act shall become effective October 1, 1977."

Amendment No. 3. Amend the Title to read as follows:

"An Act relating to children; providing that the right of the parent or parents to recover damages for injury to a minor may be assigned to such child; and providing an effective date."

HOUSE AMENDMENTS

HAs to SB 34 were read as follows and consideration deferred.

Authors: Add the following coauthors: Cummings, Duckett and Johnson (Don) of the House.

Amendment No. 1. Amend Page 2, Line 2, by adding after period the following: "It is required that the board of education shall provide notice to the student, his or her parent, attorney or legal guardian that said student is entitled to an executive session regarding the discussion of expulsion or suspension of said student."

Amendment No. 2. Amend Page 2, Lines 3 through 7, by striking all the language.

HOUSE AMENDMENTS

HAs to SB 243 were read as follows and consideration deferred.

Authors: Add the following coauthors: Holaday and Camp of the House.

Amendment No. 1. Amend Page 2, Line

24, by adding after the "D." and before the word "The" the following language:

"Any provision of this section and any provision of the Motor Vehicle License and Registration Act providing for proportional registration under reciprocal agreements and the International Registration Plan that relate to the promulgation of rules and regulations shall not be subject to the provisions of Section 22.21 of Title 47 of the Oklahoma Statutes."

HOUSE AMENDMENTS

HAs to SB 267 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Lines 14 and 15, by striking all the language and substituting the following:

"SECTION 1. 68 O.S. 1971, Section 2385.1, is amended to read as follows:

Section 2385.1 When used in the remaining sections of this article, the following terms shall, unless the context otherwise requires, have the following meanings:

(a) The term "Tax Commission" shall mean the Oklahoma Tax Commission;

(b) The term "employer" shall mean any person (including any individual, fiduciary, estate, trust, partnership or corporation) transacting business in or deriving any income from sources within the State of Oklahoma for whom an individual performs or performed any service, of whatever nature, as the employee of such person, except that if the person for whom the individual performs or performed the services does not have control of the payment of the wages for such services, the term "employer" shall mean the person having control of the payment of such wages. As used in the preceding sentence, the term "employer" includes any corporation, individual, estate, trust, or organization which is exempt from taxation

under this article. The term "employer" shall not include those nonresident employers who have no office, warehouse, or place of business in Oklahoma and whose transactions are limited to the solicitation of orders for merchandise, which orders are filled from a point without the state and delivered directly from said point to the purchaser in Oklahoma;

(c) The term "employee" shall mean any "resident individual", as defined by Section 2302, performing services for an employer, either within or without, or both within and without, the State of Oklahoma, and every other individual performing services within the State of Oklahoma, the performance of which services constitutes, establishes, and determines the relationship between the parties as that of employer and employee. As used, in the preceding sentence, the term "employee" includes an officer of a corporation and an officer, employee, or elected official of the United States, a state, territory, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing;

(d) The term "taxpayer" is as defined by Section 2302(g), other than estates;

(e) The term "wages" shall mean all remuneration (other than fees paid to a public official) for services performed by an employee for his employer, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include remuneration paid:

[(1) for active service as a member of the Armed Forces of the United States, including the National Guard; or

(2)] (1) for services paid to an employee in connection with farming activities where the amount paid is Two Hundred Dollars (\$200.00) or less monthly; or

[(3)] (2) for domestic service in a pri-

vate home, local college club, or local chapter of a college fraternity or sorority; or

[(4)] (3) for service not in the course of the employer's trade or business performed in any calendar quarter by an employee, unless the cash remuneration paid for such service is Two Hundred Dollars (\$200.00) or more; or

[(5)] (4) for services performed in the state by a person who is not a "resident individual", whose income in any calendar quarter is not more than Three Hundred Dollars (\$300.00); or

[(6)] (5) for services performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order."

and amend Title to read as follows:

"An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2385.1; defining terms; changing the definition of wages for the purpose of authorizing the withholding of income tax from military compensation; and declaring an emergency."

HOUSE AMENDMENTS

HAs to SB 312 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 20, by inserting after the period and before the word "It" the letter "A."

Amendment No. 2. Amend Page 2, Line 18½, by inserting a new subsection to read as follows:

"B. All funds received by counties, cities, towns or other subdivisions of government in the State of Oklahoma,

hereinafter referred to as the recipient government, from the federal government pursuant to the distribution of funds authorized by the State and Local Fiscal Assistance Act of 1972, as amended, shall be deposited in the treasury of the recipient government in a fund which shall be recorded and accounted for separately and apart from all other funds and shall be entitled "The Federal Revenue Sharing Fund". Principal and interest received from investments of the federal revenue sharing fund, proceeds from the sale of assets purchased from the federal revenue sharing fund, and other miscellaneous income derived from the direct operation of the federal revenue sharing fund may be deposited in the federal revenue sharing fund if required by the federal government or by the governing board of the recipient government.

The unappropriated cash balance on hand may be appropriated as needed upon the request of the governing board of the recipient government and approval by the county excise board, provided if the governing board of the recipient government determines the need to do so, it may estimate the amount remaining to be collected from its entitlement from federal funds during the remainder of its fiscal year and include such estimate in its request for appropriations. The estimate shall not exceed the amount of the entitlement which is to be received during the remainder of the recipient government's fiscal year or, if the amount of the entitlement has not been certified, ninety percent (90%) of such funds received during a corresponding period of the previous fiscal year; provided that if the entitlement is less than that estimated or if the entitlement to be collected during the recipient government's fiscal year, in addition to the unappropriated cash balance, is reduced below the amount appropriated for the fiscal year, the governing board of the recipient government shall request the county excise board for an adequate reduction of appropriations in the fund.

All disbursements made from the federal revenue sharing fund shall be made in the same manner as those made from the general fund of the recipient government; provided that, no warrants shall be drawn on the fund unless sufficient monies are available to pay the warrants.

All forms and procedures necessary for the effective operation of this act shall be prescribed by the office of the State Examiner and Inspector.

Any provision of this section relating to the inclusion of shared revenue of the federal government shall terminate September 30, 1980."

and amend Title to read as follows:

"An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2484; prohibiting use of revenue from nonrecurrent sources in estimates of probable income; prohibiting consideration of gross production tax revenue as minimum program income for certain purposes; permitting shared revenues of federal government, if ascertainable, to be included in budget estimate; imposing penalties; providing for certain special deposits of funds received from the federal government and rules governing the use thereof; and declaring an emergency."

HOUSE AMENDMENTS

HAs to SB 348 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 5, Line 4, by inserting after the word "days of" and before the word "the" the following: "receipt of notice of".

HOUSE AMENDMENTS

HAs to SB 350 were read as follows and consideration deferred.

Authors: Add the following coauthor: Whorton of the House.

Amendment No. 1. Amend Page 4, Line 1, by striking the words "On or after January 1, 1978, notice of" and inserting in lieu thereof the following: "After the effective date of this act, except for a security interest in motor vehicles held by a dealer (as defined in 47 O.S. Section 1-112) for sale or lease,".

Amendment No. 2. Amend Page 5, Line 8, by adding after the period the following language: "The word lien when used in this section shall not include liens dependent upon possession.".

Amendment No. 3. Amend Page 5, Line 22½, by adding a new subsection to read as follows:

"E. Notwithstanding any provision to the contrary in this section, a security interest in a motor vehicle properly perfected prior to the effective date of this act shall continue to be perfected thereafter without further action by either the owner or the secured party until such time as an application for registration or an application for a new or duplicate certificate of title is made in compliance with the motor vehicle laws of this state. For two (2) years after the effective date of this act, the application for registration (State of Oklahoma official registration certificate) shall require a statement by the applicant disclosing the existence of any security interest upon said vehicle and the name and address of any secured party or parties."

Amendment No. 4. Amend Page 5, Lines 23 through 32, by striking all of Section 3 and inserting in lieu thereof the following:

"SECTION 3. The effective date of this act shall be January 1, 1978; provided, however, that vitalization and implementation of the provisions for the central filing and indexing as provided for in subsection C. shall be deferred until sixty (60) days after the achievement of the Oklahoma Tax Commission and the State of

Oklahoma of the capacity and technology to implement and vitalize the provisions of said Subsection C. The Oklahoma Tax Commission shall have the exclusive power, authority and duty to declare by resolution that such achievement has been accomplished, and the aforementioned sixty-day period shall run from the date of such a resolution. When the Commission adopts such a resolution the Commission shall file a copy of said resolution with the Secretary of State and shall take affirmative action to promote and publicize said action."

Amendment No. 5. Amend Page 1, Lines 12 through 20, by striking the Title and inserting the following in lieu thereof:

"(Motor Vehicles; Amending 12A O.S. 1971, Section 9-302, and 47 O.S. 1971, Section 23.3)".

HOUSE AMENDMENTS

HAS to SJR 25 were read as follows and consideration deferred.

Authors: Add the following coauthor: Deatherage of the House.

Amendment No. 1. Amend Page 2, Lines 24 through 27, by deleting the entire language; and amend the Title to read as follows:

"A Joint Resolution relating to the Oklahoma Medical Research Foundation; directing the Board of Public Affairs to convey a certain parcel of land to the foundation; providing a land description; and providing certain qualifications."

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 23, 1977, of Enrolled SB 186 and SB 272.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, May 24, 1977, at 11:00 a.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1314, requesting Conference and naming Conferees as follows: Representatives Draper, Dunn and Stephenson.

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 7, 77, 78, 79, 82 and 84.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed

HBs 1127, 1137, 1139 and 1158, requesting Conference and referring said bills to GCCA.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1125, as amended.

BILLS RELEASED

HBs 1184 and 1194 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 3:35 p.m. to meet Tuesday, May 24, 1977, at 11:00 a.m.



Eighty-first Legislative Day

Tuesday, May 24, 1977

Pursuant to adjournment, the Senate was called to order by Senator Murphy, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Crow, Helm, Keller, Porter, Randle and Tinsley.—6.

Senator Murphy declared a quorum present.

The following prayer was offered by Reverend Bloss, and incorporated into the Journal upon request of Senator Randle.

Our Heavenly Father, we thank You for a new day. May we match Your great goodness with our own, that peace and security may belong to Your people. Help us to be worthy of the freedom given to us by reason of our birth, and ever remember the cost it meant to our forebears.

Just for today, O Lord, keep our minds and consciences free from self interest and

jealousy for what we would like to think is ours by right.

Bless us with clear minds, strong hearts, and ready hands as we serve You. In the name of Christ Jesus we ask it, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Clifton introduced Jackie Owen, R.N., Shawnee, as Nurse of the Day.

Senator Cate introduced Robert Dille, M.D., Norman, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1262 — County, State and Federal Government.

HB 1296 — County, State and Federal Government, as coauthored by Terrill, Birdsong, York, Randle, Rozell and Kilpatrick.

HB 1342 — County, State and Federal Government.

HB 1382 — County, State and Federal Government, as coauthored by Keating.

DO PASS, as amended:

HB 1229 — County, State and Federal Government, as coauthored by Kilpatrick, Cate, Birdsong, Wadley, York, Vann and Taliaferro.

HB 1293 — Judiciary.

GENERAL ORDER

HB 1250 by Lancaster of the House and Rozell of the Senate was read and considered.

Upon motion of Senator Rozell, **HB 1250** was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, **HB 1250** was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1250 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Dawson, Johnson, Kilpatrick and Taliaferro.—4.

Excused: Crow, Helm, Keller, Porter, Randle and Tinsley.—6.

The bill passed.

Senator Taliaferro desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 39. Nay: 3. Excused: 6.

The emergency passed.

HB 1250 was referred for engrossment.

Senators Crow, Randle and Tinsley asked to be shown present, which was the order.

GENERAL ORDER

HB 1269 by Nance, et al, of the House and Clifton of the Senate was read and considered.

Upon motion of Senator Clifton, **HB 1269** was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, **HB 1269** was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1269 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Green, Holden, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and York.—34.

Nay: Crow, Giles, Grantham, Howell, Johnson, McCune, Murphy and Schuelein.—8.

Excused: Helm, Howard, Keller, Porter, Wadley and Young.—6.

The bill passed.

HB 1269 was ordered withheld pursuant to Rule 19(f).

Senators Helm and Keller asked to be shown present, which was the order.

Senator Boatner presiding.

GENERAL ORDER

HB 1441 by Rogers, et al, of the House and Howard of the Senate was read and considered.

Senator Luton asked to be made a coauthor of HB 1441, which was the order.

Upon motion of Senator Howard, HB 1441, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, HB 1441, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1441 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dawson, Field, Funston, Giles, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Dahl, Grantham and Holden.—3.

Excused: Crow, Porter, Randle and Smith.—4.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Howard moved that the vote be reconsidered by which HB 1441 passed.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 74 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 74, entitled:

(Oklahoma State Legislature — Appropriation — 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 accept Engrossed House Amendment No. 1.

2. That the House recede from Engrossed House Amendment No. 2.

3. That the following Conference Committee Amendments to the Engrossed Bill be adopted:

a. Page 2, Line 7, by deleting the amount "\$2,460,000.00" and substituting in lieu thereof the amount "\$2,535,000.00".

b. Page 2, Line 22, by deleting the amount "3,215,000.00" and substituting in lieu thereof the amount "3,315,000.00".

c. Page 2, Line 23, by deleting the amount "\$5,675,000.00" and substituting in lieu thereof the amount "\$5,850,000.00".

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Cowan, Matheson, Roberts, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 75 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 75, entitled:

(Legislative Council — Appropriation — 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 accept Engrossed House Amendment No. 1.

2. That the House recede from Engrossed House Amendment No. 2.

3. That the following Conference Committee Amendments to the Engrossed Senate Bill be adopted:

(a) Page 1, Lines 22 and 23, by deleting the words and figures "Nine Hundred Ninety-three Thousand Forty-five Dollars (\$993,045.00)" and by substituting in lieu thereof the words and figures "One Million Ninety-three Thousand Forty-five Dollars (\$1,093,045.00)".

(b) Page 1, Lines 32 and 33 by deleting the words and figures "Seven Thousand Five Hundred Dollars (\$7,500.00)" and substituting in lieu thereof the words and figures "Ten Thousand Dollars (\$10,000.00)".

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Cowan, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 81 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 81, entitled:

(Department of Industrial Development — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5 and 6.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill No. 81 be adopted:

a. Restore the title to read as follows:

"An Act relating to the Oklahoma Department of Industrial Development and

making appropriations thereto; stating the purposes; authorizing agreements or contracts with substate planning districts; providing for the appointment and compensation of officers and employees; establishing salary schedule for certain employees; establishing limit on number of personnel used in department operations; limiting expenditure for salaries and wages; providing for agreement with federal government; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Lines 24 and 25, by deleting the words and figures "One Million Six Thousand Two Hundred Ninety-one Dollars (\$1,006,291.00)" and substituting in lieu thereof the words and figures "Nine Hundred Eighteen Thousand One Hundred Ninety-one Dollars (\$918,191.00)".

c. Page 1, Lines 32 and 33, by deleting the words and figures "One Hundred Thirty-two Thousand Seven Dollars (\$132,007.00)" and by substituting in lieu thereof the words and figures "One Hundred Thirty-three Thousand Six Hundred Twenty-four Dollars (\$133,624.00)".

d. Page 2, Lines 11 through 14 inclusive, by deleting all of present "Section 4" and renumber present "Section 5" to read "Section 4" and renumber succeeding sections accordingly.

e. Page 2, Line 23, by inserting after the word "and" and before the word "compensation" the word "annual".

f. Page 2, Line 33, by deleting the amount "\$31,200" and inserting in lieu thereof the amount "\$30,000".

g. Page 3, Line 2, by deleting all the words and figures on this line.

h. Page 3, Line 13, by deleting the words and figures "forty-two (42)" and by substituting in lieu thereof the words and figures "forty (40)".

i. Page 3, Line 14, by adding after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

j. Page 3, Lines 21 and 22, by deleting the words and figures "Five Hundred Forty-four Thousand Seventy Dollars (\$544,070.00)" and by substituting in lieu thereof the words and figures "Five Hundred Sixteen Thousand Three Hundred Seventy Dollars (\$516,370.00)".

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Cowan, Elder, Mathe-son, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 341 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1205, 1270 and 1397 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 77, 78, 79, 82, 84, 213, 220 and 275, and SJR 28 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE GOVERNOR

This is to advise you that on this date, I vetoed SJR 29.

There are two major reasons why I cannot approve the Resolution. First, the

wording of the Resolution undermines the concept of states rights, and states responsibilities. I believe that we have already turned over too many responsibilities at the state and local level to the federal government. The language of the Resolution makes the sole duty of the committee one to "investigate the compliance by the Department of Corrections with all federal guidelines". If we are to study the need for constructive improvement of the Corrections System, why look only at the question of "compliance with federal guidelines"? I, for one, believe that the federal government is not the repository of all wisdom. A study of new program initiatives, alternatives to incarceration, and methods for more economy or efficiency should not be limited solely to suggestions of the federal government. The strength of the federal system is that it allows for a variety of new initiatives and approaches from the state and local levels.

Second, the Resolution uses wording such as the term "investigate", that could be construed as negative rather than constructive. This is the time to be constructive and to be positive. Oklahoma has made an effort, matched by few if any other states, to improve its Corrections System. In the past three years, appropriations for operations have doubled. Capital outlay expenditures to improve the space ratio and to separate inmates by type have surpassed the prior thirty years put together. State appropriations for Community Treatment Centers, work release, and probation supervision have doubled. Alternatives to imprisonment like restitution and direct commitment to Community Treatment Centers have been greatly expanded. Closer cooperation between the Pardon and Parole Board and the Board of Corrections has very recently been achieved. Ever since I have been Governor, I have strongly supported efforts to make constructive changes in our Corrections System. The Legislature, through the interim study mechanism,

without this Joint Resolution, has the ability to conduct a study to make positive suggestions which are not only needed but welcomed. In fact, a broader study could be made by the Legislature without being limited to the federal guidelines.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

David L. Boren

PENDING SENATE ACTION — VETO OVERRIDE ON SJR 29

Senator Young moved that SJR 29 become law notwithstanding the veto of the Chief Executive.

Senator Howard moved that the Senate stand recessed until 1:30 p.m., which motion prevailed.

The Senate reassembled with Senator Grantham presiding.

Senator McDaniel questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

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 265.

The above numbered Bill as amended in Conference was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SBs 86 and 114, and referring said bills to GCCA.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 73, as coauthored and amended.

HOUSE AMENDMENTS

HAS to SB 73 were read as follows and consideration deferred.

Authors: Add the following coauthors: Duckett, Davis (Guy), Fitzgibbon and Hammons of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAS to SB 73 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

CONFERENCE COMMITTEE REPORT

The following CCR on SB 92 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 92, entitled:

(Oklahoma Department of Libraries — Appropriation — 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 all Engrossed House Amendments.

2. That the following Conference Committee Amendments to Engrossed Senate Bill No. 92 be adopted:

a. Page 1, Restore the title to read as follows:

“An Act relating to the Oklahoma Department of Libraries and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees and fixing the salary of the Director; limiting the number of employees; limiting expenditures for salaries and wages; providing lapse date; making provisions of this act severable; and declaring an emergency.”

b. Page 1, Section 1, Line 25, by deleting the figure “\$670,889.00” and inserting in lieu thereof the figure “\$671,846.00”.

c. Page 1, Section 1, Line 31, by deleting the figure “\$1,113,749.00” and inserting in lieu thereof the figure “\$1,114,706.00”.

d. Page 2, Section 2, Line 4, by adding the following language after “1978” and before the period (.) “, except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes”.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Cowan, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

PENDING SENATE ACTION — VETO OVERRIDE OF SJR 29

Senator Young asked unanimous consent, which was granted, that his motion to override the Governor's Veto of SJR 29 be withdrawn.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 7, 292, 321, 347 and 399 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

PENDING CONSIDERATION OF CCR

The CCR on SB 76 was called up for consideration.

The CCR on SB 76 was adopted upon motion of Senator Crow.

SB 76, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—43.

Nay: Keating and Wolfe.—2.

Excused: Berrong, Porter and Young.—3.

The bill and emergency passed.

SB 76, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 85 was called up for consideration.

The CCR on SB 85 was adopted upon motion of Senator Crow.

SB 85, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Keating, McCune, Pierce and Wolfe.—4.

Excused: Helm and Porter.—2.

The bill and emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Stipe moved that the vote be reconsidered whereby SB 85 passed.

PENDING CONSIDERATION OF CCR

The CCR on SB 89 was called up for consideration.

The CCR on SB 89 was adopted upon motion of Senator Crow.

SB 89, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl,

Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Helm and Porter.—2.

The bill and emergency passed.

SB 89, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 90 was called up for consideration.

The CCR on SB 90 was adopted upon motion of Senator Crow.

SB 90, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, York and Young.—42.

Nay: Keating, Pierce and Wolfe.—3.

Excused: Boatner, Porter and Tinsley.—3.

The bill and emergency passed.

SB 90, together with the Conference

Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 91 was called up for consideration.

The CCR on SB 91 was adopted upon motion of Senator Crow.

SB 91, as amended in Conference, was read at length.

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

Aye: Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Nay: Berrong, Birdsong, Boatner, Green, Keating, Pierce and Wolfe.—7.

Excused: Porter.—1.

The bill and emergency passed.

SB 91, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING SENATE ACTION — VETO OVERRIDE ON SB 150

Senator Boatner moved that SB 150 become law notwithstanding the Veto of the Chief Executive, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Field, Grantham,

Howard, Howell, Keller, Kilpatrick, Lamb, Lane, Luton, Martin, Murphy, Rozell, Schuelein, Stipe, Tinsley, Wadley, York and Young.—25.

Nay: Berrong, Capps, Dawson, Funston, Giles, Green, Helm, Holden, Johnson, Keating, Lambert, McCune, McDaniel, Pierce, Randle, Shatwell, Smith, Taliaferro, Terrill, Vann, Watson and Wolfe.—22.

Excused: Porter.—1.

MOTION TO RECONSIDER VOTE

Senator Boatner moved that the vote be reconsidered whereby the motion to override the Governor's Veto on SB 150 failed.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Luton, HAS to SB 350 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Luton, Green and Murphy.

MOTION TO RECONSIDER VOTE

Senator Lane asked unanimous consent, which was granted, that his motion to reconsider the vote whereby SB 122 passed be withdrawn.

HAS were properly signed and the above numbered bill was referred for enrollment.

Senator Wadley presiding.

PENDING CONSIDERATION OF HAS

HAS to SB 34 were called up for consideration.

Upon motion of Senator Howell, the Senate concurred in HAS to SB 34.

SB 34, as amended by the Honorable House, was read at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Nay: Berrong, Crow, Johnson and Randle.—4.

Excused: Cate, Clifton, Funston and Porter.—4.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1125, 1184 and 1194.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HB 1314 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Smith, Terrill and Randle.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HBs 1127, 1137, 1139 and 1158

was ordered granted, said bills to be referred to GCCA.

GENERAL ORDER

HB 1216 by Fried of the House and York of the Senate was read and considered.

Senator Wadley asked to be made a co-author of HB 1216, which was the order.

Upon motion of Senator York, HB 1216, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator York, HB 1216, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1216 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Field, Grantham, Holden, Howard, Howell, Kilpatrick, Lambert, Lane, Luton, McCune, Martin, Murphy, Randle, Schuelein, Shatwell, Stipe, Terrill, Tinsley, Vann, Wadley and York.—27.

Nay: Berrong, Capps, Crow, Dawson, Funston, Giles, Green, Johnson, Keating, Keller, Lamb, McDaniel, Pierce, Rozell, Taliaferro, Watson, Wolfe and Young.—18.

Excused: Helm, Porter and Smith.—3.

The bill passed.

Senators Rozell, Capps, Young, Taliaferro, Giles, Berrong, Keller and Dawson desired to vote aye on the emergency.

Senators Luton, Lambert and Vann desired to vote no on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 13. Excused: 3.

The emergency passed.

HB 1216 was ordered withheld pursuant to Rule 19(f).

BILL WITHDRAWN — REREFERRED

Senator Luton asked unanimous consent, which was granted, that SB 304 be withdrawn from the Calendar and rereferred to the Committee on County, State and Federal Government.

PENDING SENATE ACTION — RESOLUTION

SCR 26, introduced on page 742, was called up for consideration.

Senator Wadley asked to be made a co-author of SCR 26, which was the order.

Senator Howard asked unanimous consent, which was granted, that all other Senators be made coauthors of SCR 26.

SCR 26, as coauthored, was read at length, adopted upon motion of Senator Howard and ordered referred for engrossment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Watson, advised

and consented to the confirmation of REVEREND HENRY B. CARTER, Oklahoma City, as a member of the Capitol Medical Center Improving and Zoning Commission, to serve a 3-year term ending January 31, 1980, and effective upon Senate confirmation. Reverend Carter succeeds Delbert Burnett, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Berrong, advised and consented to the confirmation of GENE F. EARNEST, Alva, as a member of the Oklahoma Conservation Commission, to serve a 5-year term ending June 30, 1981, and effective upon Senate confirmation. Mr. Earnest succeeds himself.

The Senate, in executive session, and upon motion of Senator Helm, advised and consented to the confirmation of PAUL HANSEN, Oklahoma City, as a member of the Jim Thorpe Memorial Commission, to serve a 7-year term ending June 12, 1983, and effective upon Senate confirmation. Mr. Hansen succeeds himself.

The Senate, in executive session, and upon motion of Senator McDaniel, advised and consented to the confirmation of WILLIAM VERDO HOOKER, JR., Ada, as a member of the State Board of Registration for Foresters to serve an unexpired 5-year term ending June 1, 1979, and effective upon Senate confirmation. Mr. Hooker succeeds himself.

The Senate, in executive session, and upon motion of Senator Crow, advised and consented to the confirmation of ROBERT M. (BOB) KERR, Altus, as a member of the State Board of Agriculture, District 3, to serve a 5-year term ending April 26, 1982, and effective upon Senate confirmation. Mr. Kerr succeeds himself.

The Senate, in executive session, and upon motion of Senator McDaniel, advised and consented to the confirmation of MARVIN STOKES, Ada, as a member of

the State Board of Vocational and Technical Education, to serve a 6-year term ending April 1, 1983, and effective upon Senate confirmation. Mr. Stokes succeeds himself.

The Senate, in executive session, and upon motion of Senator Wolfe, advised and consented to the confirmation of ROBERT CHARLES THOMPSON, Ph.D., Tulsa, as a member of the Board of Examiners for Speech Pathology and Audiology, to serve a 3-year term ending August 17, 1979, and effective upon Senate confirmation. Dr. Thompson succeeds Dr. Jerry Tobias, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Murphy, advised and consented to the confirmation of DR. NATHANIEL WALKER, Stillwater, as a member of the State Board of Registration for Foresters, to serve a 5-year term ending June 1, 1981, and effective upon Senate confirmation. Dr. Walker succeeds himself.

The Senate, in executive session, and upon motion of Senator Boatner, advised and consented to the confirmation of MONA MAE WAYMIRE, Madill, as a member of the Oklahoma State Bureau of Investigation Commission to serve a 4-year term ending July 1, 1980, and effective upon Senate confirmation. This is an original appointment.

AMENDMENT OF SENATE RULES

Senator Terrill moved that the proposed amendment to the Senate Rules as shown on page 632 of the Journal be adopted, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Crow, Dahl, Dawson, Field, Grantham, Green, Holden, Howard, Howell, Johnson, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy,

Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—36.

Nay: Funston, Helm, Keating, Keller, Kilpatrick, Pierce and Wolfe.—7.

Excused: Cate, Clifton, Giles, Porter and Young.—5.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 7, 77, 78, 79, 82, 84, 213, 220, 275, 292, 321, 347 and 399 and SJR 28.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1055.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 231 was read and consideration deferred.

Mr. President

The Conference Committee, to which was referred SB 231 by Luton, Lambert, Shatwell, Cate and Grantham of the Senate and Elder, Henry, Cleveland, Murphy and Bradley of the House, entitled:

(District Attorneys — Amending 19 O.S., Sections 215.14 and 215.15 — 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 attached Conference Committee Substitute be accepted.

(Pursuant to Rule 10(b), copies of the CCS for SB 231 were distributed to all Senators.)

Respectfully submitted,

FOR THE SENATE: Luton, Clifton and Lamb.

FOR THE HOUSE: Elder, Henry and Cleveland.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 265 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 19, 1977, of Enrolled SB 310 and SJR 23.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 265.

The above numbered Enrolled Bill was referred to the Governor.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, May 25, 1977, at 11:00 a.m.

BILLS RELEASED

HBs 1216 and 1269 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Holden, the Senate adjourned at 3:50 p.m. to meet Wednesday, May 25, 1977, at 11:00 a.m.



Eighty-second Legislative Day

Wednesday, May 25, 1977

Pursuant to adjournment, the Senate was called to order by Senator Crow, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Porter.—1.

Senator Crow declared a quorum present.

The following prayer was offered by Reverend Bloss, and incorporated into the Journal upon request of Senator Randle.

O Lord Our God, hear us when we call to You for strength and wisdom. We pray for the Senators of the State of Oklahoma, that they may hold gently the power You have given, and wield with kindness the authority granted to us by our Constitution. Help this body to find the truth and follow it for the best welfare of our people.

Keep us from the trivial and inane, that

there may not be wasted those things You have given in Your grace to mankind.

Help us know when we are tempted that You also provide us a way of escape from that temptation. May we be faithful and true for this day, is our prayer, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lane introduced Donald R. Whitaker, D.O., Broken Bow, as Doctor of the Day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 411 — Appropriations and Budget.

HB 1338 — Public and Mental Health, as coauthored by Stipe, and be referred to committee on Appropriations and Budget by previous order.

HJR 1023 — Wildlife.

DO PASS, as amended:

CS for HJR 1020 — County, State and Federal Government. Show Senator

Young as principal Senate author and add Senators Schuelein, Stipe and Dahl of the Senate and Willis and Riggs of the House as coauthors.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 83 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 83, entitled:

(Secretary of the State Election Board — Appropriation — 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 all Engrossed House Amendments.
2. That the following Conference Committee Amendments be adopted:

(a) Restore the Title to read as follows:

"An Act relating to the Secretary of the State Election Board and making appropriations thereto; reappropriating certain funds; stating the purposes; fixing the salary of the Secretary of the State Election Board; providing for the employment and compensation of necessary personnel; making appropriations nonfiscal; providing severability; and declaring an emergency."

(b) Page 1, Line 34, by deleting the amount "\$276,823.00" and substituting in lieu thereof the amount "\$275,173.00".

(c) Page 2, Line 2, by deleting the

amount "381,578.00" and substituting in lieu thereof the amount "390,349.00".

(d) Page 2, Line 3, by deleting the amount "\$658,401.00" and substituting in lieu thereof the amount "\$665,522.00".

(e) Page 2, Lines 4 through 12, by deleting all of the present "Section 2".

(f) Page 2, Line 3½, by inserting a new Section 2, 3 and 4 to read as follows:

"SECTION 2. There is hereby appropriated to the Secretary of the State Election Board, from any monies in the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1976, not otherwise appropriated, the sum of Two Hundred Thirty-three Thousand One Hundred Dollars (\$233,100.00), for the purpose of paying the necessary expenses of holding statewide elections.

SECTION 3. The amount of One Million Four Hundred Six Thousand Dollars (\$1,406,000.00) originally appropriated to the Secretary of the State Election Board from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1976, as part of the original appropriation of One Million Nine Hundred Thirty-four Thousand Five Hundred Fifty-eight Dollars (\$1,934,558.00) made by Section 1, Chapter 178, O.S.L. 1975, for the purchase of election supplies and payment of election expenses of 1976 primaries and general elections including the per diem of judges, clerks and counters, and the per diem and mileage of inspectors serving at such elections, is hereby continued and reappropriated in the original amount, as adjusted by transfer, less amounts that have been expended on the effective date of this act and is redesignated for use in the payment of necessary expenses of statewide elections.

SECTION 4. The amount of Three Hundred Fifty Thousand Dollars

(\$350,000.00) originally appropriated to the Secretary of the State Election Board from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1975, made by Section 2, Chapter 178, O.S.L. 1975, for the purpose of paying the necessary expenses of holding statewide special elections, is hereby continued and reappropriated in the original amount, as adjusted by transfer, less amounts that have been expended on the effective date of this act and is redesignated for use in the payment of necessary expenses of holding statewide elections."

Renumber present "Section 3" to read "Section 5" and renumber succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, McCune, Boatner, Cate, Grantham, Holden, Howell, Murphy, Schuelein, Smith, Terrill and York.

House Conferees: Miskelly, Chairman, Cowan, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 102 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 102, entitled:

(Office of the Oklahoma Military Department — Appropriation — 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 Engrossed House Amendment No. 1 to Engrossed Senate Bill No. 102.

2. That the following Conference Committee Amendments be adopted:

(a) Restore the Title to read:

"An Act relating to the Office of the Oklahoma Military Department and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of personnel; limiting the number of full-time-equivalent employees; limiting the expenditure of funds for salaries and wages; making an appropriation for a recruiting incentive program; making appropriations for capital expenditures; making reappropriation of funds; prohibiting expenditures of certain funds for certain fees and services; providing lapse dates; making provisions of this act severable; and declaring an emergency."

(b) Page 1, Lines 23 and 24 of the Engrossed Bill, by deleting the words and figures "One Million Five Hundred Seven Thousand Four Hundred Forty-nine Dollars (\$1,507,449.00)" and substituting in lieu thereof the words and figures "One Million Four Hundred Eighty-five Thousand Two Hundred Thirty-five Dollars (\$1,485,235.00)".

(c) Page 1, Line 33 of the Engrossed Bill, by inserting after "1978" and before the period (.) the following language " , except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

(d) Page 2, Lines 3 through 10, by deleting the present Section 3 and substituting in lieu thereof new "Section 3" to read as follows:

"SECTION 3. There is hereby appropriated to the Office of the Oklahoma Military Department from any monies in the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1978, not otherwise appropriated, the sum of Fifty Thousand Dollars (\$50,000.00), or so much thereof as may be required, to be used for a scholarship program for state supported colleges and universities for members of the National Guard or for such other recruiting incentive programs for members of the National Guard under rules and regulations promulgated by the Oklahoma Military Department."

(e) Page 2, Line 31½, by adding a new "Section 6" to read as follows:

"SECTION 6. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include state active duty pay, medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

(f) Renumber the present Section 6 to read "Section 7" and renumber succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, McCune, Boatner, Cate, Grantham, Holden, Howell, Murphy, Schuelein, Smith, Terrill and York.

House Conferees: Miskelly, Chairman, Cowan, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Rogers, Sparkman, Townsend and Trent.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 24, 1977, of Enrolled SBs 65 and 144 and SJR 6.

GENERAL ORDER

HB 1278 by Floyd, et al, of the House and Kilpatrick, Funston and Wadley of the Senate was read and considered.

Senators Birdsong, York, Howell, Berrong and Field asked to be made coauthors of HB 1278, which was the order.

Senator Stipe presiding.

Senator Keller moved to amend HB 1278, Page 1, Line 1, through Page 5, Line 4, by deleting all language and substituting in lieu thereof the following:

"All exemptions allowed to public trust property in payment of ad valorem taxes are hereby abolished. Public trust property shall be evaluated and ad valorem taxes paid thereon the same as is levied on property owned by individuals."

Senator Wadley moved to table the Keller amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Nay: Keller.—1.

Excused: Porter.—1.

Senator Smith presiding.

Senator Berrong moved to amend HB 1278, Page 2, Line 1, by adding after the word "facilities" and before the word "to" the following: "except private medical clinics operated for profit," which amendment was declared adopted.

Senator Howell moved to amend HB 1278, Page 4, Line 15, by striking after the word "financed" and before the word "by" the words "or formally committed to be financed,".

Senator Murphy moved to amend HB 1278, as a substitute amendment to the Howell amendment, Page 4, Line 15, by adding after the word "financed" and before the word "by" the following: "which commitment shall be by resolution by the public trust authority and the lessee".

Senator Wadley moved to table the Murphy substitute amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Field, Giles, Holden, Howard, Howell, Johnson, Keller, Lamb, Lambert, Lane, McCune, McDaniel, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and Watson.—29.

Nay: Clifton, Dahl, Dawson, Funston, Grantham, Green, Helm, Keating, Kilpatrick, Luton, Martin, Murphy, Pierce, Randle, Rozell, Wolfe, York and Young.—18.

Excused: Porter.—1.

Senator Howell pressed his motion to amend.

Senator Wadley moved to table the Howell amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Cate, Clifton, Dahl, Funston, Giles, Grantham, Holden, Howard, Johnson, Keating, Kilpatrick, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Wadley, Wolfe and York.—27.

Nay: Berrong, Birdsong, Boatner, But-

ler, Capps, Crow, Dawson, Field, Green, Helm, Howell, Keller, Lamb, Lambert, McCune, Schuelein, Tinsley, Vann, Watson and Young.—20.

Excused: Porter.—1.

Senator Randle moved to amend HB 1278, Page 5, Line 4½, by adding a new Section 2 and renumbering subsequent sections as follows:

"No person who serves as a trustee of any public trust shall conduct business, directly or indirectly, with any trust authority or with any entity financed or established, in whole or part, by the trust authority unless such business is acquired by competitive bidding."

which amendment was declared adopted.

Senator Howell moved to amend HB 1278, Page 5, Line 8, by striking after the word "Section 3." all language and substituting therefor the following: "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 Wadley moved to table the Howell amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Clifton, Dahl, Funston, Giles, Grantham, Green, Holden, Howard, Kilpatrick, Lane, Luton, McDaniel, Martin, Pierce, Randle, Shatwell, Smith, Stipe, Taliaferro, Terrill, Wadley, Wolfe, York and Young.—24.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dawson, Field, Helm, Howell, Johnson, Keating, Keller, Lamb, Lambert, McCune, Murphy, Rozell, Schuelein, Tinsley, Vann and Watson.—23.

Excused: Porter.—1.

Upon motion of Senator Kilpatrick, HB 1278, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Kilpatrick, HB 1278, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1278 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Nay: Dawson.—1.

Excused: Porter.—1.

The bill passed.

HB 1278 was referred for engrossment.

Senator Lane moved that the Senate stand recessed until 1:30 p.m., which motion prevailed.

The Senate reassembled with Senator Terrill presiding. Senator McDaniel questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 26 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1250 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SB 34 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 350, and naming House Conferees as follows: Representatives Elder, Davis (Don), and Duke.

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 190 and SB 191 as coauthored by Wiseman.

The above numbered Bills as amended in Conference were referred for enrollment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 111 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 111, entitled:

(State Department of Agriculture — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed SB No. 111 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 111 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Boatner, Cate, Grantham, Holden, McCune, Murphy, Schuelein, Smith, Terrill and York.

House Conferees: Miskelly, Chairman, Cowan, Abbott, Campbell, Denman, Draper, Elder, Matheson, Murphy, Rogers, Sparkman, Townsend and Trent.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1216 and 1269.

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 SB 34.

The above numbered Enrolled Bill was referred to the Governor.

MOTION RE INSTRUCTION OF CONFEREES ON HB 1228

Senator Funston moved that the Senate Conferees on House Bill 1228 be instructed to vote to retain the definitions of "permanent impairment", "permanent total disability," and "permanent partial disability" as well as the limitation on lump-summing of non death benefits as contained in the bill as passed by the Senate; and further to vote to strike the provision of Section 16 changing the present law relating to exclusive remedy for injury.

Senator Luton moved, as a substitute motion, that the Senate Conferees on HB 1228 be bound on all votes in the Conference Committee by a majority of said Conferees, which substitute motion was withdrawn upon request of Senator Luton.

Senator Smith moved to table the Funston motion and asked unanimous consent, which was granted, that the Senate Rules be suspended in order that the tabling motion might be debated.

The vote occurring on the Smith motion to table, it was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Crow, Howard, Howell, Keating, Keller, Kilpatrick, Lane, Luton, Randle, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Wadley, Wolfe, York and Young.—22.

Nay: Berrong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Taliaferro, Vann and Watson.—25.

Excused: Porter.—1.

Senator Kilpatrick moved that consideration of the Funston motion be postponed until May 30, 1977.

Senator Crow moved to table the Kilpatrick motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Johnson, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Taliaferro, Tinsley, Vann and Watson.—31.

Nay: Birdsong, Butler, Holden, Howard, Howell, Keller, Kilpatrick, Randle, Shatwell, Smith, Stipe, Terrill, Wadley, Wolfe, York and Young.—16.

Excused: Porter.—1.

Senator Cate raised a point of order, stating that the Funston motion contained three separate substantive questions and should be divided and considered separately, which point of order the Chair sustained.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, May 26, 1977, at 11:00 a.m.

Senator Funston moved to table the Lane motion to adjourn, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dawson, Field, Funston, Giles, Green, Helm, Johnson, Keating, Kilpatrick, Lambert, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Watson and Wolfe.—23.

Nay: Boatner, Butler, Crow, Dahl, Grantham, Holden, Howard, Howell, Keller, Lamb, Lane, Luton, Murphy, Rozell, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, York and Young.—23.

Excused: Porter and Taliaferro.—2.

Senator Lane pressed his motion to adjourn, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Crow, Dahl, Grantham, Holden, Howard, Howell, Keller, Lamb, Lane, Luton, Murphy, Rozell, Shatwell, Smith, Stipe, Terrill, Vann, Wadley, York and Young.—23.

Nay: Berrong, Capps, Cate, Clifton, Dawson, Field, Funston, Giles, Green, Helm, Johnson, Keating, Kilpatrick, Lambert, McCune, McDaniel, Martin, Pierce, Randle, Schuelein, Taliaferro, Tinsley, Watson and Wolfe.—24.

Excused: Porter.—1.

Senator Howard moved that the Senate stand recessed until 5:00 p.m., which motion prevailed.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 122 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

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 76, 89, 90 and 91.

The above numbered Bills as amended in Conference were referred for enrollment.

The Senate reassembled with Senator Terrill presiding. Senator Smith questioned the presence of a quorum. The Presiding Officer ordered the roll called,

following which he declared a quorum present.

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

SPECIAL ORDER

Senator Funston moved that the pending motion on instruction of Senate Conferees on HB 1228 be set for Special Order at 12:15 p.m., Thursday, May 26, 1977, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Boatner, Crow and Keating.—3.

Excused: Grantham.—1.

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 1145, 1148, 1149 and 1151.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1145 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1145, entitled:

An Act relating to the Office of Charities and Corrections and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

a. Amend the Title to read as follows:

"An Act relating to the Office of the Department of Charities and Corrections and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; prohibiting use of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Line 29, by deleting "\$30,903.00" and substituting "\$156,161.00", Page 1, Line 30, by deleting "5,640.00" and substituting "51,154.00" and Page 1, Line 31, by deleting "\$36,543.00" and substituting "\$207,315.00".

c. Page 2, Lines 2 through 6 inclusive, by deleting all language on these lines and substituting the following language: "exceed eleven (11) during the fiscal year ending June 30, 1978, except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes. The total funds from all sources expended by the agency for the payment of any payroll salary or wage, including tax-sheltered deferment contracts authorized

by state statute, shall not exceed One Hundred Thirty-two Thousand Eight Hundred Sixty Dollars (\$132,860.00) during the fiscal”.

d. Page 2, Lines 8 through 17, by deleting the present Section 3 and renumbering succeeding sections accordingly.

e. Page 2, Lines 24 through 28, by deleting the present Section 5 and renumbering succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Denman, Cowan, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1148 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1148, entitled:

An Act relating to the Oklahoma Human Rights Commission and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

a. Amend the Title to read as follows:

“An Act relating to the Oklahoma Human Rights Commission and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; fixing the salary of the Director; limiting the number of full-time-equivalent employees; limiting expenditures for salaries and wages; providing lapse date; making provisions of this act severable and declaring an emergency.”

b. Page 1, Lines 24 and 25 by deleting the words and figures “One Hundred Seventy-eight Thousand Fifty-one Dollars (\$178,051.00)” and substituting in lieu thereof the words and figures “One Hundred Seventy-six Thousand Eight Hundred Six Dollars (\$176,806.00)”.

c. Page 1, Lines 31 and 32 by deleting the words and figures “Eighteen Thousand Dollars (\$18,000.00)” and substituting in lieu thereof the words and figures “Seventeen Thousand Five Hundred Dollars (\$17,500.00)”.

d. Page 1, Line 35 by inserting after “1978” and before the period (.) the following language “, except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes”.

(e) Page 2, Lines 2 and 3 by deleting the words and figures “One Hundred Ninety-one Thousand Two Hundred Seventy-five Dollars (\$191,275.00)” and substituting in lieu thereof the words and figures “One Hundred Eighty-five Thousand Nine Hundred Sixteen Dollars (\$185,916.00)”.

(f) Page 2, Lines 5 through 33 inclusive, by deleting the present Sections 3 and 4 and renumbering succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Cowan, Elder, Matheson, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1149 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1149, entitled:

An Act relating to the Oklahoma Indian Affairs Commission; 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:

1. That the Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

a. Amend the Title to read as follows:

"An Act relating to the Oklahoma Indian Affairs Commission; making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of personnel; designating the maximum salary for the Director; limiting the number of full-time-equivalent em-

ployees; limiting expenditure for salaries and wages; limiting amount of funds for expenses of commission meetings; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Line 27, by deleting "\$78,580.00" and substituting in lieu thereof "\$78,043.00" and Page 1, Line 29, by deleting "\$122,269.00" and substituting in lieu thereof "\$121,732.00".

c. Page 1, Lines 34 and 35, by deleting the words and figures "Eighteen Thousand Dollars (\$18,000.00)" and substituting in lieu thereof the words and figures "Seventeen Thousand Five Hundred Dollars (\$17,500.00)".

d. Page 2, Line 1, by inserting after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

e. Page 2, Lines 4 and 5, by deleting the words and figures "One Hundred Forty-nine Thousand Five Hundred Twenty Dollars (\$149,520.00)" and substituting in lieu thereof the words and figures "One Hundred Forty-five Thousand Four Hundred Ninety-five Dollars (\$145,495.00)".

f. Page 2, Line 7 through Page 3, Line 5, inclusive, by deleting the present Sections 3 and 4 and renumbering succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Cowan, Elder, Matheson, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1151 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1151, entitled:

An Act relating to the Oklahoma Department of Veterans Affairs, the Oklahoma Veterans Center, Ardmore, Oklahoma, the Oklahoma Veterans Center, Sulphur, Oklahoma, the Oklahoma Veterans Center, Clinton, Oklahoma, the Oklahoma Veterans Center, Talihina, Oklahoma, and the Oklahoma War Veterans Commission 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 Senate recede from Senate Engrossed Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1151 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Cowan, Elder, Matheson, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Boatner, Holden, Lamb, Murphy, Schuelein, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 289 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 289, by McDaniel, Clifton and Green of the Senate and Abbott, Townsend and Elder of the House, entitled:

An Act relating to revenue and taxation; limiting property conveyed in tax deed to real property, including mineral rights of surface owner; directing codification; and setting an effective date.

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.

Respectfully submitted,

FOR THE SENATE: McDaniel, Clifton and Grantham.

FOR THE HOUSE: Abbott, Townsend and Dunn.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 122.

The above numbered Enrolled Bill was referred to the Governor.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 157, SB 184, as coauthored by

Wilson, SB 232, as coauthored by Townsend, SB 235, as coauthored by Harper, SB 294, and SB 391 and SJR 20 as coauthored by Johnson (A.V.).

The above numbered Bills and Resolution were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 16, 25, 118, 163, 175, and 363, each as amended; and SBs 142, 211, 234, 240, 277, 328, 335, and 376, each as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 16 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Lines 25 through 29, by striking all language and substituting the following:

"B. Any small claims judgment, when satisfied by payment other than through the office of the court clerk or otherwise discharged, may be released by the court upon written application to the court by the judgment debtor and upon proof of due notice thereof having been mailed by the court clerk to the judgment creditor at his last-known address at least ten (10) days prior to the hearing of the application. Payment of all costs necessary to accomplish said release shall be paid by the judgment debtor."

Amendment No. 2. Amend Title to read as follows:

"An Act relating to civil procedure; amending Section 1, Chapter 15, O.S.L. 1975 (12 O.S. Supp. 1976, Section 1770); providing procedures for entering small claims judgments on judgment docket; and providing procedure for release of judgments by the court."

HOUSE AMENDMENTS

HAs to SB 25 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title and substituting the following:

"(Special Mailing Requirements — Amending 25 O.S. 1971, Section 221)".

HOUSE AMENDMENTS

HAs to SB 118 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 2, Line 9, by striking the word "and" and by changing the word "calls" to "calling".

Amendment No. 2. Amend Page 3, Line 12, by striking the language "within ten (10) days between the two choices who" and substituting in lieu thereof the following language: "on the fourteenth day following the first election between the two choices which".

Amendment No. 3. Amend Page 3, by striking all language on Lines 19 through 36 and Page 4, Lines 1 through 9 and Lines 15 through 17, and substituting in lieu thereof the following language:

"If no agreement can be reached within fourteen (14) days prior to the election, the board of education shall notify the county election board of the county wherein supervision of the school district is located of same, and the election shall be conducted by said county election board, in the following manner:

a. At the time of such notice, the board of education shall provide to the county election board (1) a list of all the polling places for the election, such list to include every middle school or junior high school and the central administration office in the district; (2) a list of names of all the persons eligible to vote in said election, such list to be in alphabetical order and duplicated in such number that there shall be one for each polling place, plus an additional five copies; (3) the names of each organization

entitled to have its name appear on the ballot; and (4) the date of the election.

b. Ballots for the election shall be printed by the county election board in the same manner as for other elections conducted by the county election board, insofar as is possible. The names of organizations shall be listed on the ballot in the order in which said names are furnished to the county election board by the board of education. The option specifying that no organization shall represent the employee bargaining unit shall be listed last on the ballot, in such language as may be specified by the board of education.

c. The secretary of the county election board shall appoint an inspector, judge and clerk for each polling place. Said inspector, judge and clerk shall be selected from among the regular precinct officials in the county.

d. Polling places shall be open from 7:00 a.m. to 7:00 p.m. on the day of the election. Any eligible person who presents himself to vote no later than 7:00 p.m. shall be entitled to vote.

e. Eligible voters may vote after signing their signature beside their names on the list of names of all the persons eligible to vote in said election. The voter shall place his ballot in the ballot box in the presence of the inspector.

f. Each organization entitled to have its name appear on the ballot shall be permitted to appoint one challenger at each polling place. Each such challenger shall be properly identified as such and shall be limited to inquiring of a prospective voter said prospective voter's name, address, job classification and work site. The challenger may challenge the right of any prospective voter to vote by so informing the judge. Upon being so challenged, the prospective voter may vote if, after being informed by the judge of such a challenge,

the voter signs his signature beside his name on the list of names of all the persons eligible to vote in said election. If same occurs, the judge shall write the words "Challenged by _____" beside the voter's signature.

g. The county election board shall certify the results of the election to the board of education on the day following the election.

h. Costs of the election shall be paid to the county election board by the board of education and the opposing employee organization equally. Said costs shall include the regular salaries of the inspector, judge, clerk, in addition to all other necessary and reasonable costs. Such costs shall include compensation for members of the county election board, including the secretary."

Amendment No. 4. Amend Page 4, Lines 10 through 14, by relettering subsection "g" as subsection "4"; and relettering subsection "i" as subsection "5"; and relettering subsections "4" and "5" as subsections "6" and "7".

Amendment No. 5. Amend Page 4, Line 26, by deleting the words and figures "twelve (12) months" and replacing them with the words and figures "twenty-four (24) months".

Amendment No. 6. Amend Page 4, Line 31, by adding the following sentence after the period: "Provided further, no local board or employee organization may designate as bargaining representative a member of the opposing group."

Amendment No. 7. Amend Page 4, Lines 32 through 35, by deleting the Emergency Clause.

Amendment No. 8. Amend by restoring and amending the Title as follows:

"An Act relating to schools; amending

70 O.S. 1971, Section 509.2; providing for employee representation for collective bargaining; providing for petitions for employee organizations; prescribing the requirements of the petition; providing for time limits for petitions; providing for certain elections; providing for secret ballots; prescribing methods, procedures and requirements for elections; providing alternative method of conducting an election; providing for certain costs and fees; providing for conditional refunds of fees; providing for nonrepresentation; providing certain time limitations; providing for identification of electors; providing for designation of representatives; providing for challenging of voters and petitions and time limits; providing for certification of election results; and limiting the number of elections and providing exceptions."

HOUSE AMENDMENTS

HAs to SB 142 were read as follows and consideration deferred.

Authors: Add the following coauthor: Harper of the House.

Amendment No. 1. Amend the Title to read as follows:

"An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 2, as last amended by Section 1, Chapter 103, O.S.L. 1974 (85 O.S. Supp. 1976, Section 2); providing eligibility for compensation for persons engaged in certain specified employments; providing for permissive coverage of certain officials and employees; repealing 85 O.S. 1971, Section 2, as amended by Section 1, Chapter 94, O.S.L. 1974, specifying certain employments; and declaring an emergency."

HOUSE AMENDMENTS

HAs to SB 163 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Lines

34 through 36, by striking all language and inserting the following in lieu thereof:

"4. In all actions where the defendant, being a resident of this state, has departed therefrom or from the county of his residence with the intent to delay or defraud his creditors, or to avoid the service of summons, or keep himself concealed therein with like intent."

HOUSE AMENDMENTS

HAs to SB 175 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 175 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 211 were read as follows and consideration deferred.

Authors: Add the following coauthors: Nance, Townsend, Stephenson and Rogers of the House.

Amendment No. 1. Amend Page 1, Line 35, by striking the word "Governor" and inserting the words "Lieutenant Governor".

Amendment No. 2. Amend Page 2, Line 8, by striking the word "Governor" and inserting the words "Lieutenant Governor".

HOUSE AMENDMENTS

HAs to SB 234 were read as follows and consideration deferred.

Authors: Add the following coauthors: Glover and Johnson (Don) of the House.

Amendment No. 1. Amend Page 1, Lines 25 and 26, by striking the following language: "or trust or domestic trust,".

Amendment No. 2. Amend Page 2, Line 7, by striking the words and figures "twenty percent (20%)" and substituting in lieu thereof the words and figures "thirty-five percent (35%)".

Amendment No. 3. Amend Page 2, Line 11, after the word "gas." add the following: "Provided, however, in the event a corporation does not comply with the thirty-five percent (35%) annual gross receipt test, then, in that event the corporation may furnish records of its gross receipts for each of the previous five (5) years, or for each year that it has been in existence if less than five (5) years, and the average of said annual gross receipts shall be used in lieu of the corporation's annual gross receipts for purposes of complying with this section."

Amendment No. 4. Amend Page 2, Line 22, after the word "State." add the following: "No stated purpose is to be disapproved by the Board of Agriculture unless such stated purpose violates existing civil or criminal code."

Amendment No. 5. Amend Page 2, Line 30, by striking the period after the word "year" and adding the following: "as evidenced by submitting a financial report prepared by a certified public or licensed public accountant in a format approved by the State Board of Agriculture."

Amendment No. 6. Amend Page 2, Line 35, by inserting a new paragraph as follows:

"D. The Franchise Tax Division of the Tax Commission shall collect from each corporation affected by this section the

sum of Fifteen Dollars (\$15.00) for each year it is incorporated, the proceeds therefrom to be transferred monthly to the State Department of Agriculture."

HOUSE AMENDMENTS

HAs to SB 240 were read as follows and consideration deferred.

Authors: Add the following coauthors: Hammons, Hood, Nance and Atkins of the House.

Amendment No. 1. Amend Page 3, Lines 4 through 7, by striking all language in subsection "(k)" and reletter succeeding subsections.

Amendment No. 2. Amend Page 3, Line 33, by striking the ";" and adding the following language: "except as modified under the provisions of Section 54(a) of this title;".

Amendment No. 3. Amend Page 4, Line 13, by striking after the word "who" and before the word "and" the words "is mentally ill" and inserting in lieu thereof the words "has a demonstrable mental illness".

Amendment No. 4. Amend Page 5, Line 16, by inserting after the word "case." a new sentence as follows: "Nothing in this act shall prevent the court from appointing a public defender where available."

Amendment No. 5. Amend Page 9, Line 33½, by adding a new sentence after the word "immediately." to read as follows: "An institution under the control of the department may not refuse admission of any person under the provisions of this section unless there is a determination that the institution cannot safely maintain the individual."

Amendment No. 6. Amend Page 11, subsection "c", by making the following

changes: Line 16, strike the word "qualified" and insert the word "licensed" and restore the word "physician". Line 17, strike the word "examiner". Line 20, strike the words "qualified examiner" and insert the words "licensed physician". Line 22, strike the word "examiner" and insert the words "licensed physician". Line 26, strike the words "qualified examiner" and insert the words "licensed physician". Line 27, strike the word "examiner" and insert the words "licensed physician".

Amendment No. 7. Amend Page 18, Line 14½, by inserting a new Section 7 to read as follows:

"SECTION 7. In the case of a patient who is substantially impaired in his ability to provide adequately for his own care or custody and who has no home of his own or relatives or friends able and willing to care for him, the superintendent prior to discharge shall make a reasonable effort to arrange an appropriate placement and necessary services for the patient. When necessary, the superintendent shall refer to other public or voluntary agencies for assistance."

and renumber the following Sections.

Amendment No. 8. Amend Page 19, Lines 27 through 29, by amending Section 10 to read as follows:

"SECTION 10, Sections 1 and 7 of this act shall be codified in the Oklahoma Statutes as Sections 50 and 73.1 of Title 43A, unless there is created a duplication in numbering."

HOUSE AMENDMENTS

HAs to SB 277 were read as follows and consideration deferred.

Authors: Add the following coauthor: Roberts of the House.

Amendment No. 1. Amend Page 1, Line 25½, by adding a new Section to read as follows:

"SECTION 3. Section 5-405, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 5-405), is amended to read as follows:

Section 5-405. A. Except as otherwise provided, no person may hunt, kill, capture or otherwise take or destroy any furbearer, except from December 1 to January 31, both dates inclusive.

B. No person may take otter at any time.

C. Persons taking pelts during the season shall have until ten (10) working days after the close of said season to sell or dispose of such pelts.

D. Nothing contained in these provisions shall prevent the killing of furbearers actually found destroying livestock or poultry, nor the running or chasing of fox, BOBCAT and raccoon with dogs for sport only."

and renumber the subsequent sections accordingly.

Amendment No. 2. Amend Title to read as follows:

"An Act relating to game and fish; amending Sections 2-111, 2-132 and 5-405, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Sections 2-111, 2-132 and 5-405); defining terms; changing classification of certain animal; modifying provisions for hunting and killing certain furbearers; and providing an effective date."

HOUSE AMENDMENTS

HAs to SB 328 were read as follows and consideration deferred.

Authors: Add the following coauthors: Duckett and Wilson of the House.

Amendment No. 1. Amend Page 2, Lines 9 through 13, by striking all the language and inserting the following:

“(5) Every person who willfully solicits or aids a minor child to perform any act as set out in subsections (1), (2), (3), and (4) of this act shall be guilty of a felony and, if convicted, shall be imprisoned for not less than ten (10) years nor more than thirty (30) years.”

HOUSE AMENDMENTS

HAs to SB 335 were read as follows and consideration deferred.

Authors: Add the following coauthor: Hood of the House.

Amendment No. 1. Amend Page 3, Line 6, by deleting the words “and to the accused”.

Amendment No. 2. Amend Page 3, Lines 18 and 19, by deleting the following language: “or Section 1109 of Title 10 of the Oklahoma Statutes”.

Amendment No. 3. Amend Page 4, Lines 7 through 10, by striking all the language, and amend Title on Lines 15½ through 16½, by deleting the following language: “ADDING LIABILITY FOR WILLFULLY AND KNOWINGLY MAKING FALSE REPORTS;”.

HOUSE AMENDMENTS

HAs to SB 363 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 2, Line 9, by striking the word “shall” after the word “herein” and before the word “be” and inserting in lieu thereof the word “may”.

Amendment No. 2. Amend Page 2, Line 17, after the word “incurred.” insert the

following: “Provided further that national accounting firms having twenty-five or more offices throughout the fifty states may, by reason of their size and diversification, purchase insurance with a deductible provision in excess of One Thousand Dollars (\$1,000.00) and shall not be excluded solely because of such provision.”

HOUSE AMENDMENTS

HAs to SB 376 were read as follows and consideration deferred.

Authors: Add the following coauthors: Show Henry as principal House author and coauthored by Parris of the House.

Amendment No. 1. Amend Page 2, Line 12, by restoring the words “twenty percent (20%)” and striking the words “ten percent (10%)”.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1105, and requesting Conference.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HB 1105 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Schuelein, Randle and Stipe.

PENDING CONSIDERATION OF HAS

HAs to SB 267 were called up for consideration.

Upon motion of Senator Smith, the Senate concurred in HAs to SB 267.

SB 267, as amended by the Honorable House, was read at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Nay: Howell.—1.

Excused: Stipe.—1.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

MOTION TO RECONSIDER VOTE

Senator Howard asked for consideration of his motion to reconsider the vote whereby HB 1441 passed. Senator Luton moved to table the Howard motion, which motion to table was declared adopted.

HB 1441 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HB 1138 by Miskelly, et al, of the House and Crow and Randle of the Senate was read and considered.

Senator Johnson asked to be made a co-author of HB 1138, which was the order.

Upon motion of Senator Crow, HB 1138, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1138, as coauthored, was

considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1138 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

The bill and emergency passed.

HB 1138 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The CCR on SB 94 was called up for consideration.

The CCR on SB 94 was adopted upon motion of Senator Crow.

SB 94, as amended in Conference, was read at length.

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

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keller, Lamb, Lane, Luton, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, York and Young.—36.

Nay: Birdsong, Dawson, Helm, Howell, Keating, Kilpatrick, Lambert, McCune, McDaniel, Rozell, Vann and Wolfe.—12.

The bill and emergency passed.

SB 94, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 95 was called up for consideration.

The CCR on SB 95 was adopted upon motion of Senator Crow.

SB 95, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Dawson, Helm, McCune and Wolfe.—4.

The bill and emergency passed.

SB 95, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 97 was called up for consideration.

The CCR on SB 97 was adopted upon motion of Senator Crow.

SB 97, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

The bill and emergency passed.

SB 97, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 105 was called up for consideration.

The CCR on SB 105 was adopted upon motion of Senator Crow.

SB 105, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell,

Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—45.

Nay: Keller, Lambert and Wolfe.—3.

The bill and emergency passed.

SB 105, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 106 was called up for consideration.

The CCR on SB 106 was adopted upon motion of Senator Crow.

SB 106, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—48.

The bill and emergency passed.

SB 106, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 108 was called up for consideration.

The CCR on SB 108 was adopted upon motion of Senator Crow.

SB 108, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Nay: McCune.—1.

The bill and emergency passed.

SB 108, together with Conference Committee Report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

HB 1324 by Stephenson, et al, of the House and Tinsley, Giles and Dahl of the Senate was read and considered.

Senator Taliaferro asked to be made a coauthor of HB 1324, which was the order.

Senators Martin and Berrong moved to amend HB 1324, Page 2, Line 7, by adding after the word "Act." the following new sentence: "Furthermore, a hospital or related institution shall not be held liable for permitting the use of amygdalin (Laetrile) by a patient when the provisions of this act have been met, unless said hospital or related institution acted negligently in the care and treatment of said patient.", which amendment was declared adopted.

Senator Martin moved to amend HB 1324, Page 2, Line 10, by adding after the word "Examiners" and before the word "for" the following: "or State Board of Osteopathic Examiners", which amendment was declared adopted.

Senator Martin moved to amend HB 1324, Page 4, Lines 15 through 17, by striking after the word "the" on Line 15 and before the period on Line 17 all language and inserting the following: "Food and Drug Administration has determined amygdalin (Laetrile) to be an 'unapproved new drug' and that federal law prohibits the interstate distribution of an 'unapproved new drug' ", which amendment was declared adopted.

Senator Berrong moved to amend HB 1324, Page 6, Line 3, by adding after the word "the" and before the word "state" the following: "hospital or related institution and the", which amendment was declared adopted.

Senator McCune moved to amend HB 1324, Page 2, Line 14, by adding after the word "condition" and before the word "if" the following: "or by itself" and by adding the same language after the word "thereof" and before the word "in" on Line 4 of Page 3, which amendment was declared adopted.

Upon motion of Senator Tinsley, HB 1324, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, HB 1324, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1324 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Nay: Randle.—1.

The bill passed.

HB 1324 was referred for engrossment.

GENERAL ORDER

HB 1248 by Wiseman and Matheson of the House and Howard of the Senate was read and considered.

Senators Smith, Shatwell and Funston asked to be made coauthors of HB 1248, which was the order.

Upon motion of Senator Howard, HB 1248, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, HB 1248, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1248 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps,

Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, York and Young.—42.

Nay: Boatner, Crow, Lamb, Taliaferro, Watson and Wolfe.—6.

The bill and emergency passed.

HB 1248 was referred for engrossment.

COMMUNICATION

The following Communication was read and printed in the Journal upon request of Senator Wadley.

May 24, 1977

The Honorable Gene Howard
President Pro Tempore
Oklahoma State Senate
State Capitol Building
Oklahoma City, Oklahoma 73105

Dear Senator Howard:

As you know, I have vetoed Senate Joint Resolution No. 29. I did so because I felt that it violated the principle that administration of the correctional system is primarily a state responsibility.

I also felt that to be useful, a study of the system should not be limited in its scope purely to guidelines suggested by the federal government.

I certainly support an interim study which would provide broadbased constructive suggestions for the future of our correction system. Such a constructive study would be extremely useful and of help to the entire state. The inclusion of a broadly representative group of citizens as

well as members of the Legislature could lend even greater strength to the study.

Sincerely yours,

DAVID L. BOREN

MOTION RE AUTHORS OF HJR 1020

Senator Lambert asked unanimous consent, which was granted, that Senator Young be made principal Senate author of HJR 1020 and that Senator Lambert be the first coauthor.

Senators Schuelein, Stipe and Dahl asked to be made coauthors of HJR 1020, which was the order.

MOTION TO RECONSIDER VOTE

Senator Crow asked unanimous consent, which was granted, that the time be extended until Monday, May 30, 1977, for consideration of his motion to reconsider the vote whereby HB 1121 passed.

MOTION TO RECONSIDER VOTE

Senator Clifton asked for consideration of his motion to reconsider the vote whereby HB 1198 failed of passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dawson, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Tinsley, Vann and York.—33.

Nay: Capps, Crow, Dahl, Field, Giles, Johnson, McDaniel, Martin, Schuelein, Taliaferro, Terrill, Wadley, Watson and Wolfe.—14.

Excused: Young.—1.

THIRD READING

HB 1198 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Shatwell, Smith, Stipe, Tinsley and York.—31.

Nay: Boatner, Crow, Dawson, Field, Giles, Johnson, Martin, Rozell, Schuelein, Taliaferro, Terrill, Wadley, Watson and Wolfe.—14.

Excused: Randle, Vann and Young.—3.

The bill passed.

HB 1198 was referred for engrossment.

GENERAL ORDER

HB 1188 by Hammons of the House and Funston and Cate of the Senate was read and considered.

Senator Terrill asked to be made a coauthor of HB 1188, which was the order.

Upon motion of Senator Funston, HB 1188, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, HB 1188, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1188 was read for the third time at length.

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

Aye: Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Kilpatrick, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Wadley, Watson and York.—31.

Nay: Berrong, Birdsong, Boatner, Green, Helm, Johnson, Keating, Lamb, Lane, McCune, Pierce, Taliaferro and Wolfe.—13.

Excused: Keller, Randle, Vann and Young.—4.

The bill passed.

Senators Keating, Birdsong and Green desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 10. Excused: 4.

The emergency passed.

HB 1188 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 312 were called up for consideration.

Upon motion of Senator Smith, the Senate concurred in HAs to SB 312.

SB 312, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green,

Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—43.

Excused: Butler, Keller, Randle, Vann and Young.—5.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 26 were called up for consideration.

Upon motion of Senator Grantham, the Senate concurred in HAs to SB 26.

SB 26, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Johnson, Keating, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—36.

Nay: Boatner, Crow, Holden, Howell, Lane and Schuelein.—6.

Excused: Birdsong, Butler, Keller, Randle, Vann and Young.—6.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HB 1403 by Roberts of the House and Cate of the Senate was read and considered.

Upon motion of Senator Cate, HB 1403 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, HB 1403 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1403 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley and York.—36.

Nay: Giles, Helm, Johnson, Lambert, McCune, Watson and Wolfe.—7.

Excused: Butler, Keller, Randle, Vann and Young.—5.

The bill passed.

HB 1403 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HB 1330 by Henry of the House and Clifton and Grantham of the Senate was read and considered.

Upon motion of Senator Clifton, HB 1330 was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, HB 1330 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1330 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Howard, Howell, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Shatwell, Smith, Tinsley, Watson, Wolfe and York.—32.

Nay: Berrong, Boatner, Crow, Giles, Holden, Johnson, Schuelein, Stipe, Taliaferro, Terrill and Wadley.—11.

Excused: Butler, Keller, Randle, Vann and Young.—5.

The bill passed.

HB 1330 was referred for engrossment.

GENERAL ORDER

HB 1413 by Elder and Bradshaw of the House and Tinsley and Wadley of the Senate was read and considered.

Senator Tinsley asked unanimous consent that the title on HB 1413 be restored, which was the order.

Upon motion of Senator Tinsley, HB 1413, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, HB 1413, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1413 was read for the third time at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Giles, Holden, Johnson, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson and York.—27.

Nay: Berrong, Boatner, Crow, Funston, Grantham, Green, Helm, Howard, Howell, Keating, Lambert, McCune, Shatwell, Smith and Wolfe.—15.

Excused: Butler, Field, Keller, Randle, Vann and Young.—6.

The bill passed.

Senators Keating, Green, Howard, Lambert and Helm desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 10. Excused: 6.

The emergency passed.

HB 1413 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The CCR on SB 67 was called up for consideration.

The CCR on SB 67 was adopted upon motion of Senator Keating.

SB 67, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—41.

Excused: Butler, Field, Helm, Keller, Randle, Vann and Young.—7.

The bill passed.

The Chair advised the Senate that Senator Helm, having been present in the Chamber during the vote, would be shown voting "no" on SB 67 in compliance with

Rule 33(b). The vote thereby resulted as follows: Aye: 41. Nay: 1. Excused: 6.

SB 67, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, May 26, 1977, at 12:00 noon, which motion prevailed.

BILLS RELEASED

HBs 1403 and 1441 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 7:00 p.m. to meet Thursday, May 26, 1977, at 12:00 noon.



Eighty-third Legislative Day

Thursday, May 26, 1977

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

Roll Call:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Helm and Porter.—2.

President Pro Tempore Howard declared a quorum present.

The following prayer was offered by Reverend Bloss, and incorporated into the Journal upon request of Senator Randle.

O God, remind us that this day is not the last, unless You decide it shall be. When we would turn away from Your truth, hedge us in by Your word. When we seek justice, let it be the justice that squares with Your righteous Law.

When we seek rewards, may they be those of Your Heavenly Kingdom, and not of earthly fame or riches. When we propose, remind us that You dispose of our fates.

Forgiveness for our sins You have promised, help us to receive it and make it our own. We repent before You for all our vain glory and seek Your approval forever, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lambert introduced his wife, Georgiann, and son, Phillip, to the members of the Senate and asked unanimous consent, which was granted, that Phillip be named Honorary President Pro Tempore for this legislative day and given privileges of the floor.

Senator Lamb introduced Joseph W. Stafford, M.D., Enid, as Doctor of the Day. Senator Tinsley introduced Mary Gilmour, R.N., Kingfisher, as Nurse of the Day.

COMMITTEE REPORT — LOBBY REPORTS

Mr. President:

The Committee on Rules, to which was referred requests for Lobby Permits, after careful consideration, recommends that the following petitioners be granted Lobby Permits:

David M. Dank, 2519 N.W. 23, Oklahoma City, representing Oklahoma Retail Merchants Association.

Mayo Jack Elliott, 6321 Vernon Woods Drive, Atlanta, Georgia, 30328, representing National Federation of Independent Business, 150 West 20th Ave., San Mateo, California, 94403.

Robert L. Hicks, Box 52398, Tulsa, 74152, representing Hicks-Sampsel and Company.

James Neal Towner, 1320 Classen Drive, Oklahoma City, 73106, representing Blue Cross and Blue Shield of Oklahoma.

AL TERRILL, CHAIRMAN
Senate Rules Committee

UNANIMOUS CONSENT REQUEST

President Pro Tempore Howard asked unanimous consent, which was granted that the Committee on Environmental and Natural Resources be allowed to report out **SJR 7**.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1308 — Business, Industry and Labor Relations.

DO PASS, as amended:

CS for SJR 7 — Environmental and Natural Resources. Substitute Craighead as principal House Author with Cotner as coauthor, and also coauthored by Crow of the Senate and Wickersham and McCaleb of the House. (Xerox copies of **SJR 7** were placed on the desks of Senators.)

HB 1231 — Business, Industry and Labor Relations, as coauthored by Shatwell.

HB 1321 — Business, Industry and Labor Relations.

HJR 1018 — County, State and Federal Government.

SPECIAL ORDER

Senator Funston asked unanimous consent, which was granted, that his motion for instruction of Senate Conferees on **HB 1228** be withdrawn.

CONFERENCE COMMITTEE REPORT

The following CCR on **SB 214** was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred **SB 214** by Dahl of the Senate and Townsend, Thompson and Henry of the House, entitled:

An Act relating to game and fish; amending Section 5-203, *** modifying provisions for carrying shotguns or firearms while training certain dogs *** providing for hunting with certain lights; *** and providing 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:

1. That the Senate accept House Amendments 1 and 2.
2. That the House recede from House Amendment No. 3.

Respectfully submitted,

FOR THE SENATE: Dahl, Funston and Wolfe.

FOR THE HOUSE: Townsend, Henry and Converse.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 98 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 98, entitled:

(Board of Medicolegal Investigations — Appropriation — 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 all Engrossed House Amendments.

2. That the attached Conference Committee Substitute for Engrossed Senate Bill No. 98 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 98 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Abbott, Campbell, Denman, Parris, Elder, Matheson, Cowan, Murphy, Riggs, Rogers, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 114 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 114, entitled:

(Water Resources Board — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the following Conference Committee Amendments to Engrossed Senate Bill No. 114 be adopted:

a. Page 1, Restore the Title to read as follows:

“An Act relating to the Water Resources Board and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of employees; designating executive director's salary; limiting number of employees; limiting expenditures for salaries and wages; reappropriating certain funds; providing lapse date; providing severability; and declaring an emergency.”

b. Page 1, Lines 22 and 23, by deleting the words and figures “Six Hundred Nine Thousand Nine Hundred Twenty-eight Dollars (\$609,928.00)” and by substituting in lieu thereof the words and figures “Five Hundred Fifty-six Thousand Five Hundred Ninety Dollars (\$556,590.00)”.

c. Page 1, Line 30, by deleting the words and figures “Twenty-six Thousand Dollars (\$26,000.00)” and by substituting in lieu thereof the words and figures “Twenty-four Thousand Dollars (\$24,000.00)”.

d. Page 1, Line 33, by deleting the word and figure “forty (40)” and by substituting

in lieu thereof the words and figure "thirty-eight (38)" and by adding after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

(e) Page 1, Line 36 and Page 2, Line 1, by deleting the words and figures "Five Hundred Nine Thousand Seven Hundred Thirty Dollars (\$509,730.00)" and by substituting in lieu thereof the words and figures "Four Hundred Sixty-eight Thousand Five Hundred Fifty Dollars (\$468,550.00)".

(f) Page 2, Line 2½ by adding a new Section 3 to read as follows:

"SECTION 3. The sum of One Hundred Thousand Dollars (\$100,000.00) originally appropriated to the Water Resources Board from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1977, by Section 2, Chapter 205, O.S.L. 1976, to accomplish the second year effort of a two-year project to complete the second phase of a state project for the development of a comprehensive state water plan in accordance with policies and guidelines established by Section 1, Chapter 25, O.S.L. 1974 (82 O.S. Supp. 1976, Section 1086.1) is hereby continued and reappropriated in the original amount and for the original purpose, as adjusted by transfer, less any amount that has been expended on the effective date of this act. The second phase is to develop feasibility and cost studies to provide essential data for the northern forty-four counties of the state not specifically designated by Section 2, Chapter 25, O.S.L. 1974 (82 O.S. Supp. 1976, Section 1086.2)."

Renumber the present Section 3 to read "Section 4" and renumber succeeding sections accordingly.

(g) Page 2, Line 3 by adding an "s" to the end of the word "appropriation" and by adding "Sections 1 and 3" after the word "by" and before the word "this".

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Parris, Elder, Mathe-son, Cowan, Murphy, Riggs, Rogers and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 115 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 115, entitled:

(Department of Pollution Control — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5 and 6.

2. That the following Conference Committee Amendments be adopted:

(a) Page 1, Restore the Title to read as follows:

"An Act relating to the Department of Pollution Control and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of employees; fixing the director's maximum salary; limiting

number of employees; limiting expenditures for salaries and wages; prohibiting the expenditure of certain funds for certain fees and services; providing lapse date; providing severability; and declaring an emergency."

(b) Page 1, Lines 22 and 23, by deleting the words and figures "Eighty-five Thousand Two Hundred Seventy-nine Dollars (\$85,279.00)" and by substituting in lieu thereof the words and figures "Eighty-five Thousand Six Hundred Nineteen Dollars (\$85,619.00)".

(c) Page 1, Line 35, by adding after "1978" and before the period (.) the following language " , except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

(d) Page 2, Line 3½, by adding a new Section 3 to read as follows:

"SECTION 3. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

and by renumbering current Section 3 to read "Section 4" and renumbering succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Campbell, Denman, Parris, Elder, Matheson, Cowan, Murphy, Riggs, Rogers, Townsend and Trent.

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 HB 1127, HB 1136, HB 1147 (2nd CCR) and HB 1156 (2nd CCR).

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1127 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1127, entitled:

An Act relating to the Office of the Attorney General and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to the Engrossed House Bill No. 1127 be adopted:

(a) Restore the Title to read as follows:

"An Act relating to the Office of the Attorney General and making an appropriation thereto; stating the purpose; authorizing use of all funds appropriated for federal matching purposes; providing for appointment, duties, compensation and number of employees; limiting expenditures for salaries and wages; reappropriating certain funds; providing lapse date; making provisions of this act severable; and declaring an emergency."

(b) Page 1, Lines 24 and 25, delete the words and figures "Nine Hundred Nineteen Thousand Nine Hundred Eighty Dollars (\$919,980.00)" and substitute in lieu thereof "Nine Hundred Twenty-four Thousand Four Hundred Twenty-two Dollars (\$924,422.00)".

(c) Page 1, Line 36, delete the words and figures "fifty-nine (59)" and substitute in lieu thereof "fifty-eight (58)".

(d) Page 1, Line 37, after the date "1978" add the following: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

(e) Page 2, Lines 3 and 4, delete the words and figures "Eight Hundred Thirty-two Thousand Eight Hundred Ninety Dollars (\$832,890.00)" and substitute in lieu thereof "Eight Hundred Twenty-eight Thousand Dollars (\$828,000.00)".

(f) Page 2, Line 4½, add a new Section 4 to read as follows:

"SECTION 4. The amount of Eight Hundred Fifty-four Thousand Five Hundred Twenty-one Dollars (\$854,521.00) originally appropriated by Section 1, Chapter 210, O.S.L. 1976, to the Office of the Attorney General, from the General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1977, is hereby continued and reappropriated to the Office of the Attorney General in the original amount as adjusted by transfer, less the amount that has been expended upon the date this act becomes effective."

(and renumber the present Section 6 to read "Section 5" and renumber succeeding sections accordingly.)

(g) Page 2, all of Lines 5 through 36 delete all of present "Sections 4 and 5".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott,

Campbell, Denman, Parris, Elder, Mathe-son, Cowan, Murphy, Riggs, Rogers, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1136 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1136, entitled:

An Act relating to the Physician Man-power Training Commission; making appropriations to the Commission and certain specified funds administered by the 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 Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

(a) Amend the Title to read as follows:

"An Act relating to the Physician Man-power Training Commission; making appropriations to the Commission and certain specified funds administered by the Commission; stating the purposes; providing for appointment, duties and com-

pensation of employees; limiting executive director's salary; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency."

(b) Page 2, Lines 15-16, by deleting the words and figures "Forty-two Thousand One Hundred Fifty-eight Dollars (\$42,158.00)" and substituting in lieu thereof the words and figures "Forty-two Thousand Seven Hundred Twenty-one Dollars (\$42,721.00)".

(c) Page 2, Line 35, by deleting all language on Line 35 after the word "exceed" and by substituting the following language: "two (2) during the fiscal year ending June 30, 1978, except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes."

(d) Page 3, Lines 1-4, by deleting all language on these lines before the word "The" on Line 4.

(e) Page 3, Lines 7-8, by deleting the words and figures "Forty-eight Thousand Seven Hundred Ten Dollars (\$48,710.00)" and substituting in lieu thereof the words and figures "Twenty-five Thousand Four Hundred Thirty Dollars (\$25,430.00)".

(f) Page 3, Lines 9-21, by deleting all of Section 7.

(g) Page 3, Line 23, by renumbering present Section 8 to read "SECTION 7" and renumbering succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Cowan, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, McCune, Boatner, Cate, Grantham, Holden, Howell,

Murphy, Schuelein, Smith, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following Second CCR on HB 1147 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1147, entitled:

An Act relating to Public Employees Retirement System; making appropriations thereto and stating the purposes; *** 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 Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1147 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Atkins, Draper, Elder, Cowan, Murphy, Riggs, Duke and Townsend.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following Second CCR on HB 1156 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1156, entitled:

An Act relating to the Commission on Consumer Affairs and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to Engrossed HB No. 1156 be adopted:

a. Page 1, amend the Title to read as follows:

"An Act relating to the Commission on Consumer Affairs and making an appropriation thereto; stating the purpose; providing for the appointment, duties and compensation of personnel; limiting expenditures for salaries and wages; specifying the number and compensation of authorized officials and employees; directing the classification of a certain position; authorizing the filling of a designated position with a position in a lower job grade; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Lines 24 and 25, by deleting the words and figures "Three Hundred Thirty-six Thousand Eight Hundred Fifty Dollars (\$336,850.00)" and by substituting in lieu thereof the words and figures "Three Hundred Thirty-eight Thousand Five Hundred Eighty-three Dollars (\$338,583.00)".

c. Page 1, Lines 34 through 36, by deleting the word "The" after the word "law." on Line 34 and by deleting all language on Lines 35 and 36 and Page 2, Lines 1 through 4, by deleting all language on Lines 1 through 3 and all language through "June 30, 1978." on Line 4.

d. Page 2, Lines 7 and 8, by deleting the words and figures "Two Hundred Sixty-eight Thousand Eight Hundred Sixty Dollars (\$268,860.00)" and by substituting in lieu thereof the words and figures "Two Hundred Seventy-one Thousand Four Hundred Sixty Dollars (\$271,460.00)".

e. Page 2, Lines 10 through 36 and Page 3, Lines 1 through 4, by deleting all of the present Section 3 and by substituting in lieu thereof the following:

"SECTION 3. The number and annual compensation of officials and employees, for the fiscal year ending June 30, 1978, shall be subject to the following schedule and the minimum and maximum amounts listed shall in no way constitute an appropriation but are listed for the purpose of establishing salary ranges only, exclusive of overtime pay. The number of full-time-equivalent employees shall not exceed the number, by job title, authorized below, except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes.

JOB TITLE	MERIT SYSTEM	NO. AUTH.	MIN.	MAX.
	GRADE			
Administrator		1	\$25,000	\$26,200
Deputy Administrator		1	21,520	22,600

Attorney III	35	1	16,380	25,200
Attorney I	29	1	12,360	18,900
Consumer Credit Examiner III	34	1	15,660	24,000
Consumer Credit Examiner II	30	1	12,960	19,800
Consumer Credit Examiner I	27	4	11,220	17,160
Consumer Education Coordinator	30	1	12,960	19,800
Administrative Assistant	25	1	10,140	15,660
Coordinator, Government Straight Line	24	1	9,660	14,940
Secretary I	21	2	8,400	12,960
Clerk IV	19	1	7,680	11,760
Clerk I	13	.5	5,820	8,820
Stenographer Clerk III	18	2	7,320	11,220
Receptionist	16	1	6,660	10,140
TOTAL		19.5		

The position of Secretary to the Administrator shall be included in the classified service as a Secretary I, and the incumbent in that position shall be given Merit System status without further examination."

f. Page 3, Lines 12 through 16, by deleting all of the present Section 5. Renumber the present Section 6 to read "Section 5" and renumber succeeding sections accordingly.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Campbell, Denman, Draper, Elder, Cowan, Murphy, Riggs, Duke, Townsend and Trent.

Senate Conferees: Randle, Vice-Chairman, Berrong, Boatner, Cate, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

MESSAGE FROM THE HOUSE

Advising naming of House Conferees on HB 1105 as follows: Representatives Hammons, Riggs and Matheson.

GENERAL ORDER

HB 1132 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Senator Crow asked unanimous consent,

which was granted, that the title be crippled to HB 1132.

Upon motion of Senator Crow, HB 1132, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1132, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1132 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wolfe, York and Young.—41.

Nay: Green, McCune, Pierce and Watson.—4.

Excused: Helm, Porter and Wadley.—3.

The bill and emergency passed.

HB 1132 was referred for engrossment.

GENERAL ORDER

HB 1144 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1144 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1144 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1144 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—45.

Excused: Helm, Porter and Wadley.—3.

The bill and emergency passed.

HB 1144 was referred for engrossment.

GENERAL ORDER

HB 1163 by Miskelly and Davis (Don) of the House and Crow and Randle of the Senate was read and considered.

Upon motion of Senator Crow, HB 1163 was advanced to engrossment.

By unanimous consent, upon request of Senator Crow, HB 1163 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1163 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—41.

Nay: Green, McDaniel and Wolfe.—3.

Excused: Boatner, Helm, Porter and Wadley.—4.

The bill and emergency passed.

HB 1163 was referred for engrossment.

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

GENERAL ORDER

HB 1229 by Matheson, et al, of the House and Dawson, Kilpatrick, Cate, Birdsong, Wadley, York, Vann and Taliaferro of the Senate was read and considered.

Senator Crow presiding.

Senator Luton asked unanimous consent that further consideration of HB 1229 be

deferred for this legislative day, which was the order.

Senator Lamb presiding.

PENDING CONSIDERATION OF CCR

The CCR on SB 74 was called up for consideration.

The CCR on SB 74 was adopted upon motion of Senator Crow.

SB 74, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—41.

Nay: Berrong, Keating, McCune, Pierce, Watson and Wolfe.—6.

Excused: Helm.—1.

The bill and emergency passed.

SB 74, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 75 was called up for consideration.

The CCR on SB 75 was adopted upon motion of Senator Crow.

SB 75, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Clifton and Helm.—2.

The bill and emergency passed.

SB 75, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 81 was called up for consideration.

The CCR on SB 81 was adopted upon motion of Senator Crow.

SB 81, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Keller and McCune.—2.

Excused: Helm —1.

The bill and emergency passed.

SB 81, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 92 was called up for consideration.

The CCR on SB 92 was adopted upon motion of Senator Crow.

SB 92, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Helm and Pierce.—2.

The bill passed.

The Chair advised the Senate that Senator Pierce, having been present in the Chamber during the vote, would be shown voting "no" on SB 92 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 46. Nay: 1. Excused: 1.

Senator Pierce desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 47. Excused: 1.

The emergency passed.

SB 92, together with the Conference

Committee Report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 88, as amended, and SB 355, as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 88 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 88 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

HOUSE AMENDMENTS

HAs to SB 355 were read as follows and consideration deferred.

Authors: Add the following coauthor: Davis (Don) of the House.

Amendment No. 1. Amend Page 1, Lines 9 through 11½, by striking the Title and substituting the following:

"(Regents — Higher Education — Reappropriation — Emergency)".

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 25, 1977, of Enrolled SB 7.

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 94, 95, 97, 105, 106 and 108.

The above numbered Bills as amended in Conference were referred for enrollment.

Senator Watson presiding.

PENDING CONSIDERATION OF HAS

HAs to SB 240 were called up for consideration.

Upon motion of Senator Funston, the Senate concurred in HAs to SB 240.

SB 240, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—46.

Excused: Helm and Wadley.—2.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 4 were called up for consideration.

Upon motion of Senator Murphy, the Senate concurred in HAs to SB 4.

SB 4, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Funston and Helm.—2.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HB 1293 by Peterson, et al, of the House and Lambert of the Senate was read and considered.

Senator Smith moved to amend HB 1293, Page 3, Line 3, by inserting after the word "situated" the following: "Provided however that the purchaser of land shall be charged with notice of all actions pending against the record owner of such land, to the extent that the actions expressly set forth facts that if proven would become inchoate judgment liens on real property held in the name of the parties to pending litigation.", which amendment was declared adopted.

Upon motion of Senator Lambert, HB 1293, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Lambert, HB 1293, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1293 was read for the third time at length.

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

Aye: Berrong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson and York.—35.

Nay: Birdsong, Boatner, Crow, Johnson, Kilpatrick, Porter, Wolfe and Young.—8.

Excused: Helm, Howard, Keller, Shatwell and Wadley.—5.

The bill passed.

The Chair advised the Senate that Senator Shatwell, having been present in the Chamber during the vote, would be shown voting "no" on HB 1293 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 35. Nay: 9. Excused: 4.

HB 1293 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1403 and 1441.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1342 by Elder of the House and Smith of the Senate was read and considered.

Upon motion of Senator Smith, HB 1342 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1342 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1342 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Watson, Wolfe, York and Young.—41.

Excused: Capps, Field, Helm, Howard, Keller, Tinsley and Wadley.—7.

The bill and emergency passed.

HB 1342 was ordered withheld pursuant to Rule 19(f).

REPORT OF ENGROSSED AND ENROLLED BILLS

HBs 1138, 1198, 1248, 1278, 1330 and 1413 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1384 by Lawter of the House and Kilpatrick of the Senate was read and considered.

Upon motion of Senator Kilpatrick, HB 1384 was advanced to engrossment.

By unanimous consent, upon request of

Senator Kilpatrick, HB 1384 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1384 was read for the third time at length.

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

Aye: Clifton, Field, Funston, Grantham, Green, Holden, Johnson, Kilpatrick, Randle, Stipe and Vann.—11.

Nay: Berrong, Birdsong, Boatner, Butler, Cate, Crow, Dahl, Dawson, Giles, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Watson, Wolfe, York and Young.—31.

Excused: Capps, Helm, Howard, Howell, Tinsley and Wadley.—6.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator Kilpatrick moved that the vote be reconsidered whereby HB 1384 failed.

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

GENERAL ORDER

HB 1332 by Duckett, et al, of the House and Lamb of the Senate was read and considered.

Senators Funston and Keller asked to be made coauthors of HB 1332, which was the order.

Upon motion of Senator Lamb, HB 1332, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Lamb, HB 1332, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1332 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—39.

Nay: Dawson, Howell, Lane, McCune, Schuelein, Smith and Stipe.—7.

Excused: Howard and Wadley.—2.

The bill passed.

HB 1332 was ordered withheld pursuant to Rule 19(f).

Senator Randle presiding.

GENERAL ORDER

HJR 1020 by Hood, et al, of the House and Young, Lambert, Birdsong, Schuelein, Stipe and Dahl of the Senate was read and considered.

Senator Johnson asked to be made a coauthor of HJR 1020, which was the order.

Senator Porter moved to amend HJR 1020, Page 4, Line 5, by inserting after the word "orders" and before the word "and" a comma and the following: "racial discrimination", which amendment was declared adopted.

Upon motion of Senator Young, HJR 1020, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Young, HJR 1020, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1020 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—47.

Excused: Wadley.—1.

The resolution and emergency passed.

HJR 1020 was referred for engrossment.

GENERAL ORDER

HB 1262 by Ford and Lancaster of the House and Watson of the Senate was read and considered.

Senator Funston asked to be made a co-author of HB 1262, which was the order.

Upon motion of Senator Watson, HB 1262, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of

Senator Watson, HB 1262, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1262 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—46.

Nay: Grantham.—1.

Excused: Wadley.—1.

The bill and emergency passed.

HB 1262 was ordered withheld pursuant to Rule 19(f).

PENDING CONSIDERATION OF HAS

HAs to SB 277 were called up for consideration.

Upon motion of Senator Dahl, the Senate concurred in HAs to SB 277.

SB 277, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm,

Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and York.—44.

Nay: Boatner.—1.

Excused: Keller, Wadley and Young.—3.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1324 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 26, 76, 89, 90, 157, 184, 190, 191, 232, 235, 267, 294, 312 and 391 and SJR 20 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Grantham, HAS to SB 25 were rejected and conference requested, President Pro Tempore Howard naming as Senate Conferees the following: Senators Grantham, Smith and Wolfe.

MOTION TO RECONSIDER VOTE

Senator Stipe asked for consideration of his motion to reconsider the vote whereby SB 85 passed, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field,

Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—43.

Excused: Boatner, Helm, Keller, Porter and Young.—5.

Senator Stipe moved that the vote be reconsidered whereby the CCR on SB 85 was adopted, which motion was declared adopted.

PENDING CONSIDERATION OF CCR

Upon motion of Senator Stipe, the CCR on SB 85 was rejected and further conference requested, said bill to be rereferred to GCCA.

PENDING CONSIDERATION OF CCR

The CCR on SB 102 was called up for consideration.

The CCR on SB 102 was adopted upon motion of Senator Crow.

SB 102, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—46.

Nay: Wolfe.—1.

Excused: Porter.—1.

The bill and emergency passed.

SB 102, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to SB 335 were called up for consideration.

Upon motion of Senator Terrill, the Senate concurred in HAs to SB 335.

SB 335, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—45.

Nay: Boatner and Wolfe.—2.

Excused: Helm.—1.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on SB 83 was called up for consideration.

The CCR on SB 83 was adopted upon motion of Senator Crow.

SB 83, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Berrong, Helm and Porter.—3.

The bill and emergency passed.

SB 83, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1146 was called up for consideration.

The CCR on HB 1146 was adopted upon motion of Senator Crow.

HB 1146, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley,

Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Berrong, Helm, Murphy and Porter.—4.

The bill and emergency passed.

HB 1146, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1143 was called up for consideration.

The CCR on HB 1143 was adopted upon motion of Senator Crow.

HB 1143, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Berrong, Helm and Porter.—3.

The bill and emergency passed.

HB 1143, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1148 was called up for consideration.

The CCR on HB 1148 was adopted upon motion of Senator Crow.

HB 1148, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: McCune and Wolfe.—2.

Excused: Butler, Helm, Murphy and Porter.—4.

The bill and emergency passed.

HB 1148, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1149 was called up for consideration.

The CCR on HB 1149 was adopted upon motion of Senator Crow.

HB 1149, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham,

Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: McCune and Wolfe.—2.

Excused: Helm and Porter.—2.

The bill and emergency passed.

HB 1149, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Watson presiding.

PENDING CONSIDERATION OF CCR

The CCR on HB 1145 was called up for consideration.

The CCR on HB 1145 was adopted upon motion of Senator Crow.

HB 1145, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—39.

Nay: Keating, Kilpatrick, Lambert, McCune, Pierce, Watson and Wolfe.—7.

Excused: Helm and Porter.—2.

The bill and emergency passed.

HB 1145, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

Has to SJR 33 were called up for consideration.

Upon motion of Senator Howard, the Senate concurred in HAS to SJR 33.

SJR 33, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Funston, McCune and Smith.—3.

Excused: Butler, Helm and Porter.—3.

The resolution passed.

House Amendments were properly signed and the above-numbered resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 26, 76, 89, 90, 157, 190, 191, 232, 267, 294, 312 and 391.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SJR 20.

The above numbered Resolution was transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HBs 1009, 1064, 1103, 1205, 1233, 1270, 1281, 1287 and 1397, as amended.

GENERAL ORDER

HB 1357 by Duckett and Draper of the House and Lamb of the Senate was read and considered.

Senator Funston asked to be made a co-author of HB 1357, which was the order.

Upon motion of Senator Lamb, HB 1357, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Lamb, HB 1357, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1357 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—39.

Nay: Dawson, Kilpatrick, Randle and Young.—4.

Excused: Butler, Helm, Murphy, Porter and Schuelein.—5.

The bill passed.

HB 1357 was ordered withheld pursuant to Rule 19(f).

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1135, requesting Conference and referring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HB 1135 was ordered granted, said bill to be referred to GCCA.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1102 and 1104, requesting Conference and naming Conferees as follows: Representatives Hammons, Duckett and Riggs.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HBs 1102 and 1104 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Schuelein, Randle and Stipe.

PENDING CONSIDERATION OF HAS

HAs to SB 142 were called up for consideration.

Upon motion of Senator Capps, the Senate concurred in HAs to SB 142.

SB 142, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Pierce, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—37.

Nay: McCune and Wolfe.—2.

Excused: Butler, Crow, Helm, Howard, Murphy, Porter, Randle, Schuelein and Stipe.—9.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAS to SB 118 were called up for consideration.

Senator Birdsong asked to be made a co-author of SB 118, which was the order.

Upon motion of Senator York, the Senate concurred in HAS to SB 118.

SB 118, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Funston, Green, Holden, Howell, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Shatwell, Smith, Terrill, Tinsley, Vann, Watson, York and Young.—26.

Nay: Dawson, Giles, Johnson, Keating, McCune, McDaniel, Rozell, Taliaferro and Wolfe.—9.

Excused: Butler, Crow, Field, Gran-

tham, Helm, Howard, Murphy, Pierce, Porter, Randle, Schuelein, Stipe and Wadley.—13.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAS to SB 243 were called up for consideration.

Upon motion of Senator Luton, the Senate concurred in HAS to SB 243.

SB 243, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—34.

Excused: Butler, Crow, Field, Grantham, Helm, Howard, Lane, Murphy, Pierce, Porter, Randle, Schuelein, Stipe and Young.—14.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 184 and 235.

The above numbered Enrolled Bills were referred to the Governor.

**REPORT OF ENGROSSED AND
ENROLLED BILLS**

HB 1188 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 289 was called up for consideration.

The CCR on SB 289 was adopted upon motion of Senator McDaniel.

SB 289, as amended in Conference, was read at length.

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

Aye: Berrong, Capps, Clifton, Dahl, Dawson, Funston, Giles, Green, Helm, Holden, Keller, Lambert, McCune, McDaniel, Martin, Murphy, Taliaferro and Terrill.—18.

Nay: Birdsong, Boatner, Cate, Howell, Johnson, Keating, Kilpatrick, Lamb, Luton, Porter, Rozell, Schuelein, Shatwell, Smith, Tinsley, Watson, Wolfe, York and Young.—19.

Excused: Butler, Crow, Field, Grantham, Howard, Lane, Pierce, Randle, Stipe, Vann and Wadley.—11.

The bill failed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(b), Senator

McDaniel moved that the vote be reconsidered whereby SB 289 failed.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day:

SCR 28 — By Johnson, Rozell, Dahl, Taliaferro, Tinsley and Field of the Senate and Converse, Cullison, Hastings, Sanders, Hardesty and Thompson (Mick) of the House.

A Concurrent Resolution requesting the Oklahoma Wildlife Conservation Commission to defer the adoption of new rules and regulations relating to bobcats, raccoons and red foxes for a certain period of time, initiate studies to determine the status of such furbearers in Oklahoma, and adopt certain rules and regulations relating to pelts and red foxes; and directing distribution.

Senator Luton moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, May 30, 1977, at 1:00 p.m., which motion prevailed.

BILLS RELEASED

HBs 1262, 1332, 1342 and 1357 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Luton, the Senate adjourned at 4:00 p.m. to meet Monday, May 30, 1977, at 1:00 p.m.



Eighty-fourth Legislative Day

Monday, May 30, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—41.

Excused: Keating, Lambert, Pierce, Porter, Stipe, Wolfe and York.—7.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Cloyd Sullins, Pastor, South Del Baptist Church, Del City, and incorporated into the Journal upon request of Senator Kilpatrick.

Almighty God: We thank Thee for this day. We thank Thee for Thy blessings which are above number. We thank Thee, for we are grateful to be a part of this country and this great state. We are grateful for our great system of democracy. Be with us now and with these men who have been elected by the people of our state to

deal with the problems we have here. Grant them the wisdom that they desire as they are our lawmakers. Bless the one who guides the session today and may our lives always honor Thy name, for we pray in Christ's name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Taliaferro introduced his sons, Rickey and Steven, to the members of the Senate. Senator Shatwell introduced his wife, Carol, daughter, Rita, and son, Nathan, and asked unanimous consent, which was granted, that Rita be named Honorary Journal Clerk and Nathan be named Honorary President Pro Tempore for this legislative day.

Senator Keating introduced his daughter, Carrie, and asked unanimous consent, which was granted, that young Carrie be named Honorary Minority Floor Leader for this legislative day. Senator Keating also introduced Betty Berry, R.N., Tulsa, as Nurse of the Day.

Senator York introduced Tom Garrett, M.D., Oklahoma City, as Doctor of the Day.

UNANIMOUS CONSENT REQUEST

Senator Terrill asked unanimous consent that the members of the committee on

Rules be excused to meet in Room 419C, which was the order.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Kilpatrick, HAS to SB 192 were rejected and conference requested, President Pro Tempore Howard appointing as Senate conferees the following: Senators Kilpatrick, Randle and Rozell.

GENERAL ORDER

SJR 7 by Capps and Crow of the Senate and Craighead, et al, of the House was read and considered.

Senators Funston, Terrill, Field and Taliaferro asked to be made coauthors of SJR 7, which was the order.

Upon motion of Senator Capps, SJR 7, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Capps, SJR 7, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 7 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—39.

Excused: Keating, Kilpatrick, Lambert,

Pierce, Porter, Smith, Stipe, Wolfe and York.—9.

The resolution passed.

SJR 7 was referred for engrossment.

Senators Pierce, Keating and York asked to be shown present, which was the order.

GENERAL ORDER

HB 1072 by Abbott and Wilson of the House and Lamb and Capps of the Senate was read and considered.

Upon motion of Senator Lamb, HB 1072 was advanced to engrossment.

By unanimous consent, upon request of Senator Lamb, HB 1072 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1072 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Boatner, Lambert, Porter, Smith, Stipe and Wolfe.—6.

The bill and emergency passed.

HB 1072 was ordered withheld pursuant to Rule 19(f).

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

PENDING CONSIDERATION OF CCR

The CCR on SB 114 was called up for consideration.

The CCR on SB 114 was adopted upon motion of Senator Crow.

SB 114, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Boatner.—1.

Excused: Lambert, Porter, Smith and Wolfe.—4.

The bill and emergency passed.

SB 114, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING SENATE ACTION ON CCR

Upon motion of Senator Crow, the CCRs on SBs 98 and 111 were rejected and further conference requested, said bills to be rereferred to GCCA.

PENDING CONSIDERATION OF CCR

The CCR on SB 115 was called up for consideration.

The CCR on SB 115 was adopted upon motion of Senator Crow.

SB 115, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Helm.—1.

Excused: Lambert, Porter and Wolfe.—3.

The bill and emergency passed.

SB 115, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1127 was called up for consideration.

The CCR on HB 1127 was adopted upon motion of Senator Crow.

HB 1127, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham,

Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Keating.—1.

Excused: Lambert, Porter and Wolfe.—3.

The bill and emergency passed.

HB 1127, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1136 was called up for consideration.

The CCR on HB 1136 was adopted upon motion of Senator Crow.

HB 1136, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—45.

Excused: Lambert, Porter and Wolfe.—3.

The bill and emergency passed.

HB 1136, together with the Conference

Committee Report thereon, was ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

HBs 1132, 1144, 1163 and 1293 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1147 was called up for consideration.

The CCR on HB 1147 was adopted upon motion of Senator Crow.

HB 1147, as amended in Conference, was read at length.

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

Aye: Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Green, Howard, Howell, Johnson, Keating, Keller, Lamb, Lane, Luton, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley and Vann.—30.

Nay: Berrong, Birdsong, Boatner, Dawson, Giles, Grantham, Helm, Holden, Kilpatrick, McCune, Martin, Wadley, Watson, York and Young.—15.

Excused: Lambert, Porter and Wolfe.—3.

The bill passed.

Senators Boatner, Holden and Dawson desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33. Nay: 12. Excused: 3.

The emergency passed.

HB 1147, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1150 was called up for consideration.

Senator Howell asked to be made a coauthor of HB 1150, which was the order.

The CCR on HB 1150 was adopted upon motion of Senator Crow.

HB 1150, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Excused: Lambert, Porter, Smith and Wolfe.—4.

The bill passed.

The Chair advised the Senate that Senator Smith, having been present in the Chamber during the vote would be shown voting "no" on HB 1150 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 44. Nay: 1. Excused: 3.

Senator Smith desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45. Excused: 3.

The emergency passed.

HB 1150, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1151 was called up for consideration.

Senator Helm asked to be made a coauthor of HB 1151, which was the order.

The CCR on HB 1151 was adopted upon motion of Senator Crow.

HB 1151, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—45.

Excused: Lambert, Porter and Wolfe.—3.

The bill and emergency passed.

HB 1151, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1152 was called up for consideration.

The CCR on HB 1152 was adopted upon motion of Senator Crow.

HB 1152, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—45.

Excused: Lambert, Porter and Wolfe.—3.

The bill and emergency passed.

HB 1152, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 192, and naming House Conferees as follows: Representatives Joiner, Harper and Steward.

MOTION TO RECONSIDER VOTE

Senator McDaniel asked for consideration of his motion to reconsider the vote whereby SB 289 failed.

Senator Stipe moved to table the McDaniel motion to reconsider, which motion to table was declared adopted.

MESSAGE FROM THE HOUSE

Advising Conference granted on En-

grossed SB 25, and naming House Conferees as follows: Representatives Elder, Kennedy and Conaghan.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 85, and rereferring said bill to GCCA.

MOTIONS RE SB 91

Senator Lane moved that the Committee on Engrossed and Enrolled Bills return SB 91, which motion was declared adopted.

Senator Lane moved that the House be requested to reconsider the vote whereby SB 91 passed and to reconsider the vote whereby the Conference Committee Report was adopted and to consider the bill further, which motion was declared adopted.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Boatner presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Boatner, advised and consented to the confirmation of WILLIAM C. CHAPMAN, Madill, as a member of the Oklahoma Pecan Commission to serve a 3-year term ending July 1, 1979, and effective upon Senate confirmation. Mr. Chapman succeeds himself.

The Senate, in executive session, and upon motion of Senator Boatner, advised and consented to the confirmation of

JAMES HARDEN, Mill Creek, as a member of the Liquefied Petroleum Gas Board, to serve a 4-year term ending June 30, 1980, and effective upon Senate confirmation. Mr. Harden succeeds himself.

The Senate, in executive session, and upon motion of Senator Shatwell, advised and consented to the confirmation of EDWARD LACY, Tulsa, as a member of the Jim Thorpe Memorial-Oklahoma Athletic Hall of Fame Commission, to serve a 7-year term ending June 12, 1982, and effective upon Senate confirmation. Mr. Lacy succeeds Mr. Floyd Gass.

The Senate, in executive session, and upon motion of Senator Cate, advised and consented to the confirmation of GENE McKOWN, Norman, as a member of the Industrial Development Commission, to serve a 6-year term ending July 1, 1982, and effective upon Senate confirmation. Mr. McKown succeeds himself.

The Senate, in executive session, and upon motion of Senator Johnson, advised and consented to the confirmation of JACK MAXWELL, Cartersville, as a member of the State Board of Agriculture, District 5, to serve an unexpired 5-year term ending April 26, 1979, and effective upon Senate confirmation. Mr. Maxwell succeeds Ralph Gamble, Spiro.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of JACK PRATT, Oklahoma City, as a member of the Wage and Hour Commission to serve coterminous with the Governor and effective upon Senate confirmation. Mr. Pratt succeeds Vernon Hodge, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Giles, advised and consented to the confirmation of DANNY A. SWANDA, Apache, as a member of the Wildlife Conservation Commission, to serve an 8-year term ending July 1, 1978, and effective upon Senate confirmation.

The Senate, in executive session, and upon motion of Senator Murphy, advised and consented to the confirmation of CONNIE WILLIAMS, Stillwater, as a member of the Commission on Fire Protection Standards and Education, to serve a 5-year term ending August 1, 1981, and effective upon Senate confirmation. Ms. Williams succeeds Everett Hudiberg.

Senator Holden moved that the Senate stand recessed until 2:45 p.m., which motion prevailed.

The Senate reassembled with Senator Rozell presiding.

Senator Kilpatrick questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

UNANIMOUS CONSENT REQUEST

Senator Terrill asked unanimous consent, which was granted, that the members of the Committee on Rules be excused to meet in Room 419 C.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1009, 1064, 1103, 1143, 1145, 1146, 1148, 1149, 1205, 1233, 1262, 1270, 1281, 1287, 1332, 1342, 1357 and 1397.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising the House has reconsidered the vote by which Engrossed SB 91, as amended in Conference, passed; has reconsidered the vote by which the Conference Committee Report was adopted;

rejects the Conference Committee Report and requests further conference; the bill to be rereferred to GCCA.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 192 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred Engrossed SB 192 by Kilpatrick of the Senate and Joiner of the House, entitled:

An Act relating to schools; amending 70 O.S. 1971, Section 7-101, as last amended by Section 1, Chapter 73, O.S.L. 1975 (70 O.S. Supp. 1976, Section 7-101); *** 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 Senate accept House Amendment No. 2.

2. That the House recede from House Amendments No. 1, 3 and 4.

Respectfully submitted,

FOR THE SENATE: Kilpatrick, Randle and Rozell.

FOR THE HOUSE: Joiner, Harper and Steward.

Senator Howard presiding.

PENDING CONSIDERATION OF CCR

The CCR on SB 214 was called up for consideration.

The CCR on SB 214 was adopted upon motion of Senator Dahl.

SB 214, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Clifton, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Keating, Kilpatrick, Lamb, Lane, Luton, Martin, Pierce, Shatwell, Taliaferro, Tinsley, Vann, Wadley and Watson.—27.

Nay: Boatner, Dawson, Johnson, McCune, McDaniel, Rozell and Schuelein.—7.

Excused: Cate, Crow, Grantham, Keller, Lambert, Murphy, Porter, Randle, Smith, Stipe, Terrill, Wolfe, York and Young.—14.

The bill passed.

SB 214, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 192 was called up for consideration.

The CCR on SB 192 was adopted upon motion of Senator Kilpatrick.

SB 192, as amended in Conference, was read at length.

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

Aye: Berrong, Boatner, Butler, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lamb, Lane, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Tinsley, Vann and Wadley.—27.

Nay: Birdsong, Capps, Helm, Keller, McCune, Taliaferro and Watson.—7.

Excused: Cate, Crow, Grantham, Howell, Lambert, Luton, Murphy, Porter, Smith, Stipe, Terrill, Wolfe, York and Young.—14.

The bill passed.

The Chair advised the Senate that Senator Howell, having been present in the Chamber during the vote would be shown voting "no" on SB 192 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 27. Nay: 8. Excused: 13.

Senators Capps, Grantham, Cate, York, Murphy, Terrill, Luton, Young and Stipe desired to vote aye on the emergency.

Senators Howell and Crow desired to vote no on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36. Nay: 8. Excused: 4.

The emergency passed.

SB 192, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

HJR 1020 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 4, 94, 95, 97, 105, 106, 108, 118, 142, 243, 277 and 335 and SJR 33 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MOTION TO RECONSIDER VOTE

Senator Crow asked unanimous consent,

which was granted, that his motion to reconsider the vote whereby HB 1121 passed be extended one legislative day until Tuesday, May 31, 1977.

MESSAGE FROM THE GOVERNOR

This is to advise you that on May 27, 1977, I vetoed SB 34.

The bill would allow encroachment upon the state open meeting law. In my opinion, it would infringe upon the people's right to know about public business.

BY THE GOVERNOR OF
THE STATE OF OKLAHOMA
David L. Boren

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 74, 75, 81, 83, 92 and 102.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 27, 1977, of Enrolled SBs 77, 78, 79, 82, 84, 213, 275, 292, 321, 347 and 399 and SJR 28.

Senator Luton presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 240 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand ad-

journed to meet Tuesday, May 31, 1977, at 11:00 a.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 4, 94, 95, 97, 105, 106, 108, 118, 142, 240, 243, 277 and 335 and SJR 33.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

BILL RELEASED

HB 1072 was properly signed and ordered returned to the Honorable House.

Upon motion of Senator Holden, the Senate adjourned at 3:20 p.m. to meet Tuesday, May 31, 1977, at 11:00 a.m.

Eighty-fifth Legislative Day

Tuesday, May 31, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Berrong, Butler, Cate, Holden, Lane and Shatwell.—6.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Sullins, and incorporated into the Journal upon request of Senator Kilpatrick.

Our Heavenly Father, we express our gratitude for Your blessings this day. We acknowledge that the source of every good and perfect gift is from above.

Thank You, Father, for every freedom we enjoy. Grant that as Americans and Oklahomans we not only treasure these

freedoms but protect them by personal involvement lest we lose what blood, tears, hard work, and prayer have wrought.

We pray again for divine direction for this legislative session today that bills will be passed that will be for the common good of all people in our great state. We pray in Christ's name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Giles introduced Linda Johnson, M.D., Chickasha, as Doctor of the Day. Senator McCune introduced Marie Cluen, R.N., Oklahoma City, as Nurse of the Day.

Senator Smith introduced State Treasurer, Leo Winters, to the members of the Senate.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

SB 373 — Rules.

HB 1199 — Public and Mental Health as coauthored by Randle and be referred to Committee on Appropriations and Budget by previous order.

HB 1338 — Appropriations and Budget.

DO PASS, as amended:

HB 1283 — Revenue and Taxation, as coauthored by Clifton and Schuelein.

CS for HB 1345 — Rules, as coauthored by Field, Murphy, Luton and Lambert of the Senate.

FIRST READING

The following were introduced and read the first time.

SJR 39 — By Tinsley, Field, Dahl, Taliaferro, Wadley, Stipe, Rozell, Johnson and Luton of the Senate and Converse of the House.

A Joint Resolution creating a special committee; providing for membership and duties; providing for reimbursement of travel expenses; requiring submission of a report; and declaring an emergency.

CONFERENCE COMMITTEE REPORT

The following CCR on **SB 109** was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed **SB No. 109**, entitled:

(Bureau of Narcotics and Dangerous Drugs — Appropriation — 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 accept Engrossed House Amendment No. 6.

2. That the House recede from En-

grossed House Amendments Nos. 1, 2, 3, 4, and 5.

3. That the following Conference Committee Amendments be adopted:

a. Amend the Title as follows:

"An Act relating to the Bureau of Narcotics and Dangerous Drugs Control and making appropriations thereto; stating the purposes; providing for duties, compensation and maximum number of employees; limiting the salary of the Director; limiting the amount of funds that may be expended for salaries and wages; specifying merit system grades for agents; prohibiting expenditure of certain funds for certain fees and services; amending 63 O.S. 1971, Section 2-103, as last amended by Section 6, Chapter 202, O.S.L. 1976 (63 O.S. Supp. 1976, Section 2-103), pertaining to the appointment of the Director, qualifications, salary, probation, and longevity of agents; authorizing the expenditure of funds to obtain federal grants or assistance; providing lapse date; providing for severability; and declaring an emergency."

b. Page 1, Lines 26 and 27, by deleting the words and figures "Six Hundred Fifty-four Thousand Six Hundred Seven Dollars (\$654,607.00)" and substituting in lieu thereof the words and figures "Six Hundred Fifty-three Thousand Four Hundred Seventy-two Dollars (\$653,472.00)".

c. Page 2, Line 2, by inserting after "1978" and before the period (.), the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

d. Page 2, Lines 5 and 6, by deleting the words and figures "Four Hundred Twenty-five Thousand Five Hundred Thirty Dollars (\$425,530.00)" and substituting in lieu thereof the words and figures "Four Hundred Thirty-three Thousand Seventy-nine Dollars (\$433,079.00)".

e. Page 2, Line 30 through Page 3, Line 5, by deleting the present Section 5 and substituting in lieu thereof new Sections 5 and 6 as follows:

"SECTION 5. The Merit System grades for the agents of the Bureau of Narcotics and Dangerous Drugs Control shall conform to the following schedule. The minimum and maximum amounts listed shall in no way constitute an appropriation, but are listed for the purpose of establishing salary ranges only, exclusive of overtime pay and longevity pay that is authorized by law:

	Grade	Min.	Max.
Agent V	38	\$18,900	\$25,800
Agent IV	35	16,380	25,200
Agent III	32	14,280	21,780
Agent II	29	12,360	18,900
Agent I	26	10,680	16,380

SECTION 6. The expenditure of monies from the appropriation made by this act for the payment of non-payroll professional and technical fees and for non-state employee consultant services, but not to include medical services and those services provided as a part of or in conjunction with a construction contract, is prohibited."

f. Renumber the present Section 6 to read "Section 7" and renumber succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Funston, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

PENDING CONSIDERATION OF HAS

HAs to SB 234 were called up for consideration.

Upon motion of Senator Capps, the Senate concurred in HAs to SB 234.

SB 234, as amended by the Honorable House, was read at length.

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

Aye: Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Smith, Stipe, Talliferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—37.

Nay: Helm, Johnson, McCune, Rozell and Schuelein.—5.

Excused: Berrong, Butler, Cate, Holden, Lane and Shatwell.—6.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

Senator Wadley presiding.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 86 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 86, entitled:

(State Board of Public Affairs — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the Conference Committee Substitute for Engrossed Senate Bill No. 86 attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 86 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Funston, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

GENERAL ORDER

HB 1051 by Peterson of the House and Butler and Stipe of the Senate was read and considered.

Senators Luton and Boatner asked to be made coauthors of HB 1051, which was the order.

Upon motion of Senator Stipe, HB 1051, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, HB 1051, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1051 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Nay: McCune.—1.

Excused: Berrong, Butler, Cate, Holden, Lane, Shatwell and Smith.—7.

The bill passed.

HB 1051 was referred for engrossment.

Senators Lane, Cate, Berrong and Holden asked to be shown present, which was the order.

MESSAGE FROM THE GOVERNOR

Advising approval by him, May 30, 1977, of Enrolled SBs 26, 76, 89, 90, 122, 157, 184, 190, 191, 232, 235, 265, 267, 294, 312 and 391.

REPORT OF ENGROSSED AND ENROLLED BILLS

SJR 7 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 74, 75 and 81 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

HB 1047 by Poulos, et al, of the House and McDaniel, Johnson and Schuelein of the Senate was read and considered.

Senator Berrong moved to amend **HB 1047**, Page 2, Line 14, by changing in all places \$300.00 to "Two Hundred Dollars (\$200.00)".

Senator McDaniel moved to table the Berrong amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Capps, Crow, Green, Helm, Howell, Johnson, Keating, Keller, McCune, McDaniel, Pierce, Porter, Rozell, Schuelein, Stipe, Tinsley and Wadley.—17.

Nay: Berrong, Birdsong, Boatner, Clifton, Dahl, Dawson, Field, Giles, Grantham, Holden, Howard, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Murphy, Randle, Smith, Taliaferro, Terrill, Vann, Watson, Wolfe, York and Young.—27.

Excused: Butler, Cate, Funston and Shatwell.—4.

Senator Berrong pressed his motion to amend, which amendment was declared adopted.

Senator Lambert moved to amend **HB 1047**, Page 4, Line 8, by striking all of Section 5 and renumbering subsequent sections, which amendment was declared adopted.

Senator Lane asked unanimous consent that further consideration of **HB 1047** be deferred temporarily, which was the order.

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

DECLARATION OF VOTE

Senator Boatner asked that the record show he was in the Chamber and voted on **HB 1072**, but that his vote did not record on the machine and that if he had been able to vote he would have voted "Aye" on **HB 1072**.

Senator Lambert asked that the record show had he been in the Chamber at the time of passage of **SB 192** he would have voted "No", which was the order.

Senator Holden asked that the record show had he been in the Chamber at the time of passage of **SB 234** and **HB 1051** he would have voted "Aye", which was the order.

CONFERENCE COMMITTEE REPORT

The following CCR on **SB 103** was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed **SB No. 103**, entitled:

(State Bureau of Investigation — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5 and 6.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for **SB 103** were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman,

Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 83, 92 and 102 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Cate questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SBs 98 and 111, and rereferring said bills to GCCA.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1072, 1127, 1136, 1147, 1150, 1151 and 1152.

The above numbered Enrolled Bills were, after fourth reading, 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 1314 as coauthored by Murphy of the Senate.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1314 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1314, and Engrossed Senate Amendments thereto, entitled:

An Act relating to revenue and taxation; amending 68 O.S. 1971, Sections 1402 and 1403; providing for additional state excise tax and apportionment of additional revenues to cities, towns and counties within the State of Oklahoma; *** 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 Senate recede from their Amendment No. 1 and that the attached conference committee substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1314 were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Draper, Dunn and Stephenson.

FOR THE SENATE: Smith, Terrill and Randle.

MOTION TO RECONSIDER VOTE

Senator Crow asked for consideration of his motion to reconsider the vote whereby HB 1121 passed.

Senator Cate moved to table the Crow motion, which motion to table was declared adopted.

HB 1121 was referred for engrossment.

Senator Holden moved that the Senate stand recessed until 1:30 p.m., which motion prevailed.

The Senate reassembled with Senator Luton presiding.

Senator Crow questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

MOTION TO RECONSIDER VOTES UNDER RULE 19(c)

Senator Terrill moved that Rule 19(c) be invoked for the remainder of the Session, quoting that "A motion to reconsider the final vote on a bill or resolution, if made during the last six days of the Session, shall be disposed of when made..." which motion was declared adopted.

GENERAL ORDER

HB 1047, was considered further.

Senator Johnson asked that his name be removed as a coauthor of HB 1047, which was the order.

Senator Smith presiding.

Senator Luton moved to amend HB 1047, Page 4, Line 7½, by adding a new section as follows:

"SECTION 5. 47 O.S. 1971, Section 10-115, is amended to read as follows:

Section 10-115. (a) All accident reports made by persons involved in accidents shall be without prejudice to the individual so reporting and shall be for the confidential use of the Department or other state agencies having use for the records for accident prevention purposes, or for the administration of the laws of this state

relating to the deposit of security and proof of financial responsibility by persons driving or the owners of motor vehicles[, except]. PROVIDED that the Department [may] SHALL disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident AND SHALL DISCLOSE THE NAME OF THE LIABILITY INSURANCE CARRIER, IF ANY, FOR THE PERSON OWNING THE VEHICLE INVOLVED IN THE ACCIDENT. SAID INFORMATION SHALL BE FURNISHED ONLY UPON RECEIPT OF A SWORN WRITTEN AFFIDAVIT BY THE LEGAL PARTY IN INTEREST TO SAID ACCIDENT.

(b) All accident reports and supplemental information filed in connection with the administration of the laws of this state relating to the deposit of security or proof of financial responsibility shall be confidential and not open to general public inspection, nor shall copying of lists of such reports be permitted, except, however, that such reports and supplemental information may be examined by any person named therein or by his representative designated in writing.

(c) No reports or information mentioned in this section shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the Department shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Department in compliance with law."

and by renumbering subsequent sections, which amendment was declared adopted.

Senator Lane asked that further consideration of HB 1047 be deferred temporarily, which was the order.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 98 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was rereferred Engrossed SB No. 98, entitled:

(Board of Medicolegal Investigations — Appropriation — 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 all Engrossed House Amendments.

2. That the attached Conference Committee Substitute for Engrossed Senate Bill No. 98 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 98 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Funston, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman and Trent.

PENDING CONSIDERATION OF HAS

HAs to SB 250 were called up for consideration.

Upon motion of Senator Grantham, the Senate concurred in HAs to SB 250.

SB 250, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—41.

Nay: Terrill and Wolfe.—2.

Excused: Butler, Helm, Lambert, Randle and Young.—5.

The bill passed.

Senator Lambert desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 42. Nay: 2. Excused: 4.

The emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 348 were called up for consideration.

Senator Johnson asked to be made a co-author of SB 348, which was the order.

Upon motion of Senator Grantham, the Senate concurred in HAs to SB 348.

SB 348, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson,

Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—44.

Nay: Wolfe.—1.

Excused: Butler, Randle and Wadley.—3.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HB 1382 by Ford of the House and Keating of the Senate was read and considered.

Upon motion of Senator Keating, HB 1382 was advanced to engrossment.

By unanimous consent, upon request of Senator Keating, HB 1382 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1382 was read for the third time at length.

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

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Nay: Field and Wolfe.—2.

Excused: Berrong, Butler, Crow, Grantham and Randle.—5.

The bill passed.

HB 1382 was ordered withheld pursuant to Rule 19(f).

CONFERENCE COMMITTEE REPORT

The following CCR on SB 113 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 113, entitled:

(Conservation Commission — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed Senate Bill No. 113 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 113 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman. Duke,

Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 87 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 87, entitled:

(Economic and Community Affairs — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed SB No. 87 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 87 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

PENDING CONSIDERATION OF CCR

The CCR on SB 231 was called up for consideration.

The CCR on SB 231 was adopted upon motion of Senator Luton.

SB 231, as amended in Conference, was read at length.

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

Aye: Birdsong, Capps, Cate, Clifton, Dahl, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Watson, Wolfe, York and Young.—36.

Nay: Boatner, Crow, Dawson, Field, Lane, McCune, Pierce, Vann and Wadley.—9.

Excused: Berrong, Butler and Grantham.—3.

The bill and emergency passed.

SB 231, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

Senator Watson presiding.

GENERAL ORDER

HB 1047 was considered further.

Senator Schuelein asked that he be removed as a coauthor of HB 1047, which was the order.

Senator McDaniel moved to amend HB 1047, Page 4, Line 7, by inserting a new Section 5 to read as follows:

"SECTION 5. 47 O.S. 1971, Section 14-103A, as amended by Section 1, Chapter 85, O.S.L. 1976 (47 O.S. Supp. 1976, Section 14-103A), is amended to read as follows:

Section 14-103A. A. No combination of any motor vehicle, mobile home or industrialized housing, other industrial structures, or frame or frames thereof, shall have an overall length, inclusive of front and rear bumpers, in excess of sixty-five (65) feet, nor a width in excess of fourteen (14) feet. Such combination exceeding sixty-five (65) feet in length or eight (8) feet in width must comply with [Title 47], Section [14-115] 14-118 OF THIS TITLE. Provided, however, that the Commissioner of Public Safety shall, upon proper application, issue a special permit to such person allowing the movement of any such combination not exceeding fourteen (14) feet in width on any state or federal highway. Such permit shall specify the highways to be used. A special permit for such combinations which exceed fourteen (14) feet in width may be issued for movement on any [road comprising the county highway system, provided, permission for such movement has been obtained from the board of county commissioners of each county through which such combination will be traveling] HIGHWAY. If any mobile home, house trailer or industrialized housing, or frame for either thereof, and the towing unit exceeds fifty-five (55) feet in overall length[,], or eight (8) feet in width they shall be moved only during daylight hours not including Saturdays after 12:00 o'clock noon, Sundays and the seven legal holidays, and the towing vehicle must be at least three-fourths ($\frac{3}{4}$) ton rated capacity with dual wheels.

B. For the purposes of this act, "industrialized housing" means any structure, or component thereof, designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or

assembly and installation, on the building site."

and a new Section 8 to read as follows:

"SECTION 8. Section 5 of this act shall become effective October 1, 1977."

and by renumbering present sections accordingly, which amendment was declared adopted.

Senator McDaniel moved to amend HB 1047 by crippling the title, which amendment was declared adopted.

Upon motion of Senator McDaniel, HB 1047, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator McDaniel, HB 1047, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1047 was read for the third time at length.

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

Aye: Capps, Cate, Crow, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—31.

Nay: Birdsong, Boatner, Dahl, Johnson, Lane, Porter, Rozell, Schuelein, Smith, Wadley and Wolfe.—11.

Excused: Berrong, Butler, Clifton, Grantham, Howard and Luton.—6.

The bill passed.

HB 1047 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 74, 75, 81, 83 and 92.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1137, requesting further Conference and rereferring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HB 1137 was ordered granted, said bill to be rereferred to GCCA.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HBs 1138, 1144 and 1163, requesting Conference and referring said bills to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HBs 1138, 1144 and 1163 was ordered granted, said bills to be referred to GCCA.

PENDING SENATE ACTION — VETO OVERRIDE ON SB 34

Senator Howell moved that SB 34 be enacted into law notwithstanding the veto of the Chief Executive, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lane, Luton,

McCune, McDaniel, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—36.

Nay: Berrong, Crow, Dahl, Dawson, Holden, Johnson, Lambert, Martin, Randle, Smith and Vann.—11.

Excused: Butler.—1.

In accordance with Section 11, Article VI, of the Constitution, SB 34, together with the Governor's Veto Message thereon, was transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1139, requesting further Conference and rereferring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HB 1139 was granted, said bill to be rereferred to GCCA.

MESSAGE FROM THE GOVERNOR

This is to advise you that on May 31, 1977, I allowed SB 220 to become law without my signature.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 102.

The above numbered Enrolled Bill was referred to the Governor.

PENDING CONSIDERATION OF CCR

The CCR on HB 1314 was called up for consideration.

Senator Dawson asked to be made a co-author of HB 1314, which was the order.

The CCR on HB 1314 was adopted upon motion of Senator Smith.

HB 1314, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—45.

Excused: Butler, Howard and York.—3.

The bill and emergency passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(c), Senator Terrill moved that the vote be reconsidered whereby HB 1314 passed.

Senator Smith moved to table the Terrill motion, which motion to table was declared adopted.

HB 1314, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

COMMUNICATION

The following communication was read and incorporated into the Journal upon request of Senator Helm.

Senator Mary Helm
State Capitol
Oklahoma City, OK 73107

Please convey to Representative George

Vaughn and all the Oklahoma Legislators my deepest gratitude for the great honor they have bestowed upon me by passing a resolution in support of my stand against the sin of homosexuality. Your encouragement came at a time when I need it most, and if it were not for prior commitments nothing could stop me from receiving it in person. As a fellow Oklahoman, a Christian and a mother of four children, I shall continue to stand for God and decency whatever the cost. This is not a political issue but a moral one concerning all of America. For there are three national bills pending in Congress which will allow flaunting homosexuals to teach in public schools all across our nation. My husband Bob Green and I as concerned parents including Jews, Catholics, Protestants, Republicans, Democrats, liberals and conservatives all have formed a non-profit national organization called "Save Our Children" of which I was elected president to force a referendum on June 7 to repeal the Dade County's dangerous homosexual ordinance. Please pray with us for victory. As William Penn once said, "Men must be governed by God, or they will be ruled by tyrants."

Thank you again for all of your support.

God Bless You.

s / Anita Bryant Green

PENDING CONSIDERATION OF CCR

The CCR on HB 1156 was called up for consideration.

The CCR on HB 1156 was adopted upon motion of Senator Crow.

HB 1156, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Butler, Giles and Howard.—3.

The bill and emergency passed.

The Chair advised the Senate that Senator Giles, having been present in the Chamber during the vote would be shown voting "no" on HB 1156 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 45. Nay: 1. Excused: 2.

HB 1156, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1161 was called up for consideration.

The CCR on HB 1161 was adopted upon motion of Senator Crow.

HB 1161, as amended in Conference, was read at length.

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

Aye: Berrong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Wolfe.—1.

Excused: Birdsong, Butler, Giles, Howard and Porter.—5.

The bill passed.

Senator Giles desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43. Nay: 1. Excused: 4.

The emergency passed.

HB 1161, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Smith presiding.

PENDING CONSIDERATION OF CCR

The CCR on HB 1160 was called up for consideration.

The CCR on HB 1160 was adopted upon motion of Senator Crow.

HB 1160, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Butler, Howard and Porter.—3.

The bill and emergency passed.

HB 1160, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1162 was called up for consideration.

The CCR on HB 1162 was adopted upon motion of Senator Crow.

HB 1162, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Wolfe.—1.

Excused: Butler, Howard, Murphy and Porter.—4.

The bill passed.

Senator Howard desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44. Nay: 1. Excused: 3.

The emergency passed.

HB 1162, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1165 was called up for consideration.

Senator Shatwell asked to be made a co-author of HB 1165, which was the order.

The CCR on HB 1165 was adopted upon motion of Senator Crow.

HB 1165, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Boatner.—1.

Excused: Butler, Crow, Murphy and Porter.—4.

The bill and emergency passed.

The Chair advised the Senate that Senator Crow, having been present in the Chamber during the vote would be shown voting "no" on HB 1165 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 43. Nay: 2. Excused: 3.

HB 1165, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 98 was called up for consideration.

The CCR on SB 98 was adopted upon motion of Senator Crow.

SB 98, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—41.

Nay: Giles, Keating, Pierce and Wolfe.—4.

Excused: Butler, Porter and York.—3.

The bill and emergency passed.

SB 98, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 103 was called up for consideration.

Senator Shatwell asked to be made a co-author of SB 103, which was the order.

Senator Keating moved that the CCR on SB 103 be rejected and further conference be requested, with instructions to strike Section 7.

Senator Crow moved to table the Keating motion, which motion to table was declared adopted upon roll call as follows:

Aye: Boatner, Clifton, Crow, Dahl, Field, Funston, Grantham, Holden,

Howard, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann and Watson.—26.

Nay: Birdsong, Capps, Cate, Dawson, Giles, Green, Helm, Howell, Keating, Keller, Kilpatrick, Lambert, McCune, Pierce, Schuelein, Wolfe and Young.—17.

Excused: Berrong, Butler, Porter, Wadley and York.—5.

The CCR on SB 103 was adopted upon motion of Senator Crow.

SB 103, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—37.

Nay: Capps, Field, Keating, McCune, Pierce, Schuelein and Wolfe.—7.

Excused: Butler, Funston, Porter and Wadley.—4.

The bill passed.

Senators Keating and Pierce desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 39. Nay: 5. Excused: 4.

The emergency passed.

SB 103, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 109 was called up for consideration.

The CCR on SB 109 was adopted upon motion of Senator Crow.

SB 109, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Capps, Clifton, Crow, Dahl, Dawson, Field, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—37.

Nay: Boatner, Cate, Grantham, Keating, Pierce and Randle.—6.

Excused: Butler, Funston, Porter, Wadley and York.—5.

The bill passed.

Senators Keating, Pierce and Cate desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40. Nay: 3. Excused: 5.

The emergency passed.

SB 109, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 113 was called up for consideration.

Senators McDaniel and Capps asked to

be made coauthors of SB 113, which was the order.

The CCR on SB 113 was adopted upon motion of Senator Crow.

SB 113, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—42.

Excused: Butler, Funston, Holden, Porter, Wadley and York.—6.

The bill and emergency passed.

SB 113, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

HB 1348 by Matheson of the House and Cate and Luton of the Senate was read and considered.

Senator Birdsong asked to be made a co-author of HB 1348, which was the order.

Senator Cate moved to amend HB 1348, by deleting all language on Lines 7 through 18 on Page 19, all language on Pages 20 through 38 and all language on Lines 1 through 15 on Page 39, and by renumbering the emergency section as Section 3, which amendment was declared adopted.

Upon motion of Senator Cate, HB 1348,

as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, HB 1348, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1348 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe and Young.—42.

Excused: Butler, Crow, Smith, Stipe, Wadley and York.—6.

The bill and emergency passed.

The Chair advised the Senate that Senator Smith, having been present in the Chamber during the vote would be shown voting "no" on HB 1348 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 42. Nay: 1. Excused: 5.

HB 1348 was ordered withheld pursuant to Rule 19(f).

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on SB 91 was granted, said bill to be rereferred to GCCA.

Senator Watson presiding.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1157, requesting further Conference and rereferring same to GCCA with instruction to delete the new Section 3.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HB 1157 was granted, said bill to be rereferred to GCCA.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1158, requesting further Conference and rereferring same to GCCA with instruction to strike Section 4, paragraph 4.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HB 1158 was granted, said bill to be rereferred to GCCA.

GENERAL ORDER

HB 1305 by Milacek, et al, of the House and Lamb and Lambert of the Senate was read and considered.

Upon motion of Senator Lamb, HB 1305 was advanced to engrossment.

By unanimous consent, upon request of Senator Lamb, HB 1305 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1305 was read for the third time at length.

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

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Watson and Young.—34.

Nay: Boatner, Crow, Johnson, Lane, Luton, Rozell, Schuelein, Stipe and Wolfe.—9.

Excused: Butler, Howell, Porter, Wadley and York.—5.

The bill passed.

HB 1305 was ordered withheld pursuant to Rule 19(f).

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 HB 1128 (2nd CCR), HB 1130, HB 1133 (2nd CCR), HB 1140 as coauthored by Wickersham, HB 1141, HB 1142 and HB 1154 (2nd CCR).

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1128 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1128, entitled:

An Act relating to the Office of the Court of Criminal Appeals 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:

1. That the Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to the Engrossed House Bill No. 1128 be adopted:

a. Page 1, Line 26, by deleting the figures "\$278,736.00" and substitute in lieu thereof "\$274,714.00".

b. Page 1, Line 30, by deleting the figure "\$307,680.00" and substitute in lieu thereof "\$303,658.00".

c. Page 2, Line 2, after the phrase "The number and" insert the word "annual".

d. Page 2, Line 5, after the word "schedule" delete the semicolon ";" and add the following phrase: ", except as may be authorized under provisions of Section 3603, Title 74, Oklahoma Statutes."

e. Page 2, Line 15, by deleting the word and figure "four (4)" and substitute in lieu thereof "seven (7)".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1130 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1130, entitled:

An Act relating to the Office of the Attorney General and Offices of District Attorneys, the District Attorneys Training Coordination Council, and making an appropriation 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 Senate recede from Engrossed Senate Amendments Nos. 1, 2 and 3.

2. That the Conference Committee Substitute for Engrossed House Bill No. 1130, attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1130 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1133 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1133, entitled:

An Act relating to the Office of the State Supreme Court and Court of Appeals 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 Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments to the Engrossed House Bill No. 1133 be adopted:

a. Page 1, Line 27 and 28, by deleting the words and figures "Sixty-seven Thousand Eight Hundred Fifty-seven Dollars (\$67,857.00)" and substitute in lieu thereof "Sixty-two Thousand Five Hundred Four Dollars (\$62,504.00)".

b. Page 1, Line 36, by deleting the figures "\$973,908.00" and substituting in lieu thereof "\$968,555.00".

c. Page 2, Line 3, by deleting the figures "\$1,075,517.00" and substituting in lieu thereof "\$1,070,164.00".

d. Page 2, Line 6, after the words "number and" add the word "annual".

e. Page 2, Line 9, after the word "schedule" delete the symbol ":" and add the following phrase: ", except as may be authorized under the provisions of Section 3603, Title 74. Oklahoma Statutes".

f. Page 2, Line 30½, add a new Section 4 to read as follows:

"SECTION 4. There is hereby appropriated to the Office of the Supreme Court from the State Judicial Fund of the State Treasury for the fiscal year ending June 30, 1978, not otherwise appropriated, the sum of Twenty Thousand Dollars (\$20,000.00), or so much thereof as may be required to complete the Oklahoma Uniform Jury Instructions as directed by Title 12 O.S. 1971, Section 577.1."

(and renumber the present Section 4 to read "Section 5" and renumber succeeding sections accordingly.)

g. Page 3, Line 2, by deleting the figures "\$357,933.00" and substituting in lieu thereof "\$356,333.00".

h. Page 3, Line 4, by deleting the figures "\$458,995.00" and substituting in lieu thereof "\$457,395.00".

i. Page 3, Line 5, after the words "number and" add the word "annual".

j. Page 3, Line 7, after the word "schedule" delete the symbol ":" and add the following phrase: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

k. Page 3, Line 20, delete the figure "4" and substitute in lieu thereof the figure "5".

l. Page 4, Line 1, delete the phrase "6 and 7" and substitute in lieu thereof "7 and 8".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman,

Randle, Vice-Chairman, Berrong, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1140 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1140, entitled:

An Act relating to the Oklahoma Educational Television Authority and making appropriations thereto; stating the purposes; *** 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 Engrossed Senate Amendment No. 1.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS on HB 1140 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1141 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1141, entitled:

(Oklahoma Arts and Humanities Council
— Appropriation — 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 Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

a. Restore the Title to read as follows:

"An Act relating to the Oklahoma Arts and Humanities Council and making an appropriation thereto; stating the purpose; expressing legislative intent; providing for appointment, duties and compensation of employees; designating salary of the Director; limiting number of employees; limiting expenditures for salaries and wages; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Lines 16 through 27, by deleting the present Section 1 and substituting in lieu thereof a new Section 1 and 2 as follows:

"SECTION 1. There is hereby appropriated to the Oklahoma Arts and Humanities Council, from any monies in the

General Revenue Fund of the State Treasury, for the fiscal year ending June 30, 1978, not otherwise appropriated, the sum of Two Hundred Seven Thousand Thirty-five Dollars (\$207,035.00), or so much thereof as may be necessary to carry out the duties imposed upon the Oklahoma Arts and Humanities Council by law.

SECTION 2. It is the intent of the Legislature that not less than the sum of Sixty-five Thousand Dollars (\$65,000.00) of the appropriation made by Section 1 of this act shall be allocated for Community Arts Programs."

c. Page 1, Line 28, by renumbering present Section 2 to read "SECTION 3".

d. Page 1, Line 36, by adding after "1978" and before the period (.) the following language: " , except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

e. Page 2, Lines 3-4, by deleting the words and figures "One Hundred Two Thousand One Hundred Fifty Dollars (\$102,150.00)" and substituting in lieu thereof the words and figures "One Hundred One Thousand Nine Hundred Dollars (\$101,900.00)".

f. Page 2, Lines 6 through 21, by deleting all of Section 3.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Grantham, Holden, McCune, Schuelein, Smith, Stipe and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1142 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1142, entitled:

An Act relating to the Commissioners of the Land Office and making an appropriation thereto; stating the purpose; providing for appointment, duties and compensation of necessary employees; *** 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 Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1142 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Cate, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1154 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1154, entitled:

An Act relating to the Oklahoma Alcoholic Beverage Control Board and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed House Bill No. 1154 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1154 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Duke, Denman, Draper, Morgan, Riggs, Rogers, Sparkman and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Grantham, Holden, Howell, McCune, Murphy, Schuelein, Smith, Stipe and York.

Senator Vann presiding.

RESOLUTION

The following Resolution was introduced and consideration deferred for this legislative day.

SCR 29 — By Howell of the Senate and Matheson of the House.

A Concurrent Resolution expressing legislative intent that the dependents of slain Oklahoma Highway Patrol Troopers be awarded scholarships; and directing distribution.

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 1159.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1159 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1159, entitled:

An Act relating to the Office of the Department of Labor and making appropriations thereto; stating the purposes; *** 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 Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed House Bill No. 1159 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1159 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman and Trent.

Senate Conferees: Randle, Vice-Chairman, Boatner, Granthan, Holden, Mc-

Cune, Murphy, Schuelein, Smith, Stipe, Terrill and York.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1314.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

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 114, as coauthored by Wickersham, and SB 115.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Returning herewith Enrolled Senate Bill No. 34, together with the Governor's Veto Message thereon, and advising that under the provisions of Article VI, Section 11, of the Constitution of the State of Oklahoma, the House has reconsidered and passed said Bill over the Governor's Veto by a two-thirds vote of all members elected to and constituting the House, said vote being as follows: Aye: 76. Nay: 23.

Enrolled SB 34 was ordered transmitted 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 67 (2nd CCR) and SB 192.

The above numbered Bills as amended in Conference were referred for enrollment.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, June 1, 1977, at 11:00 a.m., which motion prevailed.

BILLS RELEASED

HBs 1305, 1348 and 1382 were properly

signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 4:15 p.m. to meet Wednesday, June 1, 1977, at 11:00 a.m.



Eighty-sixth Legislative Day

Wednesday, June 1, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Berrong, Crow, Funston, Howell, Randle, Smith and Terrill.—7.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Sullins, and incorporated into the Journal upon request of Senator Kilpatrick.

Almighty God, our Heavenly Father, who so loved the world that You gave Your only Son to provide light in place of darkness, forgiveness for guilt, life for death, meaning and purpose in place of void and emptiness.

Grant today that we might be willing to see people and their needs through Your

eyes and become Your voice, hands and feet to meet those needs.

We pray for both legislative bodies as they come to the final days of lawmaking that all might be sensitive to human need. Our Father, may each one here assembled realize that not only is he people-elected, but, according to Your Word, God-appointed and ordained to govern.

We praise Your name today for the blessings of God upon us and may we with our lives honor our God. In Christ's Name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Field introduced Shawn Truel, granddaughter of Frank Truel, Sergeant-at-Arms Emeritus of the Oklahoma State Senate, and asked unanimous consent, which was granted, that Shawn be named Honorary Page for this legislative day.

Senator Clifton introduced his daughter, Dana, to the members of the Senate, and asked unanimous consent, which was granted, that she be named Honorary Page for this legislative day.

Senator McDaniel introduced his son, Keith, and asked unanimous consent, which was granted, that Keith be granted

privileges of the floor and named Honorary President Pro Tempore for this legislative day.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1251 — Revenue and Taxation, as coauthored by Holden and Wadley and be referred to Committee on County, State and Federal Government by previous order.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when SJR 39 is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 39 — Direct to Calendar.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that the members of the GCCA subcommittee on Education (Senators Randle, Howell, Terrill and Crow) be excused to attend a meeting, which was the order.

PENDING SENATE ACTION — RESOLUTION

SCR 28, introduced on page 839, was called up for consideration.

SCR 28 was read at length, adopted upon motion of Senator Johnson and ordered referred for engrossment.

GENERAL ORDER

HB 1410 by Elder and Wiseman of the House and Grantham and Green of the Senate was read and considered.

Upon motion of Senator Grantham, HB 1410 was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, HB 1410 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1410 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Tinsley, Wolfe, York and Young.—34.

Nay: Johnson, Keating, Lamb, McDaniel, Vann and Watson.—6.

Excused: Berrong, Crow, Funston, Howell, Randle, Smith, Terrill and Wadley.—8.

The bill passed.

HB 1410 was referred for engrossment.

Senators Crow, Randle, Howell, Terrill, Berrong and Funston asked to be shown present, which was the order.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 85 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was rereferred Engrossed SB No. 85, entitled:

(State Examiner and Inspector — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5, 6 and 7.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill be accepted:

a. Restore the title to read:

"An Act relating to the Office of the State Examiner and Inspector and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees within prescribed limits; limiting number of employees; limiting expenditures for salaries and wages; providing for transfer of certain unappropriated funds; providing for an annual audit of the Office of the State Examiner and Inspector; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Line 28, by deleting the amount "\$391,388.00" and substituting in lieu thereof the amount "\$389,954.00".

c. Page 1, Line 30, by deleting the amount "\$486,962.00" and substituting in lieu thereof the amount "\$485,528.00".

d. Page 1, Line 33, by deleting the

amount "\$99,411.00" and substituting in lieu thereof the amount "\$100,105.00".

e. Page 1, Line 35, by deleting the amount "\$107,045.00" and substituting in lieu thereof the amount "\$107,739.00".

f. Page 2, Line 2, by deleting the amount "\$205,475.00" and substituting in lieu thereof the amount "\$207,473.00".

g. Page 2, Line 4, by deleting the amount "\$254,070.00" and substituting in lieu thereof the amount "\$256,068.00".

h. Page 2, Line 8, by inserting after the word "and" and before the word "compensation" the word "annual".

i. Page 2, Line 12, by inserting after the word "only" and before the period (.) the following language: ", exclusive of overtime pay".

j. Page 2, Line 15, by inserting after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

k. Page 3, Line 16½, by adding a new "Section 4" to read as follows:

"SECTION 4. The Oklahoma Tax Commission shall conduct once each year a financial audit of the books, accounts, and cash on hand of the Office of the State Examiner and Inspector. A report of subject audit shall be submitted to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives."

l. Renumber present "Section 4" to read "Section 5" and renumber succeeding sections accordingly.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell,

Lamb, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 99 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 99, entitled:

(Department of Mental Health — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 99 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Math-

eson, Morgan, Murphy, Rogers, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 117 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 117, entitled:

(Unpaid Claims and Warrants — Appropriation — 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 Engrossed House Amendments Nos. 1 and 2.

2. That the attached Conference Committee Substitute for Engrossed Senate Bill No. 117 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 117 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Boatner, Holden, Howell, Lamb, Smith, Stipe, Terrill and York.

House Conferees: Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Rogers and Trent.

REPORT OF ENGROSSED AND ENROLLED BILLS

HBs 1047, 1051 and 1121 were each correctly engrossed and, together with En-

grossed SAs, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1100 by Poulos, et al, of the House and York, Grantham, Dahl, Dawson, Holden, McDaniel and Lambert of the Senate was read and considered.

Senator York asked unanimous consent that Jill Kennedy, Attorney, be granted privileges of the floor for the purpose of answering questions regarding HB 1100, which was the order.

Senator Watson presiding.

Senator Birdsong questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Lane moved that the Senate stand recessed until 1:20 p.m., which motion was declared adopted.

The Senate reassembled with Senator Wadley presiding. Senator Luton questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

GENERAL ORDER

HB 1100 was considered further.

Senator Luton moved that HB 1100 be advanced, which motion was declared adopted.

By unanimous consent, upon request of Senator York, HB 1100 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1100 was read for the third time at length.

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

Aye: Birdsong, Capps, Clifton, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Howard, Howell, Keating, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—34.

Excused: Berrong, Boatner, Butler, Cate, Crow, Dahl, Holden, Johnson, Keller, Kilpatrick, Pierce, Randle, Smith and Stipe.—14.

The bill passed.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(c), Senator Helm moved that the vote be reconsidered whereby HB 1100 passed.

PENDING SENATE ACTION — RESOLUTION

SCR 29, introduced on page 873, was called up for consideration.

Senator Howell moved to amend SCR 29, Page 2, Line 8, by striking after the word "any" and before the word "years" all language and substituting therefor: "person twenty-five", which amendment was declared adopted.

Senator Howell asked unanimous consent that all other members of the Senate be made coauthors of SCR 29, which was the order.

SCR 29, as amended and coauthored, was read at length, adopted upon motion of Senator Howell and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and trans-

mitting for signature Enrolled HBs 1156, 1160, 1161, 1162, 1165, 1305 and 1382.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

COMMITTEE REPORT

Senator Tinsley, Chairman of the Wildlife Committee, submitted a report regarding hearings held by that committee to determine if a formal investigation is indicated on the Wildlife Commission, the Department and its employees and moved that the report be accepted, which motion was declared adopted.

PENDING CONSIDERATION OF HAS

HAs to SB 211 were called up for consideration.

Upon motion of Senator Young, the Senate concurred in HAs to SB 211.

SB 211, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Cate, Pierce, Porter, Smith and Stipe.—5.

The bill passed.

House Amendments were properly

signed and the above-numbered bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 135, as coauthored by Craighead, Johnson (A.V.) and Atkins of the House.

The above numbered Bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 69 and 107, as amended.

HOUSE AMENDMENTS

HAs to SB 69 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Line 17½, by adding a Section 2 to read as follows:

"SECTION 2. 21 O.S. 1971, Section 1550.33, is amended to read as follows:

Section 1550.33 (a) A person who is subject to the penalties of this subsection shall (1) BE GUILTY OF A MISDEMEANOR AND SHALL be fined AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00) OR IMPRISONED IN THE COUNTY JAIL FOR NOT MORE THAN ONE (1) YEAR, OR BOTH SUCH FINE AND IMPRISONMENT, IF MONEY, GOODS, SERVICES OR ANYTHING ELSE OF VALUE IS OBTAINED, ATTEMPTED TO BE OBTAINED OR DENIED IN VIOLATION OF THIS ACT AND HAS A VALUE OF FIFTY DOLLARS (\$50.00) OR LESS; OR (2) BE GUILTY OF A FELONY AND SHALL BE FINED AN AMOUNT not more than Three Thousand Dollars (\$3,000.00) or imprisoned in the penitentiary not more than three (3) years, or both SUCH FINE AND

IMPRISONMENT, IF MONEY, GOODS, SERVICES OR ANYTHING ELSE OF VALUE IS OBTAINED, ATTEMPTED TO BE OBTAINED OR DENIED IN VIOLATION OF THIS ACT AND HAS A VALUE OF MORE THAN FIFTY DOLLARS (\$50.00), OR IF THE PERSON VIOLATES THE PROVISIONS OF THIS ACT IN ANY OTHER WAY.

(b) A person who is subject to the penalties of this subsection shall be imprisoned in the penitentiary not more than seven (7) years, OR SHALL BE FINED AN AMOUNT NOT MORE THAN TEN THOUSAND DOLLARS (\$10,000.00), OR BOTH SUCH IMPRISONMENT AND FINE.

[(c) A person who violates any provision of this act shall be deemed guilty of a felony.]”

Amendment No. 2. Amend Title to read as follows:

“An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1550.33; modifying certain penalties; and repealing 21 O.S. 1971, Sections 1550.1 through 1550.3, which prohibit the use of credit cards by certain individuals and provide penalties.”

HOUSE AMENDMENTS

HAs to SB 107 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAs to SB 107 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

PENDING CONSIDERATION OF HAS

HAs to SB 175 were called up for consideration.

Senator Watson asked to be made a co-author of SB 175, which was the order.

Upon motion of Senator Howell, the Senate concurred in HAs to SB 175.

SB 175, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Pierce, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Nay: Lane, Martin and Rozell.—3.

Excused: Giles, Porter and Smith.—3.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

Upon motion of Senator Crow, HAs to SBs 88, 107, and 355 were rejected and conference requested, said bills to be referred to GCCA.

PENDING CONSIDERATION OF HAS

HAs to SB 163 were called up for consideration.

Upon motion of Senator Luton, the Senate concurred in HAs to SB 163.

SB 163, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Giles, Porter and Smith.—3.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 67, 114, 115, 192, 234, 250 and 348 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

GENERAL ORDER

SB 373 by Howard of the Senate and Ford of the House was read and considered.

Upon motion of Senator Howard, SB 373 was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 373 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 373 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Wolfe.—44.

Nay: Young.—1.

Excused: Porter, Smith and York.—3.

The bill and emergency passed.

SB 373 was referred for engrossment.

DECLARATION OF VOTE

Senator Giles asked that the record show had he been present in the Chamber at the time of passage of SBs 175 and 163 he would have voted "Aye", which was the order.

GENERAL ORDER

SB 411 by Crow of the Senate and Miskelly of the House was read and considered.

Upon motion of Senator Howard, SB 411 was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, SB 411 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 411 was read for the third time at length.

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

Aye: Berrong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Grantham, Green, Holden, Howard, Howell, Lambert, Lane, Luton, McCune, Martin, Murphy, Randle, Rozell, Shatwell, Stipe, Terrill, Wadley and York.—27.

Nay: Birdsong, Boatner, Dawson, Giles, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, McDaniel, Pierce, Porter, Schuelein, Taliaferro, Tinsley, Vann, Watson and Wolfe.—19.

Excused: Smith and Young.—2.

The bill passed.

Senators Vann, Boatner, McDaniel, Dawson and Giles desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 14. Excused: 2.

The emergency passed.

SB 411 was referred for engrossment.

ANNOUNCEMENT

Senator Lane announced that on Thursday, June 2, 1977, he would move that all Senate bills and joint resolutions (except for SJR 39) on the Calendar under General Order be returned to the committees from whence they came at the close of business that day.

GENERAL ORDER

HB 1120 by Townsend, et al, of the House

and Luton and Lane of the Senate was read and considered.

Upon motion of Senator Luton, HB 1120 was advanced to engrossment.

By unanimous consent, upon request of Senator Luton, HB 1120 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1120 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—44.

Nay: Keating and Wolfe.—2.

Excused: Smith and Young.—2.

The bill and emergency passed.

HB 1120 was referred for engrossment.

PENDING CONSIDERATION OF CCR

Upon motion of Senator Crow, the CCR on SB 87 was rejected and further conference requested, said bill to be rereferred to GCCA.

PENDING CONSIDERATION OF HAS

HAs to SB 126 were called up for consideration.

Upon motion of Senator Boatner, the Senate concurred in HAs to SB 126.

SB 126, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—45.

Excused: Grantham, Smith and Young.—3.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on SB 99 was called up for consideration.

The CCR on SB 99 was adopted upon motion of Senator Crow.

SB 99, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune,

McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Smith.—1.

The bill and emergency passed.

SB 99, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 85 was called up for consideration.

The CCR on SB 85 was adopted upon motion of Senator Crow.

SB 85, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Nay: Keating, McCune, Pierce and Wolfe.—4.

Excused: Howard and Smith.—2.

The bill and emergency passed.

SB 85, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 117 was called up for consideration.

The CCR on SB 117 was adopted upon motion of Senator Crow.

SB 117, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Clifton and Smith.—2.

The bill passed.

Senator Clifton desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 47. Excused: 1.

The emergency passed.

SB 117, together with the Conference Committee Report thereon, was ordered transmitted 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 1144 and 1164.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1144 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1144, entitled:

An Act relating to the Oklahoma Education Council and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendment to the Engrossed Bill be adopted:

a. Page 1, Line 33, by adding after "1978" and before the period (.) the following language: " , except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Rogers, Duke, Townsend and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Smith, Stipe and Terrill.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1164 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1164, entitled:

An Act relating to the Office of the Securities Commission and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed HB 1164 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1164 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Morgan, Murphy, Duke and Trent.

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Berrong, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Smith, Stipe and Terrill.

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 98 (2nd CCR), SB 109 and SB 113.

The above numbered Bills as amended

in Conference were referred for enrollment.

SPECIAL ORDER

Senator Lane moved that HB 1328 be set for Special Order, Thursday, June 2, 1977, at 2:00 p.m., which motion was declared adopted.

MOTION TO RECONSIDER VOTE

Senator Helm asked for consideration of her motion to reconsider the vote whereby HB 1100 passed.

Senator York moved to table the Helm motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Grantham, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lane, Luton, McDaniel, Rozell, Schuelein, Taliaferro, Terrill, Wadley and York.—23.

Nay: Berrong, Butler, Crow, Field, Funston, Giles, Green, Helm, Holden, Keller, Lambert, McCune, Martin, Murphy, Pierce, Porter, Randle, Shatwell, Stipe, Tinsley, Vann, Watson, Wolfe and Young.—24.

Excused: Smith.—1.

Senator Helm pressed her motion to reconsider, which motion was declared failed of adoption upon roll call as follows:

Aye: Berrong, Butler, Crow, Field, Funston, Giles, Green, Helm, Holden, Keller, Lamb, McCune, Martin, Murphy, Pierce, Porter, Randle, Shatwell, Stipe, Tinsley, Vann, Watson, Wolfe and Young.—24.

Nay: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Grantham,

Howard, Howell, Johnson, Keating, Kilpatrick, Lambert, Lane, Luton, McDaniel, Rozell, Schuelein, Taliaferro, Terrill, Wadley and York.—23.

Excused: Smith.—1.

HB 1100 was referred for engrossment.

DECLARATION OF VOTE

Senator Boatner asked that the record show had he been present in the Chamber at the time of passage of HB 1100 he would have voted "No", which was the order.

MESSAGE FROM THE HOUSE

Returning herewith Engrossed HB 1348, with the request that the Honorable Senate reconsider the vote by which HB 1348 passed on Third Reading and final passage, and to consider the bill further.

UNANIMOUS CONSENT REQUEST

Senator Cate asked unanimous consent that the Senate rescind its signing and returning of HB 1348, which was the order.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(c), Senator Cate moved that the vote be reconsidered whereby HB 1348 passed, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Crow, Funston, Howard and Smith.—4.

THIRD READING

Senator Cate asked unanimous consent, which was granted, to amend HB 1348 on Third Reading by striking Section 2 and renumbering subsequent sections, which amendment was declared adopted.

HB 1348 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Helm, Howard and Smith.—3.

The bill and emergency passed.

HB 1348 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The CCR on HB 1154 was called up for consideration.

The CCR on HB 1154 was adopted upon motion of Senator Crow.

HB 1154, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel,

Martin, Pierce, Rozell, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson and York.—34.

Nay: Green, Helm, Keating, Keller, McCune, Murphy, Porter, Randle, Schuelein, Terrill, Wolfe and Young.—12.

Excused: Howard and Smith.—2.

The bill passed.

Senator Howard desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 35. Nay: 12. Excused: 1.

The emergency passed.

HB 1154, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

GENERAL ORDER

HB 1338 by Peterson, et al, of the House and Stipe of the Senate was read and considered.

Senators Randle and Funston moved to amend HB 1338, Page 6, Line 5½, by inserting a new Section 6 and renumbering subsequent sections:

“SECTION 6. Three Hundred Fifty Thousand Dollars (\$350,000.00) is hereby appropriated to the State Department of Health to carry on a voluntary program of cervical cancer testing.”,

which amendment was declared adopted.

Upon motion of Senator Stipe, HB 1338, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Stipe, HB 1338, as amended, was

considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1338 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Funston, Smith and Terrill.—3.

The bill and emergency passed.

HB 1338 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1051 and requesting Conference.

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 103, SB 214 and SB 231 as coauthored by Davis (Don) and removing Bradley as coauthor.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 67, 114, 115, 192, 234, 250 and 348.

The above numbered Enrolled Bills were referred to the Governor.

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 1322.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1322 was read and consideration deferred.

Mr. Speaker

We, your Conference Committee to whom was referred Engrossed HB No. 1322, and Engrossed Senate Amendments thereto, by Craighead, et al, of the House and Crow, et al, of the Senate, entitled:

An Act relating to revenue and taxation; defining solar energy device; providing for a tax credit therefor; requiring an itemized accounting of certain costs; requiring certain inspections; authorizing the carrying forward of the tax credit to subsequent years under certain conditions; providing for the filing of joint returns; providing for depreciation and amortization; providing an expiration date; prohibiting public utility rate increases or surcharges under certain circumstances; directing codification; and providing an effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. That the House Accept Amendment 3.

2. That the Senate recede from Amendments 1, 2, 4 and 5.

That the following Conference Committee Amendments be adopted:

(a) Restore Title as amended by Conference Committee.

An Act relating to revenue and taxation; defining solar energy device; providing for a tax credit therefor under certain circumstances; requiring an itemized accounting of certain costs; requiring certain inspections; authorizing the carrying forward of the tax credit to subsequent years under certain conditions; providing for the filing of joint returns; providing an expiration date; prohibiting public utility rate increases or surcharges under certain circumstances; directing codification; and providing an effective date.

(b) Page 1, Section 2 A. Line 33, after the word "residence" and before the word "in" adding the following language: ", on which homestead exemption is claimed and allowed,".

(c) By striking the language in Sec. 2A, on Lines 33 through 36½ Page 1 beginning with the word "there" and the language on Lines 1 and 2 Page 2.

(d) By deleting all of Section 3, and renumbering succeeding sections.

Respectfully submitted,

FOR THE HOUSE: Craighead, Nance and Cowan.

FOR THE SENATE: Crow, Lane and Randle.

EXECUTIVE SESSION

There being matters on the President's desk for consideration of the Senate in executive session, it was upon motion of

Senator Lane that the Senate closed its doors and went into executive session.

The Senate reassembled in open session with Senator Wadley presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of DAVID HUNT, Oklahoma City, as a member of the Board of Regents of South Oklahoma City Junior College to serve a 7-year term ending May 22, 1984, and effective upon Senate confirmation. Mr. Hunt succeeds himself.

The Senate, in executive session, and upon motion of Senator Schuelein, advised and consented to the confirmation of AUSTIN KEITHLEY, Picher, as a member of the Indian and Hardrock Mining Museum Commission to serve a 5-year term ending June 16, 1980, and effective upon Senate confirmation. Mr. Keithley succeeds himself.

The Senate, in executive session, and upon motion of Senator Randle, advised and consented to the confirmation of W. KEITH RAPP, Tulsa, as a member of the Tulsa Junior College Board of Regents to serve a 7-year term ending June 30, 1983, and effective upon Senate confirmation. Mr. Rapp succeeds John Sublett, Tulsa.

The Senate, in executive session, and upon motion of Senator Crow, advised and consented to the confirmation of GARY REID, Hollis, as a member of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, District 3, to serve an 8-year term ending April 2, 1984, and effective upon Senate confirmation. Mr. Reid succeeds Robert H. Smith, Hobart.

The Senate, in executive session, and upon motion of Senator Luton, advised and

consented to the confirmation of CLYDE SMITH, Muskogee, as a member of the Oklahoma Employment Securities Commission to serve an unexpired 6-year term ending July 2, 1981, and effective upon Senate confirmation. Mr. Smith succeeds Mary Lowe.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of DR. RAYMOND O. SMITH, Jr., Oklahoma City, as a member of the Board of Speech Pathology and Audiology to serve a 3-year term ending August 17, 1979, and effective upon Senate confirmation. Dr. Smith succeeds Dr. Don Resler, Oklahoma City.

The Senate, in executive session, and upon motion of Senator Rozell, advised and consented to the confirmation of STEVEN R. SMITH, Tahlequah, as a member of the Commission on Fire Protection and Personnel Standards and Education (Fire Fighters Association), to serve an unexpired 5-year term ending August 1, 1979, and effective upon Senate confirmation. Mr. Smith succeeds Don Froese, Enid.

Senator Luton presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 373 and 411 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising naming of House Conferees on Engrossed HB 1051 as follows: Representatives Peterson, Lancaster and Elder.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 104 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 104, entitled:

(Oklahoma Crime Commission — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 104 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Randle, Vice-Chairman, Boatner, Holden, Howell, Lamb, Smith, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Roberts, Murphy, Rogers, Townsend and Trent.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, June 2, 1977, at 11:00 a.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 3:15 p.m. to meet Thursday, June 2, 1977, at 11:00 a.m.



Eighty-seventh Legislative Day

Thursday, June 2, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Smith.—1.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Sullins, and incorporated into the Journal upon request of Senator Kilpatrick.

Our Heavenly Father, for the beauty of this new day of opportunity and life we express our thanks. We thank You for Your loving care and mercy. We are grateful that when we fail that we have an advocate with the Father through the Son, the Lord Jesus Christ.

We thank You for guiding our nation's

founding fathers who gave us a tried and tested constitution providing freedoms we enjoy today. Grant Lord that we enjoy these freedoms responsibly and guard against their loss by personal concern and involvement.

Bless these men in their deliberations and voting in this session. Bless, guide, and protect Governor Boren and President Carter that through their leadership and example we might be a more righteous people that God can bless abundantly.

For we make this prayer in Christ's name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lambert introduced James D. Funnell, M.D., Oklahoma City, as Doctor of the Day.

Senator Tinsley introduced Mary Gil-mour, R.N., Kingfisher, as Nurse of the Day.

Senator McCune introduced former Minority Floor Leader of the Oklahoma State Senate, Don Ferrell, Chandler.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and

placed upon the Calendar unless otherwise indicated.

DO PASS:

HB 1251 — County, State and Federal Government.

DO PASS, as amended:

CS for HB 1343 — Judiciary.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HB 1186 and HJR 1013.

HB 1186 — By Willis of the House and Howard of the Senate.

An Act relating to state officers and employees; amending Section 1, Chapter 126, O.S.L. 1975, as amended by Section 1, Chapter 285, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3601); limiting number of employees for certain agencies and defining employee; limiting expenditures of salaries and wages; providing for severability; and declaring an emergency.

HJR 1013 — By Wickersham.

A Joint Resolution relating to the State Department of Energy; stating the purpose; commissioning the State Department of Energy to have a cost analysis prepared as to the more efficient use of alternate sources of energy, but in no event to impede the already existing sources of energy in the state, or which are being developed; and providing for severability.

The above numbered HB and HJR were read for the first time.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1017.

HCR 1017 — By Morgan, et al.

A Concurrent Resolution defining the term farm machinery for the purpose of sales tax exemptions and directing distribution.

Consideration of the Resolution was deferred for this Legislative day.

RESOLUTION

Senator Luton introduced the following Resolution:

SR 9 — By Luton.

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 the 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 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 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

SECTION 1. The President Pro Tempore is hereby authorized to hire necessary employees to conduct the business and protect the property of the Senate during the 1977 legislative interim.

SECTION 2. 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. 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. 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 interim. In the event any member exceeds such sum the President Pro Tempore may request the telephone company to charge said excess of Six Hundred Dollars (\$600.00) per interim to the individual member's personal telephone.

SECTION 5. The President Pro Tempore is hereby authorized and directed to furnish each member necessary stationery and not to exceed six (6) rolls of thirteen-cent postage stamps for official communications by said members during the interim.

SECTION 6. The President Pro Tempore is hereby authorized and empowered to appoint members of the Senate to committees during the interim.

SR 9 was read at length, adopted on motion of Senator Lane and ordered referred for enrollment.

CONFERENCE COMMITTEE REPORT

The following CCR on **SB 96** was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed **SB No. 96**, entitled:

(Department of Health — Appropriation — 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 Engrossed House Amendment No. 1.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for **SB 96** were distributed to all Senators.)

Senate Conferees: Randle, Vice-Chairman, Boatner, Cate, Grantham, Holden, Lamb, Murphy, Schuelein, McCune, Terrill and York.

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Cowan, Campbell, Denman, Parris, Elder, Mathe-son, Murphy, Rogers, Sparkman, Townsend and Trent.

MESSAGE FROM THE HOUSE

Advising rejection of 2nd CCR to Engrossed **SB 85**, requesting further Conference and rereferring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on **SB 85** was ordered granted, said bill to be rereferred to GCCA.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed

HB 1278, requesting Conference and naming Conferees as follows: Representatives Floyd, Rogers and Wiseman.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HB 1278 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Kilpatrick, Randle and Holden.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1413, requesting Conference and naming Conferees as follows: Representatives Elder, Bradshaw and Hooper.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HB 1413 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Tinsley, Holden and York.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1248, as coauthored by Henry of the House, and as amended.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SBs 88, 107 and 355, and referring same to GCCA.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 87 and rereferring said bill to GCCA.

MESSAGE FROM THE HOUSE

Advising fourth reading of and trans-

mitting for signature Enrolled HBs 1154 and 1248.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1345 by Davis (Don), et al, of the House and Terrill, Funston, Field, Murphy, Luton and Lambert of the Senate was read and considered.

Senators Boatner and Capps asked to be made coauthors of HB 1345, which was the order.

Senators Terrill and Howell moved to amend HB 1345, Page 24, Lines 3 through 13, by deleting after the figure "(7)" and before the figure "(8)" all language and inserting the following:

"The retirement allowance shall be computed at the age of retirement. The following is the actuarial equivalent of the retirement allowance to be paid for life if retirement occurs before age sixty-two (62):

Age at Retirement	Factor
62	1.0000
61	.9333
60	.8666
59	.8000
58	.7523
57	.7038
56	.6595
55	.6189"

which amendment was declared adopted.

Senator Cate presiding.

Senator Crow moved to amend HB 1345, Page 6, Line 14, by striking after the word "the" and before the word "highest" the

figure "three (3)" and reinstating the figure "five (5)".

Senator Howell moved to table the Crow amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Holden, Howell, Keller, Kilpatrick, Luton, Martin, Murphy, Porter, Randle, Rozell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—26.

Nay: Berrong, Butler, Crow, Funston, Giles, Grantham, Green, Helm, Howard, Johnson, Keating, Lamb, Lambert, Lane, McCune, McDaniel, Pierce, Schuelein, Shatwell, Vann and Young.—21.

Excused: Smith.—1.

Senator Young moved to amend HB 1345, Page 74, Line 15½, by adding after the word "1978." a new section as follows:

"SECTION 8. There is hereby appropriated the sum of \$5,000,000 out of the General Revenue Fund to the Teacher's Retirement System."

and by renumbering subsequent sections.

Senator Lane moved that the Senate stand recessed until 1:15 p.m., which motion prevailed.

The Senate reassembled with Senator Luton presiding. Senator Crow questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCRs 28 and 29 were each correctly engrossed, properly signed and ordered

transmitted to the Honorable House for consideration.

HBs 1100, 1120, 1338, 1348 and 1410 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 98, 109, 113, 126, 135, 163, 175, 211, 214 and 231 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SR 9 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

HB 1345 and the Young amendment thereto were considered further.

Senator Howell moved to table the Young amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Boatner, Capps, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—33.

Nay: Berrong, Butler, Grantham, Green, Helm, Keating, Lamb, McCune, Pierce, Porter, Shatwell, Wolfe and Young.—13.

Excused: Clifton and Smith.—2.

Upon motion of Senator Terrill, HB 1345, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Terrill, HB 1345, as coauthored

and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1345 was read for the third time at length.

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

Aye: Birdsong, Boatner, Butler, Capps, Cate, Dahl, Dawson, Field, Funston, Giles, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—37.

Nay: Berrong, Crow, Grantham, Green, Keating, McCune, Pierce, Wolfe and Young.—9.

Excused: Clifton and Smith.—2.

The bill and emergency passed.

HB 1345 was referred for engrossment.

GENERAL ORDER

SJR 39 by Tinsley, Field, Dahl, Taliaferro, Wadley, Stipe, Rozell, Johnson and Luton of the Senate and Converse of the House was read and considered.

Upon motion of Senator Tinsley, SJR 39 was advanced to engrossment.

By unanimous consent, upon request of Senator Tinsley, SJR 39 was considered engrossed and placed on third reading and final passage.

THIRD READING

SJR 39 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—39.

Nay: Green, Keating, Martin, Murphy and Wolfe.—5.

Excused: Pierce, Randle, Smith and Young.—4.

The resolution passed.

The Chair advised the Senate that Senator Pierce, having been present in the Chamber during the vote would be shown voting "no" on SJR 39 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 39. Nay: 6. Excused: 3.

Senator Pierce desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40. Nay: 5. Excused: 3.

The emergency passed.

SJR 39 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The CCR on SB 86 was called up for consideration.

The CCR on SB 86 was adopted upon motion of Senator Crow.

SB 86, as amended in Conference, was read at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—40.

Nay: Boatner, Green, Helm, Keating, Pierce and Wolfe.—6.

Excused: Randle and Smith.—2.

The bill and emergency passed.

SB 86, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

SPECIAL ORDER

Senator Howard announced that the hour of 2:00 p.m. having arrived and that being the hour set on June 1, 1977, as shown on page 888 of the Senate Journal, for the consideration of HB 1328, the Senate would proceed to such consideration.

HB 1328 by Matheson, et al, of the House and Dawson of the Senate was read and considered.

Senator Crow moved to amend HB 1328 by crippling the title.

Senator Howard moved the previous question under Rule 14(1), which motion was declared adopted.

Under Rule 14(m), (n), the Presiding Officer ruled the subject debatable and allowed the friends and opponents of the amendment thirty minutes on each side in which to debate the question.

Senator Dawson moved to table the Crow amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Dahl, Dawson, Funston, Helm, Holden, Howard, Kilpatrick, Luton, McCune, Pierce, Randle, Stipe, Terrill, Watson and Young.—15.

Nay: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Field, Giles, Grantham, Green, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Taliaferro, Tinsley, Vann, Wadley, Wolfe and York.—32.

Excused: Smith.—1.

Senator Crow pressed his motion to amend, which amendment was declared adopted.

Senator Howard moved the previous question under Rule 14(1), (m), on all amendments and on the bill, which motion was declared adopted.

Senator Stipe moved to advance the bill with the provision that all amendments be attached to the bill and be referred to the conference in order that said amendments might be considered by the conference committee.

Senator Murphy moved to table the Stipe motion to advance, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Capps, Cate, Dahl, Dawson, Funston, Giles, Grantham, Helm, Holden, Johnson, Kilpatrick, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Taliaferro, Terrill, Vann and Watson.—22.

Nay: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Field, Green, Howard,

Howell, Keating, Keller, Lamb, Lambert, Lane, Randle, Rozell, Schuelein, Shatwell, Stipe, Tinsley, Wadley, Wolfe, York and Young.—25.

Excused: Smith.—1.

Senator Stipe pressed his motion to advance, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Field, Green, Howell, Johnson, Keating, Keller, Lamb, Lane, Randle, Rozell, Schuelein, Shatwell, Stipe, Wadley, Wolfe, York and Young.—4.

Nay: Capps, Dahl, Dawson, Funston, Giles, Grantham, Helm, Holden, Howard, Kilpatrick, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Taliaferro, Terrill, Tinsley, Vann and Watson.—22.

Excused: Lambert and Smith.—2.

Senator Dawson asked unanimous consent that the Rules be suspended and that HB 1328 be considered engrossed and placed on third reading and final passage, to which request objection was heard.

Senator Dawson moved that the Rules be suspended and that HB 1328 be considered engrossed and placed on third reading and final passage, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Butler, Crow, Giles, Grantham, Lane, Luton, Murphy and Porter.—8.

Excused: Lambert and Smith.—2.

Senator Cate presiding.

THIRD READING

Under Rule 14(m), (n), the Presiding Officer allowed the friends and opponents of the bill thirty minutes on each side in which to debate the measure, with the author of the bill being granted the right to close debate and be limited to ten minutes of the thirty minutes allowed to the friends of the bill.

HB 1328 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Dahl, Dawson, Funston, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—36.

Nay: Butler, Clifton, Crow, Field, Giles, Grantham, Green, Lane, Murphy, Porter and Shatwell.—11.

Excused: Smith.—1.

The bill passed.

HB 1328 is referred for engrossment.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1132, requesting Conference and referring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for con-

ference on HB 1132 was ordered granted, said bill to be referred to GCCA.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1047, requesting Conference and naming Conferees as follows: Representatives Poulos, Rogers and Cullison.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for conference on HB 1047 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators McDaniel, Luton and Schuelein.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1416, requesting further Conference and naming same Conferees.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further conference on HB 1416 was ordered granted, President Pro Tempore Howard appointing the same Senate conferees.

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 HB 1102, HB 1104, HB 1105, HB 1137 (2nd) as coauthored by Duckett, HB 1157 (2nd), HB 1158 (2nd) and HB 1163.

CONFERENCE COMMITTEE REPORT

The folloing CCR on HB 1102 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1102, and Engrossed Senate Amendments thereto, by Hammons, et al, of the House and Schuelein, et al, of the Senate, entitled:

An Act relating to prisons and reformatories; amending Section 4, Chapter 163, O.S.L. 1976 (57 O.S. Supp. 1976, Section 542); providing for depositing income from prisoner employment contracts; *** and providing an effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. That the Senate recede from Engrossed Senate Amendment No. 1.
2. That the following Conference Committee Amendment to the Engrossed Bill be adopted:

Page 1, Line 24, after the word "INMATE" and before the word "FOR" insert the words "EXCEPT FOR THOSE INMATES EMPLOYED IN STATE PRISON INDUSTRIES".

Respectfully submitted,

FOR THE HOUSE: Hammons, Duckett and Riggs.

FOR THE SENATE: Randle, Schuelein and Stipe.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1104 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1104, and Engrossed Senate Amendments thereto, by Hammons, et al, of the House and Schuelein, et al, of the Senate, entitled:

An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 510, as last amended by Section 1, Chapter 155, O.S.L. 1974 (57 O.S. Supp. 1976, Section 510); providing for certain powers and duties of the Director of Corrections; *** and providing an effective date.

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 concur in Engrossed Senate Amendments Nos. 1 and 2.

2. That the Senate recede from Engrossed Senate Amendment No. 3.

3. That the following Conference Committee Amendment to the Engrossed Bill be adopted:

Page 3, Line 4½, insert a new paragraph 4 to read as follows:

"4. To designate as peace officers qualified personnel in any of the following Department of Corrections job classifications: transportation officers, escape team officers, security chiefs, internal investigators and training officers. The peace officer authority of employees so designated shall be limited to the following areas: maintaining custody of prisoners; preventing attempted escapes; pursuing, recapturing and incarcerating escapees and arresting such escapees. Such powers and duties of peace officers may be exercised for the purpose of maintaining custody, security and control of any prisoner being transported outside the State of Oklahoma under the authority of the

Uniform Criminal Extradition Act. To become qualified for designation as peace officers, employees shall meet the training and screening requirements set forth in Section 3311 of Title 70 of the Oklahoma Statutes before appointment;"

and renumber succeeding paragraphs, and amend title on Page 1, Line 13½, after the word "CORRECTIONS;" insert the words "PROVIDING FOR DESIGNATION OF PEACE OFFICER STATUS FOR CERTAIN EMPLOYEES;"

Respectfully submitted,

FOR THE HOUSE: Hammons, Duckett and Riggs.

FOR THE SENATE: Randle, Schuelein and Stipe.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1105 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1105, and Engrossed Senate Amendments thereto, by Hammons, et al, of the House and Schuelein, et al, of the Senate, entitled:

An Act relating to State Government; amending 74 O.S. 1971, Section 123f; placing restrictions on the sale or distribution of convict-made goods; creating a State Prison Industries Board; *** and providing an effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. That the Senate recede from Engrossed Senate Amendment No. 1.

2. That the House concur with Engrossed Senate Amendments Nos. 2, 3 and 4.

3. That the following Conference Committee Amendments to the Engrossed Bill be adopted:

Page 1, Line 22, before the word "WARES" strike all language and insert the word "PRODUCTS,".

Page 1, Line 23, after the word "MERCHANDISE" and before the word "PRODUCED" strike the words "WHICH ARE".

Page 1, Line 25, before the word "EMPLOYED" insert the words "WHO ARE".

Page 1, Line 26, after the "comma" and before the word "BE" on Line 27, strike all language and insert the word "SHALL".

Respectfully submitted,

FOR THE HOUSE: Hammons, Matheson and Riggs.

FOR THE SENATE: Randle, Schuelein and Stipe.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1137 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1137, entitled:

(State Board of Education — 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 Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1137 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Cowan, Campbell, Denman, Parris, Elder, Matheson, Murphy, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Randle, Vice-Chairman, McCune, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1157 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1157, entitled:

(Corporation Commission — Appropriation — 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 Engrossed Senate Amendment No. 1.

2. That the following Conference Com-

mittee Amendments to Engrossed HB No. 1157 be adopted:

(a) Page 1, Restore the title to read as follows:

"An Act relating to the Corporation Commission and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees; designating Commission members' salaries; limiting number of employees; limiting expenditures for salaries and wages; appropriating funds for cost of litigation; authorizing the allotment and expenditure of certain funds for certain specified purposes; providing lapse date; providing severability; and declaring an emergency."

(b) Page 1, Line 24, by deleting the figure "\$1,869,261.00" and by substituting in lieu thereof the figure "\$1,704,307.00".

(c) Page 1, Line 26, by deleting the figure "332,805.00" and by substituting in lieu thereof the figure "302,645.00".

(d) Page 1, Line 27, by deleting the figure "\$2,202,066.00" and by substituting in lieu thereof the figure "\$2,006,952.00".

(e) Page 1, Line 37, and Page 2, Line 1, by deleting the words and figure "two hundred eighteen (218)" and by substituting in lieu thereof the words and figure "two hundred twenty-five (225)".

(f) Page 2, Line 1, by adding after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

(g) Page 2, Lines 4 and 5, by deleting the words and figures "Two Million Six Hundred Sixty-five Thousand Nine Hundred Eighty-five Dollars (\$2,665,985.00)" and by substituting in lieu thereof the words and figures "Two Million Seven Hundred Fifty-

six Thousand Five Hundred Twenty Dollars (\$2,756,520.00)".

(h) Page 2, Lines 7 through 35, and Page 3, Lines 1 through 35 and Page 4, Lines 1 through 34, by deleting the present Sections 3 and 4. Renumber the present Section 5 and 6 to read "Section 3 and 4".

(i) Page 5, Line 19, by deleting the word "and" after the word "testimony," and before the word "for".

(j) Page 5, Line 26, by adding the word "and" after the word "arguments;" and before the word "for".

(k) Page 6, Line 6½, by adding a new Section 5 to read as follows:

"SECTION 5. The Corporation Commission is hereby authorized to allot and expend an amount not to exceed Four Hundred Twenty Thousand Dollars (\$420,000.00) from the Conservation Fund created by Section 1103(a) of Title 68 of the Oklahoma Statutes, for general operating expenses of the Commission other than those direct expenses of the Conservation Division of the Commission."

Renumber the present Section 7 to read "Section 6" and renumber succeeding sections accordingly.

(l) Page 6, Line 7, by deleting the words and figures "Sections 1 and 4" and by substituting in lieu thereof the words and figures "Sections 1 and 3".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Cowan, Campbell, Denman, Parris, Elder, Mathe-son, Murphy, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: McCune, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1158 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1158, entitled:

An Act relating to the Office of the Insurance Commissioner and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed HB No. 1158 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1158 were distributed to all Senators.)

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Cowan, Campbell, Denman, Parris, Elder, Matheson, Murphy, Rogers, Sparkman and Trent.

Senate Conferees: Randle, Vice-Chairman, McCune, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1163 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1163, entitled:

An Act relating to the State Board for property and casualty rates and making an appropriation 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 Senate recede from Engrossed Senate Amendment No. 1.

2. That the House accept Engrossed Senate Amendments Nos. 2 and 3.

3. That the following Conference Committee Amendments to Engrossed HB No. 1163 be adopted:

(a) Page 1, Line 28, by striking the figure "\$125,927.00" and by substituting in lieu thereof the figure "\$133,668.00".

(b) Page 1, Line 30, by striking the figure "\$149,923.00" and by substituting in lieu thereof the figure "\$157,664.00".

(c) Page 1, Line 35, by adding after the words "The maximum number and" the word "annual".

(d) Page 2, Line 1, by adding after the word "schedule" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603 of Title 74 of the Oklahoma Statutes".

(e) Page 2, Line 3, by striking the colon (:) after the word "only" and by adding

the following language: "exclusive of overtime pay."

(f) Page 2, Line 8, by striking the figure "1" under the heading "NUMBER AUTHORIZED" and by substituting in lieu thereof the figure "2".

(g) Page 2, Line 9, by striking all words and figures on this line.

(h) Page 2, Line 14, by striking after the word "hire" and before the word "as" the following language: "one part-time Examiner" and by substituting in lieu thereof the following language: "part-time examiners".

(i) Page 2, Line 15, by striking the words and figures "Five Thousand Dollars (\$5,000.00)" and by substituting in lieu thereof the words and figures "Ten Thousand Dollars (\$10,000.00)".

(j) Page 2, Lines 19 and 20, by striking the words and figures "One Hundred Two Thousand Four Hundred Forty Dollars (\$102,440.00)" and by substituting in lieu thereof the words and figures "One Hundred Three Thousand Forty Dollars (\$103,040.00)".

House Conferees: Miskelly, Chairman, Davis (Don), Vice-Chairman, Cowan, Campbell, Denman, Parris, Elder, Matheson, Murphy, Rogers, Sparkman and Trent.

Senate Conferees: Randle, Vice-Chairman, McCune, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Terrill and York.

MESSAGE FROM THE HOUSE

Returning following Bills, together with Conference Committee Report thereon,

advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed SBs 99 and 117.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 26, as coauthored by Willis and all other members of the House.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 98, 109, 113, 126, 135, 163, 175, 211, 214 and 231.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 273, as coauthored by Duckett and Parris of the House.

The above numbered Bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 309, as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 309 were read as follows and consideration deferred.

Authors: Add the following coauthors: Johnson (A.V.), Bennett, Denman, Johnson (Don) and Cleveland of the House.

Amendment No. 1. Amend Page 1, Line 31, by deleting the word "should" and substituting in lieu thereof the words "shall guarantee", and by striking the word "allow"; and amend Page 1, Line 35, by deleting the "comma" after the word "them" and inserting in lieu thereof a "period" and striking the entire language through Page 2, Line 2.

Amendment No. 2. Amend Page 5, Line 19, by inserting a "period" after the word "services" and striking all the language through line 22.

ANNOUNCEMENT RE ENROLLED SB 103

Senator Helm announced that, inadvertently, Section 10 of Enrolled SB 103 did not appear in the conference committee substitute that was placed on the desks of Senators on Tuesday, May 31, 1977, at the time of passage of the bill as amended in conference, however, Section 10 was in the bill as reported out of the General Conference Committee on Appropriations. Section 10 reads as follows:

"SECTION 10. It is the intent of the Legislature that, should funds become available to the Bureau of Investigation, authorization be granted for that agency to establish a satellite laboratory at Woodward, Oklahoma."

Senator Helm asked unanimous consent, which was granted, that the Journal contain the above-cited Section 10.

Senator Keating moved to suspend the rules and reconsider the vote by which SB 103 passed.

Senator Lane moved to table the Keating motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and York.—36.

Nay: Dawson, Green, Keating, Keller, McCune, Pierce, Schuelein, Watson, Wolfe and Young.—10.

Excused: Butler and Smith.—2.

DECLARATION OF VOTE

Senator Clifton asked that the record show had he been in the Chamber at the time of passage of HB 1345, he would have voted "Aye", which was the order.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Keating, HAS to SB 16 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Keating, Wolfe and York.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Keating, HAS to SB 69 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Keating, Clifton and Cate.

PENDING CONSIDERATION OF CCR

The CCR on HB 1128 was called up for consideration.

The CCR on HB 1128 was adopted upon motion of Senator Crow.

HB 1128, as amended in Conference, was read at length.

On the question of passage of the bill and

emergency, the roll call resulted as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Rozell and Smith.—2.

The bill and emergency passed.

HB 1128, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1130 was called up for consideration.

The CCR on HB 1130 was adopted upon motion of Senator Crow.

HB 1130, as amended in Conference, was read at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Nay: Berrong, Boatner, Helm, Keating, Martin, Pierce and Wolfe.—7.

Excused: Randle and Smith.—2.

The bill and emergency passed.

HB 1130, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 104 was called up for consideration.

The CCR on SB 104 was adopted upon motion of Senator Crow.

SB 104, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Field, Funston, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and York.—33.

Nay: Berrong, Capps, Dawson, Giles, Green, Helm, Keating, Lamb, McCune, Pierce, Porter, Watson, Wolfe and Young.—14.

Excused: Smith.—1.

The bill and emergency passed.

SB 104, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1133 was called up for consideration.

The CCR on HB 1133 was adopted upon motion of Senator Crow.

HB 1133, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Capps, Crow, Field and Giles.—4.

Excused: Smith.—1.

The bill and emergency passed.

HB 1133, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1140 was called up for consideration.

The CCR on HB 1140 was adopted upon motion of Senator Crow.

HB 1140, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein,

Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Boatner, Helm and Wolfe.—3.

Excused: Smith.—1.

The bill and emergency passed.

HB 1140, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1141 was called up for consideration.

The CCR on HB 1141 was adopted upon motion of Senator Crow.

HB 1141, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Helm, Stipe and Wolfe.—3.

Excused: Rozell and Smith.—2.

The bill and emergency passed.

HB 1141, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1142 was called up for consideration.

The CCR on HB 1142 was adopted upon motion of Senator Crow.

HB 1142, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Porter and Wolfe.—2.

Excused: Randle, Rozell and Smith.—3.

The bill and emergency passed.

HB 1142, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1144 was called up for consideration.

The CCR on HB 1144 was adopted upon motion of Senator Crow.

HB 1144, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Wolfe.—1.

Excused: Randle, Rozell and Smith.—3.

The bill and emergency passed.

HB 1144, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1159 was called up for consideration.

The CCR on HB 1159 was adopted upon motion of Senator Crow.

HB 1159, as amended in Conference, was read at length.

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

Aye: Birdsong, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, York and Young.—32.

Nay: Berrong, Boatner, Dawson, Funston, Helm, Keating, McCune, Pierce, Porter, Schuelein, Vann, Watson and Wolfe.—13.

Excused: Randle, Rozell and Smith.—3.

The bill and emergency passed.

HB 1159, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1164 was called up for consideration.

Senator Funston asked to be made a co-author of HB 1164, which was the order.

The CCR on HB 1164 was adopted upon motion of Senator Crow.

HB 1164, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Excused: Randle, Rozell and Smith.—3.

The bill and emergency passed.

HB 1164, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 103 was correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

PENDING CONSIDERATION OF HAS

HAS to SB 11 were called up for consideration.

Upon motion of Senator Dawson, the Senate concurred in HAS to SB 11.

SB 11, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Howard, Randle, Rozell and Smith.—4.

The bill passed.

House Amendments were properly signed and the above-numbered bill 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 1416 (2nd).

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1416 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1416, and Engrossed Senate Amendments thereto, by Deatherage, Elder, Denman, Lawter, Hammons, Craighead and Robinson of the House and Lambert of the Senate, entitled:

An Act relating to public meetings; *** and specifying effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

That the Senate recede from its Amendment; and recommendation of the attached conference committee substitute to be adopted.

Add the following language in Section 13: "Any action taken in WILLFUL violation of this act shall be invalid".

Add Matheson of the House as coauthor.

(Pursuant to Rule 10(b), copies of the CCS for HB 1416 were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Deatherage, Matheson and Elder.

FOR THE SENATE: Lambert and Randle.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1198, requesting Conference and naming Conferees as follows: Representatives Davis (Don), Hood and Henry.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for con-

ference on HB 1198 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Clifton, Keating and Grantham.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 361, as coauthored by Parris and Rogers of the House.

The above numbered Bill was referred for enrollment.

MOTION RE SENATE BILLS ON GENERAL ORDER

Senator Lane moved that all Senate Bills and Joint Resolutions on the Calendar under General Order be returned to the committees from whence they came.

Senator Keating moved as a substitute motion to suspend Rule 8(g) of the Senate Rules for the duration of the First and Second Sessions of the 36th Oklahoma Legislature.

Senator Howard raised a point of order stating that the effect of the Keating motion was an amendment of the Senate Rules and, as such, had to lay over for one legislative day, which point of order the Chair sustained.

Senator Lane pressed his motion to return Senate Bills and Joint Resolutions on the Calendar under General Order to the committees from whence they came, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Van,

Wadley, Watson, Wolfe, York and Young.—43.

Nay: Dawson, Keating and Perice.—3.

Excused: Rozell and Smith.—2.

Senator Luton moved to table the above Keating motion, which motion to table was ruled out of order by the Presiding Officer.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1328 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 103.

The above numbered Enrolled Bill was referred to the Governor.

GENERAL ORDER

HB 1111 by Matheson of the House and Randle of the Senate was read and considered.

Senator Randle moved to amend HB 1111, Page 3, Line 3½, by adding a new section as follows:

“SECTION 2. Section 7-132, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 7-132), is amended to read as follows:

Section 7-132. At the conclusion of the official count, the counters shall execute certificates of vote wherein said counters attest to the correctness of the totals. The inspector shall cause one copy of each certificate to be posted on the door or entrance of the polling place and shall cause one copy of each certificate to be transmitted forthwith to the Secretary of the

State Election Board. PROVIDED, HOWEVER, THAT IF A CENTRAL COUNTING SYSTEM OR A REGIONAL COUNTING SYSTEM IS IN USE IN THE COUNTY WHERE THE ELECTION IS BEING CONDUCTED, THE INSPECTOR SHALL NOT BE REQUIRED TO CAUSE ONE COPY OF EACH CERTIFICATE TO BE POSTED, NOR SHALL THE INSPECTOR BE REQUIRED TO CAUSE ONE COPY OF EACH CERTIFICATE TO BE TRANSMITTED TO THE SECRETARY OF THE STATE ELECTION BOARD, BUT SHALL BE REQUIRED TO TRANSMIT THE APPROPRIATE MATERIALS TO BE USED IN COUNTING THE VOTES TO THE CENTRAL OR REGIONAL COUNTING CENTER.”

Senator Randle asked unanimous consent to amend HB 1111 by crippling the title, to which request objection was heard.

Senator Randle moved to amend HB 1111 by crippling the title, which amendment was declared adopted.

Senator Randle asked unanimous consent, which was granted, that further consideration of HB 1111 and his amendment thereto be deferred for this legislative day.

GENERAL ORDER

HJR 1018 by McIntyre and Monks of the House and Randle and Shatwell of the Senate was read and considered.

Upon motion of Senator Randle, HJR 1018 was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, HJR 1018 was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1018 was read for the third time at length, as follows:

HJR 1018 — By McIntyre and Monks of the House and Randle and Shatwell 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 by adding a new section to Article X thereof to be designated as Article X, Section 9D; authorizing certain county commissioners or certain voters to provide for, organize, maintain, operate and dissolve hospital districts by way of an election; providing election procedures; providing for expansion of districts; providing for appointment, manner of appointment, duties and powers of the trustees; providing for certain controls by the legislature and authorizing certain legislation; providing for certain charges and audits; providing for special annual recurring ad valorem taxes and issuance of bonds upon approval at an election for such purposes; providing for interest, selling procedures and refunding of bonds; providing for cancellation of the millage levy under certain circumstances; providing for legal status of board, collection of fees; providing city or town be authorized to form districts; providing ballot title; directing filing; and ordering a special election.

Be it resolved by the House of Representatives and the Senate of the 1st Session of the 36th 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 amendment to the Constitution of Oklahoma. Article X of the Constitution of the State of Oklahoma is hereby amended by the addition of Section 9D:

Section 9D. (a) The board of county commissioners or boards of county commissioners, if more than one county is involved, may call a special election to determine whether or not a hospital dis-

trict shall be formed. An election shall also be called by the board or boards involved upon petition signed by not less than ten percent (10%) of the registered voters of the area affected. Said area may embrace a county, a part thereof, or more than one county or parts thereof, and in the event the area covers only a part or parts of one or more counties, the area must follow school district boundary lines. All registered voters in such area shall be entitled to vote, as to whether or not such district shall be formed, and at the same time and in the same question authorize a tax levy not to exceed three (3) mills for the purpose of providing funds for the purpose of support, organization, operation and maintenance of hospital district services, hereinafter referred to as "district." If the formation of the district and the mill levy is approved by a **THREE-FIFTHS** (3/5) majority of the votes cast, a special annual recurring ad valorem tax levy of not more than three (3) mills on the dollar of the assessed valuation of all taxable property in the district shall be levied. The number of mills shall be set forth in the election proclamation, and may be increased in a later election, not to exceed a total levy of three (3) mills. This special levy shall be in addition to all other levies and when authorized shall be made each fiscal year thereafter.

Each district which is herein authorized, or established, shall have a board of trustees composed of not less than five members. Such trustees shall be chosen jointly by the board or boards of county commissioners, provided that such membership shall be composed of not less than one individual from each county or part thereof which is included in said district.

Original members of the board of trustees shall hold office, as follows: At the first meeting of said board, board members shall draw lots to determine each trustee's original length of term in office. The number of lots to be provided shall be

equal to the number of original members of the board, and lots shall be numbered sequentially from one through five, with lots in excess of the fifth lot being also numbered sequentially from one through five until all lots are numbered. Each original member or members added by an expansion area of the board shall hold office for the number of years indicated on his or her lot. Each year, and as necessary to fill vacancies, the board or boards of county commissioners shall appoint successors to such members of the board of trustees and as to members whose terms have expired, subsequent appointments shall be for terms of five (5) years.

Such board of trustees shall have the power and duty to promulgate and adopt such rules, procedures and contract provisions necessary to carry out the purposes and objectives of these provisions, and shall individually post such bond as required by the county commissioners, which shall not be less than Ten Thousand Dollars (\$10,000.00).

The district board of trustees shall have the additional powers to hire a manager and appropriate personnel, contract, organize, maintain or otherwise operate such hospital facilities within said district and such additional powers as may be authorized by the Legislature.

(b) Any district board of trustees may issue bonds, if approved by a **THREE-FIFTHS** (3/5) majority vote of the registered electors within the designated district at a special election called for such purpose. Such bonds shall be issued for the purpose of acquiring a hospital site, erecting or acquiring hospital housing, structures and facilities, procuring equipment and maintaining the same, or for the purpose of raising money to create a fund to be so used.

(c) The bonds authorized above shall not bear interest at a greater rate than that authorized by statute for the issuance of

city municipal bonds. Such bonds shall be sold only at public sale after twenty (20) days' advertisement in a newspaper for publication of legal notices with circulation in the district. Any district may refund its bonds as is now provided by law for refunding municipal bonds.

(d) Any county wherein property within the district lies shall, upon the issuance of bonds by the district board of trustees as is authorized by subsection (b) of this section, levy a special annual ad valorem tax upon the property within the district in an amount not excessive of three (3) mills on the dollar for the purposes of payment of principal and interest on bonded indebtedness created or to be created for such purposes and for creating a sinking fund to be used: First; for the payment of interest coupons as they fall due; second, for the payment of the bonds as they fall due; third, for the payment of such parts of judgments as by law may be required to be paid.

(e) Any district board of trustees is also authorized to pledge to the payment of principal and interest of the bonds herein authorized to be issued: (1) any net proceeds from operation of the district that the board of trustees of the district shall deem not necessary to the future operation and maintenance of said district; or (2) any monies available from other funds of the district not otherwise obligated.

(f) Bonds shall be issued for designated sums with serial numbers thereon and maturing annually after three (3) years from date of issue. All bonds and interest thereon shall be paid upon maturity and no bonds shall be issued for a period longer than thirty (30) years.

(g) In the event the mill levy as set forth in the original election proclamation is less than three (3) mills, the board of trustees may request the county commissioners to

call a subsequent election to consider increasing the mill levy; provided, however, the total levy authorized by subsection (a) hereof shall not exceed three (3) mills.

(h) The board of trustees of any district shall have jurisdiction over the sale or refunding of any bonds issued by the district and shall be responsible for the economical expenditure of the funds derived from the bonds.

(i) Such districts shall be empowered to charge fees for services, and accept gifts, funds or grants from sources other than the mill levy, which shall be used and accounted for in a like manner. Persons served outside the district shall be charged an amount equal to the actual costs for the service, not taking into account any income the district receives from millage or sources within the district. The board of trustees shall have legal authority to bring suits necessary to collect accounts owed and to sue and defend as necessary for the protection of the board. The State Auditor and Inspector shall conduct an annual audit of the operations of such districts.

(j) Any district may expand to include other counties or parts thereof, provided that an election is called by the county commissioners whose county or counties, or parts thereof, are to be added to in the established district; and provided further, that the county commissioners in the original district concur in the calling of said election. The proposed expansion area shall only be added to the original district if approved separately by a majority vote, by the voters in both the original district and in the expansion area, at an election called for that purpose. The county in which the expansion area is located shall have not less than one member on the board of trustees. Appropriate millage or other approved method of financial support shall be levied in the expansion area, when said area is added to the original district which millage shall be levied at the

rate used to cover operational costs and outstanding bonded indebtedness as provided in Section 9D, (d) and (e), Article X.

(k) Any district may be dissolved, or the millage levy changed, by a majority vote of the registered voters voting at an election called for that purpose by the county commissioners of each county or part thereof included within the district; provided that such an election shall not be called unless either three-fifths ($3/5$) of the trustees of such district request the county commissioners to call such an election, or the respective county commissioners are presented a petition signed by not less than twenty percent (20%) of all registered voters in the district.

(l) In the event a district is dissolved, any mill levy used to support, organize, operate and maintain the hospital district shall cease, provided that such mill levy shall not cease until all outstanding hospital bonds of that district are retired and all other debts incurred by the hospital district have been satisfied.

(m) All elections called under the provisions hereof shall be conducted by the county election board or boards of each county or counties involved, upon receipt of an election proclamation issued by a majority of the board or boards of county commissioners in the area affected. In the event more than one county is involved, said proclamation shall be published in one issue of a newspaper of general circulation in each county involved in the area affected at least ten (10) days prior to said election, and said proclamation shall set forth the purpose of the election and the date thereof. The county election board or boards shall certify the results of an election to the board or boards issuing such proclamation.

(n) The board of any district shall have capacity to sue and be sued. Provided, however, the board shall enjoy immunity

from civil suit for actions or omissions arising from the operation of the district, so long as, and to the same extent as, municipalities and counties within the state enjoy such immunity.

(o) In lieu of proceeding to establish a district as outlined hereinabove through the county commissioners the governing body of any incorporated city or town may proceed to form a district, join an existing district or join with other incorporated cities or towns in forming a district. In such case, said governing body shall be considered as being substituted as to the powers and duties of said county commissioners as set forth hereinabove except as to non-urban areas; provided, further, said city or town shall, as to property within its municipal limits, be considered as being substituted as to the powers and duties of a district formed, as set forth hereinabove. All rights, duties, privileges and obligations of the residents and voters in such city or town shall be the same as those outlined for the district as set forth above.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as 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 Constitution of the State of Oklahoma by adding a new section to be designated as Section 9D, which authorizes county commissioners or registered voters to provide for, organize, maintain, operate and dissolve hospital districts by way of an election; providing election pro-

cedures; providing for expansion of districts; providing for appointment, manner of appointment, duties and powers of the trustees; providing for certain controls by the Legislature and authorizing certain legislation; providing for certain charges and audits; providing for special annual recurring ad valorem taxes and issuance of bonds upon approval at an election for such purposes; providing for interest, selling procedures and refunding of bonds; providing for cancellation of the millage levy under certain circumstances; providing for legal status of board and collection of fees; and providing city or town be authorized to form districts

be approved by the people?

SHALL THE PROPOSED AMENDMENT BE APPROVED?

☐ YES, FOR THE AMENDMENT

☐ NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives shall, immediately after the effective date 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 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 the resolution, the roll call resulted as follows:

Aye: Berrong, Birdsong, Capps, Cate, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and Watson.—36.

Nay: Boatner, Keating, Keller and Wolfe.—4.

Excused: Butler, Field, Giles, Howard, Rozell, Smith, York and Young.—8.

The resolution passed.

The question being, "Shall HJR 1018, by McIntyre and Morks of the House and Randle and Shatwell 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 by adding a new section to Article X thereof to be designated as Article X, Section 9D; authorizing certain county commissioners or certain voters to provide for, organize, maintain, operate and dissolve hospital districts by way of an election; providing election procedures; providing for expansion of districts; providing for appointment, manner of appointment, duties and powers of the trustees; providing for certain controls by the Legislature and authorizing certain legislation; providing for certain charges and audits; providing for special annual recurring ad valorem taxes and issuance of bonds upon approval at an election for such purposes; providing for interest, selling procedures and refunding of bonds; providing for cancellation of the millage levy under certain circumstances; providing for legal status of board, collection of fees; providing city or town be authorized to form districts; providing ballot title; directing filing; 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 primary election as provided in Section 4 of said resolution, which special election is hereby ordered and authorized on the date of the next 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: Birdsong, Boatner, Capps, Cate, Clifton, Crow, Dahl, Funston, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Stipe, Taliaferro, Terrill, Tinsley, Vann and Wadley.—32.

Nay: Dawson, Keller, Pierce, Schuelein, Watson and Wolfe.—6.

Excused: Berrong, Butler, Field, Giles, Holden, Rozell, Shatwell, Smith, York and Young.—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.

HJR 1018 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1250.

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 1121, HB 1250, HB 1293, HB 1311, as coauthored by Cleveland, HB 1324, HB 1330, HB 1430 and HJR 1020, as coauthored by Dunn, each as amended.

EXECUTIVE SESSION

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

The Senate reassembled with Senator Cate presiding.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the

request of the Honorable House for a conference on HB 1051 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Butler, Stipe and Grantham.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Monday, June 6, 1977, at 10:00 a.m., which motion prevailed.

Upon motion of Senator Lane, the Senate adjourned at 5:10 p.m. to meet Monday, June 6, 1977, at 10:00 a.m.



Eighty-eighth Legislative Day

Monday, June 6, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Capps.—1.

Senator Luton declared a quorum present.

The prayer was offered by Senator Watson.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Keller introduced his daughter, Rachel, and her friend, Michele Hance.

FIRST READING

The following was introduced and read the first time.

SJR 40 — By Terrill.

A Joint Resolution relating to unemployment compensation; directing the refund of certain monies to certain employers under certain circumstances; and directing distribution.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when **HB 1186** is read the second time it be referred direct to the Calendar.

SECOND READING

The following were read the second time and referred to the committees indicated.

HB 1186 — Direct to Calendar.

HJR 1013 — Rules.

MESSAGE FROM THE GOVERNOR

This is to advise you that on June 3, 1977, I vetoed Enrolled **SB 118**.

While I sympathize with the aim to provide as much certainty as possible in the selection of a bargaining representative, I believe that the procedures set out in **SB 118** are unduly cumbersome and would make it possible for a relatively small group of individuals to cause an extensive process to begin which could consume as much as 163 days of every other year.

In addition, the bill as written, would

force every school district in the State to have elections before a bargaining representative could be recognized even though a bargaining representative has already been clearly chosen by the authorization cards of the majority of the teachers in the district.

For these reasons, I do not believe that the bill would be in the best interest of the educational process and the school children of the State of Oklahoma.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

David L. Boren.

PENDING CONSIDERATION — LOBBY PERMITS

Senator Terrill moved that the Committee Report on Lobby Permits, Pages 817 and 818, be adopted, which motion was declared adopted.

BILL WITHDRAWN — REREFERRED

Senator Murphy asked unanimous consent, which was granted, that SB 62 be withdrawn from the Calendar and rereferred to the Committee on Revenue and Taxation.

RESOLUTIONS

Senator Lane introduced the following Resolution:

SR 10 — By Lane.

A Resolution commending the Southwestern Bell Telephone Company operators who assisted the Senate during the 1st Session of the 36th Oklahoma Legislature; and directing distribution.

WHEREAS, Lee Bennett, Wilma Sword and Paula Vann Valkenberg greatly assisted the daily operation and efficiency of the State Senate during this Session of the Legislature; and

WHEREAS, each telephone operator performed her duties with dignity, intelligence and charm; and

WHEREAS, these gracious ladies are a credit to the reputation and good name of their employer, Southwestern Bell Telephone Company; and

WHEREAS, the Oklahoma State Senate acknowledges an indebtedness to Lee, Wilma and Paula for their outstanding service to each member and employee of the Senate.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 36TH OKLAHOMA LEGISLATURE:

THAT Lee Bennett, Wilma Sword and Paula Van Valkenberg be and hereby are commended for their outstanding service to the members and employees of the Oklahoma State Senate.

THAT duly authenticated copies be prepared and forwarded to each of the above-named individuals and to the manager of Southwestern Bell Telephone Company in Oklahoma City, Oklahoma.

SR 10 was read at length, adopted upon motion of Senator Lane, and ordered referred for enrollment.

Senators Keating and Terrill introduced the following Resolution:

SCR 30 — By Keating and Terrill.

A Concurrent Resolution noting the contributions of M. Murray McCune to the field of architecture during his lifetime; expressing sadness over his recent death; and directing distribution.

Senator Terrill, citing Rule 8(d), asked unanimous consent, which was granted, that Representative Brunton be made House author of SCR 30.

SCR 30, as coauthored, was read at length, adopted upon motion of Senator Terrill and ordered referred for engrossment.

Senator Lane moved that the Senate stand recessed until 11:15 a.m., which motion was declared adopted.

At 11:15 a.m., Senator Luton moved that the Senate stand recessed until 1:00 p.m., which motion prevailed.

The Senate reassembled in the Chamber with Senator Luton presiding.

Senator Crow questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

GENERAL ORDER

HB 1062 by Conaghan of the House and Grantham of the Senate was read and considered.

Senator Grantham moved to amend HB 1062, Page 1, by striking the Title, the enacting clause and entire bill and substituting the following:

"An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.5b and 22.5m, as respectively amended by Sections 11 and 20 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature; providing for registration of certain motor vehicles; prescribing fees; providing penalties; providing exceptions; providing for tag licensure fees of One Dollar on wheeled house trailers and mobile homes used for religious purposes; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. 47 O.S. 1971, Section 22.5b, as last amended by Section 11 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature, is amended to read as follows:

Section 22.5b A. Any religious corporation or society of this state, holding a valid exemption from taxation issued pursuant to Section 501 (a) of the Internal Revenue Code, 1954, and listed as an exempt organization in Section 501 (c) (3) of the Internal Revenue Code, 1954, of the United States, as amended, owning a motor bus OR A HOUSE TRAILER OR MOBILE HOME MOUNTED ON WHEELS that is used by the corporation or society solely for the furtherance of its religious functions and activities shall, upon due application, be entitled to receive a [motor bus] license plate from the Commission for a fee of One Dollar (\$1.00). Any motor vehicle owned exclusively by nonprofit organizations devoted exclusively to youth programs emphasizing physical fitness, character development and citizenship training, such as the Girl Scouts or Boy Scouts of America, shall, upon due application by said organizations, be entitled to receive a license plate from the Commission for a fee of One Dollar (\$1.00). Any truck with a laden weight of eight thousand (8,000) pounds or less owned by a teacher of vocational agriculture employed in the public schools of this state and used primarily for vocational agriculture purposes, and not for any commercial or industrial enterprise, shall, for the purposes of this act, be deemed engaged in "farm use," and may be registered in the same manner and on the same license registration fee basis as required for other vehicles registered for farm use.

B. Any nonprofit organization which is principally organized for the purpose of and actually involved in promotions of programs for the employment of the handicapped, such as Goodwill Industries, Inc., owning any motor vehicle, except

passenger automobiles, used exclusively in the transportation of goods or material for the use of such nonprofit organization shall, upon due application be entitled to receive a license plate from the Commission for a fee of One Dollar (\$1.00).

C. Any nonprofit organization, organized and existing exclusively for the purpose of providing older Americans transportation to and from sources of medical, dental and religious services and relief from business and social isolation, owning vehicles exclusively so used shall, upon due application be entitled to receive a One Dollar (\$1.00) license plate or plates from the Commission. Use of the vehicles for purposes not herein authorized shall be grounds for revocation of the special licenses.

SECTION 2. 47 O.S. 1971, Section 22.5m, as amended by Section 20 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature, is amended to read as follows:

Section 22.5m A. NOTWITHSTANDING ANY OTHER DEFINITION THEREOF IN ANY OTHER STATUTE, THE TERMS "HOUSE TRAILER" AND "MOBILE HOME", AS USED HEREIN SHALL, FOR VEHICLE LICENSE AND REGISTRATION PURPOSES, INCLUDE EVERY VEHICLE OF A TRAILER OF SEMITRAILER TYPE ORIGINALLY CONSTRUCTED AND MANUFACTURED AS LIVING QUARTERS MOUNTED ON WHEELS ATTACHED THERETO AND SOLD AS A PART THEREOF FOR READY MOVEMENT OF THE SAME ON THE HIGHWAYS, EVEN THOUGH, WHEN PLACED ON A GIVEN LOCATION THE WHEELS ARE TEMPORARILY REMOVED. SAID TERMS, HOWEVER, SHALL NOT INCLUDE ANY SUCH ORIGINALLY CONSTRUCTED HOUSE TRAILER OR MOBILE HOME WHEN THE WHEELS THEREOF HAVE BEEN REMOVED

AND WHICH HAS BEEN CONVERTED TO A PERMANENT IMPROVEMENT OR STRUCTURE LOCATED ON LAND OWNED BY THE OWNER THEREOF. NOR SHALL SAID TERMS INCLUDE ANY TRAVEL TRAILER OR ANY SELF-PROPELLED VEHICLES USED AS LIVING QUARTERS, WHETHER REFERRED TO AS "MOTOR HOMES" OR BY ANY OTHER NAME. NOR SHALL SAID TERMS INCLUDE ANY HOUSE TRAILER OR MOBILE HOME WHICH IS OWNED BY A RELIGIOUS CORPORATION OR SOCIETY AND IS USED EXCLUSIVELY FOR RELIGIOUS PURPOSES. License fees shall be paid annually as hereinafter set out on each house trailer SUBJECT TO REGISTRATION or mobile home SUBJECT TO REGISTRATION as follows:

Where the manufacturer's factory delivered price is One Thousand Five Hundred Dollars (\$1,500.00) or less, the license fee for the first and each succeeding year shall be Twenty-five Dollars (\$25.00);

Where the manufacturer's factory delivered price is in excess of One Thousand Five Hundred Dollars (\$1,500.00), the license fee for the first year shall be Twenty-five Dollars (\$25.00) plus seventy-five cents (\$0.75) for each One Hundred Dollars (\$100.00) or any fraction thereof, in excess of One Thousand Five Hundred Dollars (\$1,500.00);

The license fee for each year after the first year shall be ninety-five percent (95%) of the rate for the previous year, for a period of ten (10) years; provided that the minimum fee shall be Twenty-five Dollars (\$25.00).

B. The purchaser of every new trailer house or mobile home shall license said new trailer house or mobile home within ten (10) days from the date of the purchase thereof. It shall be the responsibility of the selling dealer to place a temporary tag on

such new vehicle in the same manner as provided for other new vehicles in Section 23.30a of this title. Application for licensing house trailers or mobile homes shall be made to the Commission, or its motor license agent. Such application shall be accompanied by the license fees and penalties, if any, and shall designate the county and school district in which the vehicle is located or is to be located.

C. Five percent (5%) of all such license fees and penalties shall be credited each month by the State Treasurer to the Oklahoma Tax Commission Fund, to be paid out of said fund in payment of necessary expenses incurred by said Commission in the performance of its lawful duties and upon direct appropriation by the Legislature.

The remaining ninety-five percent (95%) of such license fees and penalties collected from the licensing of such house trailers or mobile homes shall be distributed to the county treasurer of the county in which the school district designated on the annual registration certificate is located for apportionment to the respective school district. The apportionment made under this article to the various school districts shall not be considered as chargeable income to the district.

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.”,

which amendment was declared adopted.

Upon motion of Senator Grantham, **HB 1062**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Grantham, **HB 1062**, as amended,

was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1062 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Dahl, Field, Funston, Giles, Grantham, Green, Howard, Howell, Johnson, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—35.

Nay: Boatner, Clifton, Dawson, Keating, Taliaferro and Wolfe.—6.

Excused: Capps, Crow, Helm, Holden, Kilpatrick, Pierce and Randle.—7.

The bill passed.

Senators Dawson, Kilpatrick and Randle desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 38. Nay: 5. Excused: 5.

The emergency passed.

HB 1062 was referred for engrossment.

Senator Smith presiding.

PENDING CONSIDERATION OF HAS

HAs to **SB 73** were called up for consideration.

Upon motion of Senator Young, the Senate concurred in **HAs** to **SB 73**.

SB 73, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Capps, Crow, Helm, Holden and Pierce.—5.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HB 1231 by Cleveland of the House and Shatwell of the Senate was read and considered.

Upon motion of Senator Shatwell, HB 1231 was advanced to engrossment.

By unanimous consent, upon request of Senator Shatwell, HB 1231 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1231 was read for the third time at length.

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

Aye: Birdsong, Butler, Cate, Clifton, Crow, Dahl, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lamb, Lambert,

Lane, Luton, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, York and Young.—35.

Nay: Berrong, Boatner, Dawson, Field, Keller, McCune, McDaniel, Pierce, Schuelein and Wolfe.—10.

Excused: Capps, Helm and Wadley.—3.

The bill passed.

HB 1231 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 31 and 249, each as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 31 were read as follows and consideration deferred.

Authors: Add the following coauthor: Hastings of the House.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to state officers and employees; amending Section 18, Chapter 123, O.S.L. 1972 (74 O.S. Supp. 1976, Section 500.18); modifying the scope and application of the State Travel Reimbursement Act; providing for certain travel expenses and the reimbursement for such expenses; providing for the approval of certain travel claims or vouchers; indicating when certain requests for reimbursement should be made; providing for a certain reimbursement period; providing for reimbursement for travel by public conveyance, automobile, airplane, and other motor vehicles; providing for reimbursement for certain communication charges; providing for a per diem allowance in lieu of subsistence; specifying method for

computing the per diem allowance; allowing certain expenses in addition to the stipulated per diem allowance; providing for claims for reimbursement of travel expenses; requiring the Director of State Finance to prescribe certain forms of travel claims; directing codification; and repealing Section 1, Chapter 163, O.S.L. 1973 (74 O.S. Supp. 1976, Section 500.19); providing effective date; and declaring an emergency."

Amendment No. 2. Amend Page 2, Line 15, after the word "payment" and before the "period" strike all language and insert in lieu thereof the words "as provided by Title 62, Section 41.26, of the Oklahoma Statutes".

Amendment No. 3. Amend Page 4, Line 20, by striking the word and figure "two (2)" and inserting in lieu thereof the word and figure "three (3)".

Amendment No. 4. Amend Page 5, Line 8, by striking the words "hotel rooms" and inserting in lieu thereof the words "overnight lodging".

Amendment No. 5. Amend Page 5, Line 10, by striking the word "therefor" and inserting in lieu thereof the words "issued by the hotel, motel or other public lodging place".

Amendment No. 6. Amend Page 5, Line 25½, by adding new Sections 17 and 18 to read as follows:

"SECTION 17. This act shall become effective July 1, 1977.

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."

HOUSE AMENDMENTS

HAS to SB 249 were read as follows and consideration deferred.

Authors: Delete Abbott as principal House author, making Draper the principal House author and coauthored by Craig, Cunningham, Wilson and Arnold of the House.

Amendment No. 1. Amend by striking the Title, Enacting Clause and Entire Bill and substituting the following:

(At the direction of the President Pro Tempore, HAS to SB 249 were not printed in full in the Journal. Multilith copies are available in the office of the Chief Clerk and copies will be distributed to each member of the Senate in compliance with Rule 16.)

PENDING CONSIDERATION OF CCR

The CCR on HB 1322 was called up for consideration.

Senator Pierce asked to be made a coauthor of HB 1322, which was the order.

Senator Giles asked that his name be removed as a coauthor of HB 1322, which was the order.

Senator Boatner moved that the Senate reject the Conference Committee Report and request further conference.

Senator Crow moved to table the Boatner motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Cate, Crow, Dahl, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Lambert, Lane, Luton, Martin, Murphy, Randle, Schuelein, Shatwell, Smith, Stipe, Wadley and Young.—
24.

Nay: Birdsong, Boatner, Clifton, Dawson, Green, Johnson, Keating, Keller, Kilpatrick, Lamb, McCune, McDaniel, Pierce, Porter, Rozell, Taliaferro, Tinsley, Vann, Watson and Wolfe.—20.

Excused: Capps, Helm, Terrill and York.—4.

Senator Crow moved that the CCR on HB 1322 be adopted, which motion was declared adopted.

HB 1322, as amended in Conference, was read at length.

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

Aye: Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Watson and Wolfe.—34.

Nay: Berrong, Birdsong, Howell, Kilpatrick, Porter, Rozell, Smith, Vann, York and Young.—10.

Excused: Capps, Giles, Helm and Wadley.—4.

The bill passed.

HB 1322, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

Upon motion of Senator Lane, HAS to SB 249 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Howell, Grantham and Fun-

PENDING CONSIDERATION OF HAS

HAS to SJR 25 were called up for consideration.

Upon motion of Senator Cate, the Senate concurred in HAS to SJR 25.

SJR 25, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—42.

Excused: Capps, Crow, Dahl, Helm, Taliaferro and Wadley.—6.

The resolution passed.

House Amendments were properly signed and the above-numbered resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HBs 1100, 1120, 1348 and 1410, as amended.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1121, 1128, 1130, 1133, 1140, 1141, 1142, 1144, 1159, 1164, 1293, 1311, 1324, 1330 and 1430 and HJR 1020.

The above numbered Enrolled Bills and Resolution were, after fourth reading, properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1279 by Hammons and Hood of the House and Funston and Lambert of the Senate was read and considered.

Senator Funston asked unanimous consent that further consideration of HB 1279 be deferred for this legislative day, which was the order.

REPORT OF ENGROSSED AND ENROLLED BILLS

SJR 39 and SCR 30 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HB 1345 and HJR 1018 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 11, 99, 117, 273 and 361 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 26 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SR 10 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 403, as coauthored by Duckett.

The above numbered Bill was referred for enrollment.

GENERAL ORDER

HB 1192 by Smith of the House and Fun-

ston and Green of the Senate was read and considered.

Upon motion of Senator Funston, HB 1192 was advanced to engrossment.

By unanimous consent, upon request of Senator Funston, HB 1192 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1192 was read for the third time at length.

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

Aye: Birdsong, Cate, Crow, Funston, Green, Helm, Howard, Howell, Keating, Keller, Kilpatrick, Lambert, Lane, Luton, Murphy, Pierce, Porter, Randle, Shatwell, Smith, Stipe, Terrill, Watson, Wolfe and York.—25.

Nay: Berrong, Boatner, Butler, Clifton, Dahl, Dawson, Field, Giles, Grantham, Holden, Johnson, Lamb, McCune, McDaniel, Martin, Rozell, Schuelein, Taliaferro, Tinsley, Vann, Wadley and Young.—22.

Excused: Capps.—1.

The bill passed.

HB 1192 was ordered withheld pursuant to Rule 19(f).

GENERAL ORDER

HB 1251 by Monks, et al, of the House and Rozell, Holden and Wadley of the Senate was read and considered.

Upon motion of Senator Rozell, HB 1251 was advanced to engrossment.

By unanimous consent, upon request of Senator Rozell, HB 1251 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1251 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Capps.—1.

The bill passed.

HB 1251 was ordered withheld pursuant to Rule 19(f).

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1338, requesting Conference and referring said bill to GCCA.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for Conference on HB 1338 was ordered granted, said bill to be referred to GCCA.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1328, requesting Conference and naming Conferees as follows: Representatives Matheson, Fitzgibbon and Rogers.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for Conference on HB 1328 was ordered granted, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Dawson, Crow and Wadley.

PENDING CONSIDERATION OF CCR

The CCR on SB 96 was called up for consideration.

The CCR on SB 96 was adopted upon motion of Senator Crow.

SB 96, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson and Wolfe.—36.

Nay: Keating, McCune, Pierce and Young.—4.

Excused: Boatner, Capps, Helm, Holden, Porter, Stipe, Terrill and York.—8.

The bill passed.

Senator Terrill desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 37. Nay: 4. Excused: 7.

The emergency passed.

SB 96, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1137 was called up for consideration.

The CCR on HB 1137 was adopted upon motion of Senator Crow.

HB 1137, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—36.

Nay: Giles, Keating, McCune and Wolfe.—4.

Excused: Capps, Funston, Helm, Luton, Murphy, Porter, Stipe and York.—8.

The bill passed.

Senators Funston, Luton, Murphy and Helm desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40. Nay: 4. Excused: 4.

The emergency passed.

HB 1137, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1157 was called up for consideration.

The CCR on HB 1157 was adopted upon motion of Senator Crow.

HB 1157, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Pierce, Randle, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Wadley and Watson.—32.

Nay: Dawson, Green, Helm, Keating, Lambert, McCune, Murphy, Rozell, Schuelein, Vann, Wolfe and Young.—12.

Excused: Capps, Porter, Stipe and York.—4.

The bill and emergency passed.

HB 1157, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

UNANIMOUS CONSENT REQUEST

Senator Randle asked unanimous consent, which was granted, that members of the GCCA subcommittee on Education be excused to attend an important meeting.

PENDING CONSIDERATION OF CCR

The CCR on HB 1158 was called up for consideration.

The CCR on HB 1158 was adopted upon motion of Senator Crow.

HB 1158, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson and Young.—40.

Nay: Wolfe.—1.

Excused: Capps, Howell, Porter, Randle, Stipe, Terrill and York.—7.

The bill and emergency passed.

HB 1158, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1163 was called up for consideration.

The CCR on HB 1163 was adopted upon motion of Senator Crow.

HB 1163, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith,

Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Nay: Wolfe.—1.

Excused: Capps, Crow, Howell, Porter, Randle and Terrill.—6.

The bill and emergency passed.

HB 1163, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1120, 1348 and 1410.

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 Engrossed SB 179, as coauthored and amended.

HOUSE AMENDMENTS

HAs to SB 179 were read as follows and consideration deferred.

Authors: Add the following coauthor: Ford of the House.

Amendment No. 1. Amend Page 2, Line 8, by deleting the words and figure "fifty percent (50%)" and inserting in lieu thereof the words and figure "one hundred percent (100%)".

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1231 was correctly engrossed and, together with Engrossed SAs, properly

signed and ordered returned to the Honorable House.

SBs 73 and 403 and SJR 25 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Wadley presiding.

GENERAL ORDER

HB 1321 by Rogers and Hammons of the House and Cate of the Senate was read and considered.

Upon motion of Senator Cate, HB 1321 was advanced to engrossment.

By unanimous consent, upon request of Senator Cate, HB 1321 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1321 was read for the third time at length.

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

Aye: Berrong, Butler, Cate, Crow, Holden, Howard, Lane, Schuelein and Wadley.—9.

Nay: Birdsong, Boatner, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—37.

Excused: Capps and Helm.—2.

The bill failed.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Terrill, HAS to SB 309 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Terrill, Dawson and Clifton.

PENDING CONSIDERATION OF CCR

The CCR on HB 1102 was called up for consideration.

The CCR on HB 1102 was adopted upon motion of Senator Schuelein.

HB 1102, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Nay: Stipe.—1.

Excused: Capps, Helm and Howell.—3.

The bill passed.

HB 1102, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Young presiding.

PENDING CONSIDERATION OF CCR

The CCR on HB 1104 was called up for consideration.

The CCR on HB 1104 was adopted upon motion of Senator Schuelein.

HB 1104, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Stipe and Wolfe.—2.

Excused: Butler, Capps and Helm.—3.

The bill passed.

HB 1104, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

Upon motion of Senator Schuelein, the CCR on HB 1105 was rejected and further conference requested, President Pro Tempore Howard appointing the same Senate Conferees.

PENDING SENATE ACTION — RESOLUTION

HCR 1017, introduced on Page 778, was called up for consideration.

Senator Holden asked to be made Senate author and Senators Boatner, Dahl and Dawson asked to be made coauthors of HCR 1017, which was the order.

Senator Holden, citing Rule 8(d), asked unanimous consent that Representative

Manning be made a coauthor of HCR 1017, which was the order.

HCR 1017, as coauthored, was read at length, adopted upon motion of Senator Holden, properly signed and ordered returned to the Honorable House.

SPECIAL COMMITTEE REPORT

Pursuant to SR 4, Senator Grantham submitted the following report and asked that it be printed in the Journal for this legislative day:

REPORT OF SPECIAL COMMITTEE ON EMPLOYMENT OF WOMEN AND MEMBERS OF MINORITY GROUPS UNDER SENATE RESOLUTION NO. 4

TO: The Honorable Gene C. Howard
President Pro Tempore
of the Oklahoma State Senate

Pursuant to Senate Resolution No. 4 of the First Session, Thirty-sixth Oklahoma Legislature, the Oklahoma Senate Special Study and Investigation Committee on Employment of Women and Minority Groups by State Agencies hereby submits the following report to the Oklahoma State Senate embodying its findings and recommendations for consideration of such action as is deemed appropriate.

The Committee held a total of 22 meetings and 62 witnesses were heard.

A total of 54 exhibits were received into evidence.

A memorandum was sent to all state agencies inviting any person who had any knowledge regarding discrimination in the hiring and promotion of women and members of minority groups to contact committee members or committee counsel.

Representatives from 22 departments,

agencies and commissions of the State of Oklahoma were heard by the Committee which representatives were invited by the Committee to testify.

The Committee adopted a policy of hearing any and all witnesses who desired to be heard.

A professional recording system was obtained, and any witness who requested it had his testimony transcribed and was furnished a copy thereof.

The Committee began the hearing of testimony on the 7th day of March, 1977. One preliminary meeting was held by the Committee prior to the hearing of testimony of witnesses. The last meeting of the Committee for the purpose of taking testimony was held on the 23rd day of May, 1977.

Throughout the conduct of this study and investigation the Committee adopted the following purposes of this study and investigation:

(1) To ascertain whether there has been discrimination in the employment, promotion or discharge of persons employed or seeking employment with the departments, agencies and commissions of the State of Oklahoma on the basis of sex, race or on the basis of membership in any minority group;

(2) To ascertain whether legislation is needed with reference to the question of discrimination on any basis set forth above;

(3) To ascertain whether there is a need for changes in policy or administration or employment or promotion in the departments, agencies and commissions of the State of Oklahoma.

There are some 225 state departments, agencies and boards and while memoran-

dums advising them of the existence of the Committee and its purpose were mailed to each of them the Committee invited only 22 of them to appear by their respective representatives. Time would not permit hearing from more. The Committee attempted to hear from a representative cross-section and sample of all, inviting both large, medium and small departments, agencies and boards to appear.

The Committee was assisted in its hearings and investigations by Mrs. Imogene Barber, who served as Secretary to the Committee and supervised the recording of testimony, and Senate staff member Bob Wilson, who served as attorney to the Committee and interviewed each witness prior to the date of hearing, and by Senate staff member Pat Liebert, who assisted the Committee in research and the summarizing of exhibits. For these services the Committee is deeply grateful.

FINDINGS

After hearing the sworn testimony of witnesses and reviewing the exhibits the Committee makes the following findings:

(1) The Committee finds that in some cases the validity of employment tests is questionable. In these cases, it appears that the test is not closely related to the requirements and qualifications for the position in question. These tests may result in inadvertent discrimination against certain minority groups, when in fact they do nothing to secure the hiring of more qualified persons to fill the employment need of the particular position involved.

(2) The Committee finds that many agencies are making a commendable effort to inform the public, including representatives of minority groups and women, of employment opportunities. However, "word-of-mouth" recruiting is unavoidable, wherein present employees notify

their own friends and relatives of opportunities. This obviously results in a certain exclusion of women and racial and ethnic groups not presently employed. That there is a need for a greater amount of circulation of job opportunities among minority groups.

(3) The Committee finds that reverse discrimination may result if a less qualified person is preferred in employment and promotion, over a more qualified applicant or employee, for any reason.

(4) The Committee finds that there was evidence of possible discriminatory practices as to sex in the employment policies of both the Oklahoma Education Television Authority and the Office of the Secretary of State, and the Committee finds that neither of these agencies is under the Merit System of Employment, and that this fact may have fostered and encouraged these discriminatory practices.

(5) The Committee finds that no valid statistical information was presented or offered which in any way demonstrated or tended to prove the existence or non-existence of discriminatory practices in public employment. Although a great deal of data was presented documenting the number of women and members of minority groups working in various capacities in a number of agencies, such data does not, in and of itself, prove deliberate discrimination. The Committee further finds that in no case did any agency have records to indicate the number of women or minority members who had applied or qualified for these positions.

(6) The Committee finds that the Committee was used as a grievance committee. Many charges of discrimination were not well-founded. Some complaints, however, were well-founded.

(7) There is a variance in the various departments, agencies and commissions

with reference to an affirmative action program with several having no written program. Many have a program only on paper, and there is not a viable effort to carry out the mandate of the program.

(8) The affirmative action program gets better results if the affirmative action officer is active and positive and works directly under the director of the department, agency or commission.

(9) In considering the hiring and promotion of Indians, it is evident that the definition as to who is an Indian is vague and indefinite.

(10) That greater opportunities should be made available for the deaf, blind and other handicapped persons; that they do not have an adequate opportunity to fill many job vacancies because of their physical impairment and that the testing program for handicapped persons should be designed for them with input from Vocational Rehabilitation; that preference should be given to handicapped persons where they are qualified to fill a job vacancy.

(11) The departments, agencies and commissions have very little, if any, input into the making of tests for the various jobs. Some of these tests are equivalent to a lottery at the present time.

(12) There are certain areas of the State of Oklahoma in which there is resistance to the hiring of blacks, and it is difficult to place and retain blacks in these areas.

RECOMMENDATIONS

Based on the foregoing findings, the Committee makes the following recommendations:

(1) That the tests under the Merit System should be revised so that all such tests

are valid and reliable so that the test measures the ability to do the job for which the test was devised.

(2) That all agencies and the Employment Security Commission make a particular effort to increase their publication of notices of hiring opportunities to all interested persons, but particularly to members of minority groups and women. Although minorities and women are represented among the work force in most areas, a greater effort should be made to elevate women and minorities in supervisory slots. The Committee further recommends the recruiting of minorities and women be introduced at the high school level and they be encouraged to enter certain technical fields in college or vocational-technical schools. A wider use should be made of posting of job opportunity notices and advertising in newspapers published and circulated in minority group areas; that contacts by state agencies of job opportunities to minority groups be accelerated.

(3) That the hiring and promotion of all persons be on the basis of ability, but in this process women and members of minorities are often not given equal consideration with others. In a few instances men who were either not hired or promoted state they were discriminated against in favor of women, and one woman testified she was discriminated against because of her age. The Committee recommends that any policy relative to these problems should base hiring and promotion on ability and that it should be uniform and fair to all. The Committee further recommends that the concept and spirit of affirmative action can be summed up simply as hiring qualified persons, regardless of race, creed, color or sex.

(4) It is the recommendation of the Committee that the Oklahoma Educational Television Authority and the Office of Secretary of State both be placed under the

Merit System of Employment to improve personnel relations generally and to end the possibility of discrimination in regard to sex insofar as employment practices are concerned.

(5) It is recommended that a comprehensive form of reporting system which would allow the compilation of valid statistics should be implemented which would identify sex and race of those interviewed for employment; that those statistics be furnished to the Office of the Governor and Human Rights Commission.

(6) It is recommended that supervisory personnel be more carefully screened as to discrimination, particularly in view of the Committee's findings that some discrimination complaints were well-founded.

(7) Every department, agency or commission should have a written affirmative action program in compliance with the Executive Order of the Governor of the State of Oklahoma, and this should be filed with the Office of the Governor as directed in said Executive Order. This program should be periodically updated. It is further recommended that every department, agency and commission annually file with the Governor's Office and the Human Rights Commission a progress report on their accomplishments in carrying out the mandate of their affirmative action programs.

(8) The affirmative action officer should be answerable only to the director of the department, agency or commission of which he is a part, and as much as possible the work of the affirmative action program should be the major duty of the affirmative action officer.

(9) In order that figures with reference to minorities who are Indians will be more meaningful, an Indian should either be defined by statute or by administrative order

of the Indian Affairs Commission so that all persons with Indian blood in excess of a certain amount would be classified as Indians and this would be followed by all departments, agencies and commissions.

(10) The deaf, the blind and other handicapped people should be given a greater input into the hiring practices and the testing programs of the State of Oklahoma so that greater consideration will be given to them in employment by the state in the various departments, agencies and commissions.

(11) The departments, agencies and Commissions should have some input into the creation or selection of the tests used for testing applicants for jobs within said departments, agencies and commissions, and said tests must be valid and reliable and should measure the ability of the person to perform the job for which the test is devised.

(12) In those sections of the State of Oklahoma where there is resistance in the community as to the hiring of blacks, a public relations program and an educational program should be instituted to bring about an acceptance of all people on the basis of ability regardless of race.

(13) That a copy of this report should be sent to each state department, agency, commission and board.

(14) These recommendations can be carried out without the need of additional legislation. However, if additional time does not find the problems in this area solved, then consideration should be given to legislation covering this area.

While the foregoing Findings and Recommendations do not represent the personal views of any one member of the Committee, they do represent a compromise worked out among all of the members of the Committee, and in all instances

they represent the views of a majority of the Committee.

Respectfully submitted this 6th day of June, 1977.

Roy E. Grantham, Chairman
Mary Helm, Member
Joe Johnson, Member
E. Melvin Porter, Member
Ernest D. Martin, Member

UNANIMOUS CONSENT REQUEST

President Pro Tempore Howard asked unanimous consent that members of GCCA be excused to attend the joint meeting, which was the order.

Senator Smith presiding.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1062 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 11, 99, 117, 273 and 361.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 26.

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

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 249, and naming House Con-

ferrees as follows: Representatives Draper, Rogers and Fitzgibbon.

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 1228, removing McIntyre as a coauthor.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1228 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1228, and Engrossed Senate Amendments thereto, by Floyd, et al, of the House and Funston, Berrong and Johnson of the Senate, entitled:

An Act relating to workers' compensation; *** and providing for severability.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

That the attached conference committee substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Floyd, Fried, Morgan, Riggs and Wiseman.

FOR THE SENATE: Berrong, Butler, Funston, Luton and Stipe.

MESSAGE FROM THE GOVERNOR

Advising approval by him, June 3, 1977, of Enrolled SBs 4, 67, 74, 75, 81, 83, 92, 94, 95, 97, 102, 105, 106, 108, 114, 115, 142, 234, 240, 243, 250, 277, 335 and 348; and SJR 33.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 309, and naming House Conferees as follows: Representatives Atkins, Denman and Hastings.

DECLARATION OF VOTE

Senator Holden asked that the record show, had he been present in the Chamber during passage of SB 96, he would have voted "Aye", which was the order.

GENERAL ORDER

HB 1229 by Matheson, et al, of the House and Dawson, Kilpatrick, Cate, Birdsong, Wadley, York, Vann and Taliaferro of the Senate was read and considered.

Senator Lambert asked to be made a coauthor of HB 1229, which was the order.

Senator Howard moved the previous question under Rule 14(1), (m) and (n) on all amendments and the bill, which motion was declared adopted.

Senator Howell moved to amend HB 1229, Page 2, Line 1, by striking after the words "Section 1" all language in the balance of the bill and inserting in lieu thereof:

"It shall be a felony for any person or managing officer of any partnership or corporation to offer or deliver to any legislator or member of the judiciary a total cash sum in excess of \$1,500 for the purpose of influencing legislation."

which amendment was withdrawn upon request of Senator Howell.

Senator Keating moved to amend HB 1229, Page 4, Lines 16 and 17, by striking all language.

Senator York moved to table the Keating amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Cate, Clifton, Field, Giles, Keller, Lamb, Lambert, McDaniel, Porter, Rozell, Shatwell, Stipe, Tinsley, Wadley and York.—18.

Nay: Berrong, Dawson, Funston, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Luton, McCune, Martin, Murphy, Pierce, Schuelein, Smith, Taliaferro, Terrill, Vann, Watson, Wolfe and Young.—24.

Excused: Capps, Crow, Dahl, Helm, Lane and Randle.—6.

Senator Keating pressed his motion to amend, which amendment was declared adopted.

Senator Luton moved to amend HB 1229, Page 8, Line 12, by striking after the word "filed" all of the remainder of the sentence on Lines 13, 14, 15 and 16 and inserting in lieu therefor the following: "prior to January 15 of each calendar year which shall cover the activities during the previous calendar year.", which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Crow, Giles, Grantham, Green, Holden, Howard, Howell, Keller, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, York and Young.—31.

Nay: Clifton, Dawson, Field, Funston, Johnson, Keating, Kilpatrick, McCune, Pierce, Terrill, Watson and Wolfe.—12.

Excused: Capps, Dahl, Helm, Lane and Randle.—5.

Senator Dawson moved to amend HB 1229, Page 9, Lines 6 and 7, by striking after the word "of" on Line 6 and before the word "or" on Line 7, the words and figures "Two Hundred Dollars (\$200.00)" and substituting the words and figures "One Hundred Dollars (\$100.00)", which amendment was withdrawn upon request of Senator Dawson.

Senators Pierce, Helm and Keating moved to amend HB 1229, Page 15, Line 4, by adding a new sentence after the word "position." as follows: "No member of the legislative branch, executive branch, or judicial branch shall receive any compensation or reimbursement from any person, as defined in this act, who is registered under the provisions of this act."

Senator Stipe moved to table the Pierce-Helm-Keating amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Kilpatrick, Lane, Luton, Martin, Murphy, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann and York.—26.

Nay: Berrong, Birdsong, Boatner, Funston, Howell, Johnson, Keating, Keller, Lamb, Lambert, McCune, McDaniel, Pierce, Schuelein, Wadley, Watson, Wolfe and Young.—18.

Excused: Capps, Helm, Porter and Randle.—4.

Senator Dawson moved to amend HB 1229, Page 9, Line 8, by striking after the word "the" and before the word "immediately" all language and substituting therefor the following: "twelve (12) months", which amendment was declared adopted.

Senator Murphy moved to amend HB 1229, Page 15, Line 10, by striking Section 16 and renumbering subsequent sections.

Senator Keating moved to table the Murphy amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Howard, Johnson, Keating, Lambert, McCune, McDaniel, Martin, Pierce, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Watson and Wolfe.—28.

Nay: Butler, Holden, Howell, Keller, Kilpatrick, Lamb, Lane, Luton, Murphy, Rozell, Schuelein, Stipe, Vann, Wadley, York and Young.—16.

Excused: Capps, Helm, Porter and Randle.—4.

Senator Stipe moved to amend HB 1229, Page 15, Line 16, by striking after the word "record" and before the word "provided" on Line 17 all language.

Senator Dawson moved to table the Stipe amendment, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Cate, Dawson, Funston, Howard, Johnson, Keating, Lambert, McCune, Pierce, Rozell, Terrill and Watson.—14.

Nay: Berrong, Butler, Clifton, Crow, Dahl, Field, Giles, Grantham, Green, Holden, Howell, Keller, Kilpatrick, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wadley, Wolfe, York and Young.—30.

Excused: Capps, Helm, Porter and Randle.—4.

Senator Stipe pressed his motion to amend, which amendment was declared adopted.

Senator Dawson moved to amend HB 1229, Page 9, Line 4, by striking after the word "the" the word "six" and inserting in lieu thereof the word "twelve (12)", which amendment was declared adopted.

Senator Stipe moved to amend HB 1229, Page 9, Line 4, by striking "\$25.00" and inserting "\$50.00", which amendment was declared adopted.

Senator Boatner moved to amend HB 1229, Page 14, Line 9½, by adding a new Section 13 as follows:

"SECTION 13. The executive branch shall each six months file a report as provided in this act setting forth the amount of funds expended directly or indirectly to promote, oppose or otherwise influence legislation or any action thereof."

Senator Dawson moved to table the Boatner amendment, which motion to table was declared failed of adoption.

Senator Boatner pressed his motion to amend, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Butler, Clifton, Grantham, Howell, Keller, Lamb, Lambert, Lane, McCune, Murphy, Stipe, Tinsley, York and Young.—16.

Nay: Berrong, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Luton, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Vann, Wadley, Watson and Wolfe.—29.

Excused: Capps, Helm and Porter.—3.

Senator Stipe moved to amend HB 1229,

Page 9, Line 6, by striking after the word "of" and before the word "or" on Line 7, "\$200.00" and inserting in lieu thereof "\$400.00", which amendment was declared adopted.

Senator Dawson moved that HB 1229 be advanced.

Senator Young moved to table the Dawson motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Field, Funston, Grantham, Green, Holden, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, Martin, Shatwell, Smith, Stipe, Taliaferro, Tinsley, Vann, Wolfe, York and Young.—30.

Nay: Cate, Dahl, Dawson, Giles, Howard, Johnson, McDaniel, Murphy, Pierce, Randle, Rozell, Schuelein, Terrill, Wadley and Watson.—15.

Excused: Capps, Helm and Porter.—3.

Senator Luton moved to amend HB 1229, Page 15, Line 18, by adding after the word "capacity." the following: "Nothing hereinabove shall be construed to prohibit a legislator from appearing in any court of law.", which amendment was declared adopted.

Senator Crow moved to amend HB 1229, Page 16, Line 2, by striking after the word "a" and before the word "and" the word "misdemeanor" and inserting the word "felony".

Senator Luton moved to table the Crow amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dawson, Field, Funston, Grantham, Green, Howard, Johnson, Keating, Keller, Kilpatrick, Lambert, Luton, Mc-

Cune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—35.

Nay: Boatner, Crow, Dahl, Holden, Howell, Lamb, Lane, Stipe and Young.—9.

Excused: Capps, Giles, Helm and Taliaferro.—4.

Senator Cate moved that all amendments be adopted.

Senator Luton moved to table the Cate motion, which motion to table was declared adopted.

Senators Berrong and Stipe moved to amend HB 1229, Page 16, Line 6½, by adding a new Section as follows:

"SECTION 17. No member of the legislative branch, judicial branch or executive branch shall employ for a public position or recommend for public employment any person who has assisted in a campaign for election or reelection of said official without first providing a verified written statement of the work and or contributions of said person being employed or recommended for employment with such verified written statement being a public record."

Senator Kilpatrick moved to table the Berrong-Stipe amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Cate, Clifton, Dawson, Field, Funston, Green, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Smith, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—30.

Nay: Berrong, Boatner, Butler, Crow, Dahl, Grantham, Keller, Lamb, Lambert,

Murphy, Porter, Shatwell, Stipe and Young.—14.

Excused: Capps, Giles, Helm and Taliaferro.—4.

Senator Keller moved to amend HB 1229, Page 16, Line 12, by adding after the word "prosecution." a new section as follows:

"SECTION 18. Each member of the Legislature, executive branch of state government and judicial branch of state government who owns five percent (5%) or more of any corporation, company or entity doing business with the State of Oklahoma by the sale of any goods, merchandise or services to the State of Oklahoma shall file with the Committee, before the 15th of January of each calendar year, an ownership disclosure statement in a form prescribed by the Committee which report shall include the amount of ownership and income derived from the State of Oklahoma by said corporation, company or entity during the preceding year."

which amendment was declared adopted.

Senators Cate and Keating moved to amend HB 1229, Page 16, Line 14½, by adding a new section as follows:

"SECTION 19. Each member of the Legislature, each candidate for the Legislature, or for the executive branch of state government, and each member of the executive branch, whether elected or appointed, who earns over \$20,000.00 per year, as compensation for such executive branch position, shall file with the Committee, between the first and tenth days of July of each calendar year, a financial statement in a form prescribed by the Committee, setting forth the sources, but not the amount, of all income earned or received by such member in the preceding calendar year; the assets and liabilities of such member and the nature, amount, and value of any interest, whether represented

by stock or otherwise, in any corporation, firm, association, or company, which interest represents 10% ownership or control of such entity, or a greater interest, or a value of \$2,500 or greater value. Such statement shall also include the county of location and street address, if any, of any real property, in which the state official has, or at any time during the preceding calendar year has had, a direct or indirect interest having a fair market value of more than \$5,000.00.

"Such statement shall also list the name and address of each creditor to whom any such member was indebted at any time during the preceding calendar year in a liquidated sum in excess of \$10,000.00.

"The report shall contain the same information as to sources of income, assets and liabilities, indebtedness, property, and ownership interests, with respect to the spouse of such member. The provisions of this section shall become effective July 1, 1978."

Senator Murphy moved to amend the Cate-Keating amendment by adding after the words "executive branch" and before the word "of" on the second line the words "and judicial branch", which amendment was declared adopted.

Senator Cate pressed his motion to amend, which amendment, as amended, was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Boatner, Cate, Funston, Grantham, Green, Howard, Johnson, Keating, Kilpatrick, Lambert, Lane, Murphy, Pierce, Porter, Randle, Shatwell, Terrill, Tinsley, Wolfe and York.—21.

Nay: Berrong, Butler, Clifton, Crow, Dahl, Dawson, Field, Holden, Howell, Keller, Lamb, Luton, McCune, McDaniel, Martin, Rozell, Schuelein, Smith, Stipe, Vann, Wadley, Watson and Young.—23.

Excused: Capps, Giles, Helm and Taliaferro.—4.

Senator Keller moved to amend HB 1229, Page 17, Line 6, by striking "1978" and inserting "1979", which amendment was declared adopted.

Upon motion of Senator Dawson, HB 1229, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Dawson, HB 1229, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1229 was read for the third time at length.

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

Aye: Birdsong, Cate, Clifton, Dahl, Dawson, Field, Funston, Green, Holden, Howard, Johnson, Keating, Kilpatrick, Lambert, Luton, Pierce, Randle, Rozell, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—25.

Nay: Berrong, Boatner, Butler, Crow, Grantham, Howell, Keller, Lamb, Lane, McCune, Martin, Murphy, Porter, Schuelein, Shatwell, Smith, Stipe and Young.—18.

Excused: Capps, Giles, Helm, McDaniel and Taliaferro.—5.

The bill passed.

The Chair advised the Senate that Senator McDaniel, having been present in the Chamber during the vote, would be shown voting "no" on HB 1229 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 25. Nay: 19. Excused: 4.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(c), Senator Crow moved that the vote be reconsidered by which HB 1229 passed.

Senator Howard moved the previous question on the Crow motion to reconsider.

Senator Dawson moved to table the Crow motion to reconsider, which motion was declared failed of adoption upon roll call as follows:

Aye: Birdsong, Cate, Clifton, Dawson, Funston, Johnson, Keating, Kilpatrick, Lambert, McDaniel, Pierce, Randle, Terrill, Watson and York.—15.

Nay: Berrong, Boatner, Butler, Crow, Dahl, Grantham, Green, Holden, Howell, Keller, Lamb, Lane, Luton, McCune, Martin, Murphy, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Tinsley, Vann, Wadley, Wolfe and Young.—27.

Excused: Capps, Field, Giles, Helm, Howard and Taliaferro.—6.

Senator Crow pressed his motion to reconsider, which motion was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Crow, Dahl, Grantham, Green, Holden, Howell, Keller, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Rozell, Schuelein, Shatwell, Smith, Stipe, Tinsley, Vann, Wadley, Wolfe and Young.—27.

Nay: Birdsong, Cate, Clifton, Dawson, Funston, Johnson, Keating, Kilpatrick, Lambert, Pierce, Porter, Randle, Terrill, Watson and York.—15.

Excused: Capps, Field, Giles, Helm, Howard and Taliaferro.—6.

HB 1229 remained on Third Reading.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 73 and 403 and SJR 25.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

EXECUTIVE SESSION

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

The Senate reassembled with Senator Smith presiding.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, June 7, 1977, at 11:00 a.m., which motion prevailed.

BILLS RELEASED

HBs 1192 and 1251 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 8:00 p.m. to meet Tuesday, June 7, 1977, at 11:00 a.m.



Eighty-ninth Legislative Day

Tuesday, June 7, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—47.

Excused: Capps.—1.

Senator Luton declared a quorum present.

The prayer was offered by Senator Watson.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Tinsley introduced Mary Gilmour, R.N., Kingfisher, as Nurse of the Day.

Senator McCune introduced Gary Strebel, M.D., Oklahoma City, as Doctor of the Day.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that the Committees on Revenue and Taxation and County, State and Federal Government be allowed to report out SB 326.

COMMITTEE REPORTS

The following Bills were reported by the Committees named, ordered xeroxed and distributed to each member of the Senate.

DO PASS:

HB 1398 — Criminal Jurisprudence, as coauthored by Smith of the Senate.

HB 1401 — Criminal Jurisprudence, as coauthored by Smith of the Senate.

DO PASS, as amended:

CS for SB 326 — Revenue and Taxation. Remove Lambert as principal author and substitute Lane, and as coauthored by Roberts of the House, and be referred to Committee on County, State and Federal Government by previous order.

CS for SB 326 — County, State and Federal Government.

SECOND READING

The following were read the second time and referred to the committees indicated.

SJR 40 — Municipal Government.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 91 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was rereferred Engrossed SB No. 91, entitled:

(State Personnel Board — Appropriation — 74 O.S., Section 813 — 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 Engrossed House Amendment No. 1.

2. That the Conference Committee Substitute for Engrossed SB No. 91, attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 91 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Berrong, Boatner, Grantham, Holden, Howell, Murphy, Schuelein, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 355 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 355, entitled:

An Act relating to the Oklahoma State Regents for Higher Education; reappropriating certain funds; *** 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 Engrossed House Amendment No. 1.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Stipe and Terrill.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

MESSAGE FROM THE HOUSE

Advising change in Conferees for Conference granted on SB 249, substituting Representative Twidwell for Representative Fitzgibbon.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed HB 1105, and naming same House Conferees.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1017.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1102, 1104, 1137, 1157, 1158, 1163, 1192, 1251 and 1322.

The above numbered Enrolled Bills were, after fourth reading, properly signed and ordered returned to the Honorable House.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 93 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 93, entitled:

(Oklahoma Historical Society — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the Conference Committee Substitute for Engrossed SB No. 93 attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 93 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Stipe and Terrill.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

PENDING CONSIDERATION OF CCR

The CCR on HB 1416 was called up for consideration.

The CCR on HB 1416 was adopted upon motion of Senator Lambert.

Senator Cate presiding.

Senator Holden moved that the Senate stand recessed until 1:30 p.m., which motion was declared adopted.

The Senate reassembled with Senator Luton presiding. Senator Cate questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator 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 1105 (2nd).

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1105 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was rereferred Engrossed HB No. 1105, and Engrossed Senate Amendments thereto, by Hammons, et al, of the House

and Schuelein, Randle, Dahl, Funston and Watson of the Senate, entitled:

An Act relating to state government; amending 74 O.S. 1971, Section 123f; placing restrictions on the sale or distribution of convict-made goods; creating a State Prison Industries Board; * * * and providing an effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. That the Senate recede from Engrossed Senate Amendment No. 1.

2. That the House concur with Engrossed Senate Amendments Nos. 2, 3 and 4.

3. That the following Conference Committee Amendment to the Engrossed Bill be adopted:

Page 1, Line 22, reinstate the stricken word "No" and strike after the word "No" and before the word "products" all language.

Page 1, Line 23, after the word "merchandise" and before the word "produced" strike the words "which are".

Page 1, Line 25, before the word "employed" insert the words "who are".

Page 1, Line 26, after the comma and before the word "may" on Line 27 strike all language.

Page 1, Line 28, after the word "distributed" on Line 28 reinstate all stricken language through the word "said" on Page 2, Line 10.

Page 2, Line 10, strike after the word "said" and after the word "the" on Line 11, all language.

Page 2, Line 11, beginning with the

stricken word "for" reinstate all language through the word "Oklahoma" on Line 22.

Page 2, Line 22, after the word "Oklahoma" strike all language through Line 23.

Respectfully submitted,

FOR THE HOUSE: Riggs, Matheson and Hammons.

FOR THE SENATE: Schuelein, Randle and Stipe.

GENERAL ORDER

HJR 1023 by Sanders and Wilson of the House and Field of the Senate was read and considered.

Senator Wadley moved to amend HJR 1023, Page 3, Line 12½, by adding after the word "fees." the following language. "Provided further that the hand rake, in a size no larger than twenty (20) inches, may be used in the harvesting of mussels until February 15, 1978. The size and species restriction as adopted by the Wildlife Commission will remain in effect during this trial period.", which amendment was declared adopted.

Upon motion of Senator Field, HJR 1023, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Field, HJR 1023, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1023 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Dahl, Dawson, Field, Funston, Giles,

Grantham, Green, Holden, Howard, Howell, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Murphy, Pierce, Porter, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—38.

Nay: Crow and Johnson.—2.

Excused: Boatner, Capps, Clifton, Helm, Keating, Kilpatrick, Martin and Randle—8.

The resolution passed.

HJR 1023 was referred for engrossment.

DECLARATION OF VOTE

Senator Martin asked that the record show had he been present in the Chamber at the time of passage of HJR 1023, he would have voted "aye", which was the order.

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 1051.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1051 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1051, and Engrossed Senate Amendments thereto, by Peterson of the House and Butler, Stipe, Boatner and Luton of the Senate, entitled:

(Jurors' Fees — Amending 28 O.S. 1971, Section 86 — Emergency).

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. Restore the Title to read as follows:

"An Act relating to jurors' fees; amending 28 O.S. 1971, Section 86; providing fees to be paid to jurors for their services; and declaring an emergency."

2. That the House concurs in Engrossed Senate Amendment No. 1 as follows:

Page 1, Section 1, Line 22, after the word "incurred," insert the following, "Jurors shall be reimbursed for parking fees actually incurred not to exceed One Dollar (\$1.00) per day."

Add the following House Coauthor: Davis (Guy).

Respectfully submitted,

FOR THE HOUSE: Peterson, Lancaster and Elder.

FOR THE SENATE: Butler, Stipe, Boatner and Luton.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 309 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 309, by Terrill, et al, of the Senate and Atkins of the House, entitled:

An Act relating to protective services for elderly 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:

1. The Senate accept House Amendment No. 1.

2. The House recede from House Amendment No. 2.

3. The Conference Committee Amendment be adopted as follows:

Page 5, Line 22, after the word "services" delete the period and insert: " , which shall not be in excess of amounts currently being paid by the Department for similar services to recipients of public assistance."

Respectfully submitted,

FOR THE SENATE: Terrill, Dawson and Clifton.

FOR THE HOUSE: Atkins and Denman.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 249 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB 249, by Howell and Grantham of the Senate and Draper, et al, of the House, entitled:

An Act relating to schools; amending 70 O.S. 1971, Section 6-103, as amended by Section 1, Chapter 184, O.S.L. 1975 (70 O.S. Supp. 1976, Section 6-103); *** 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 House recede from all their amendments and that the attached Conference Committee Substitute be adopted.

And coauthored by Funston of the Senate.

(Pursuant to Rule 10(b), copies of the CCS for SB 249 were distributed to all Senators.)

Respectfully submitted,

FOR THE SENATE: Howell, Funston and Grantham.

FOR THE HOUSE: Draper and Rogers.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 16, and naming House Conferees as follows: Representatives Frates, Elder and Brunton.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 69, and naming House Conferees as follows: Representatives Manning, Craig and Steward.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 11.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report there-

on, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed HB 1338.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1338 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1338, entitled:

(Public Health and Safety — Appropriation — 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 Engrossed Senate Amendment No. 1.

2. That the following Conference Committee Amendments be adopted:

a. Page 3, Lines 7 through 17, delete all of Sections 5 and 6 and renumber succeeding sections accordingly.

b. Restore the title to read as follows:

“An Act relating to public health and safety; providing for establishment of a Hemophilia Care and Treatment Program; defining terms; providing for Hemophilia Advisory Committee, their terms of office, powers, and duties; prescribing department responsibilities; directing codification; and declaring an emergency.”

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman,

Draper, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Stipe and Terrill.

PENDING CONSIDERATION OF CCR

The CCR on SB 309 was called up for consideration.

The CCR on SB 309 was adopted upon motion of Senator Terrill.

SB 309, as amended in Conference, was read at length.

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

Aye: Birdsong, Butler, Cate, Clifton, Dawson, Field, Funston, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Luton, Martin, Porter, Randle, Rozell, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—30.

Nay: Berrong, Crow, Dahl, Giles, Grantham, Lamb, Lambert, Lane, McCune, McDaniel, Murphy, Pierce, Schuelein, Stipe and Wolfe.—15.

Excused: Boatner, Capps and Helm.—3.

The bill passed.

Senators Boatner, Lamb, Giles and Murphy desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 12. Excused: 2.

The emergency passed.

SB 309, together with the Conference

Committee Report thereon, was ordered transmitted to the Honorable House.

RESOLUTION

Senator Porter introduced the following Resolution:

SR 11 — By Porter.

A Resolution commemorating the contributions of The Black Dispatch to Oklahoma society and the noteworthy efforts of the late Roscoe Dunjee in establishing the newspaper; and directing distribution.

WHEREAS, the Black Dispatch, the Southwest's leading black newspaper, has celebrated its 63rd year of continuous publication as a weekly newspaper by moving to a new location; and

WHEREAS, in its move to the new location, the Black Dispatch has more than twice its former working space comprising one of the most modern facilities which is both black-owned and -operated in the Southwest; and

WHEREAS, launched by the late Roscoe Dunjee on November 5, 1915, as a 5-column folio, the Black Dispatch grew during Mr. Dunjee's active years as editor and publisher to a 12-page, standard 8-column publication with a nationwide circulation and, due largely to Mr. Dunjee's vigorous soul-searching editorials, the Black Dispatch had a larger circulation outside of Oklahoma than within the state; and

WHEREAS, for two-score years Editor Dunjee's efforts and editorials were the clarion voice for freedom and justice, marching into storms of bigotry and race prejudice in order to ascertain the truth for his readers; and

WHEREAS, Mr. Dunjee's vigorous practice of gathering first-hand information by making constant on-the-scene trips

throughout America, set a precedent which has been faithfully followed through the years by the staff of the Black Dispatch.

Now, therefore, be it resolved by the Senate of the 1st Session of the 36th Oklahoma Legislature:

SECTION 1. The efforts of the Black Dispatch and its founder Roscoe Dunjee are hereby proclaimed for the outstanding service rendered to the citizens of the state and the nation in the field of news coverage and editorials.

SECTION 2. A copy of this Resolution shall be transmitted to the President of the Black Dispatch.

Senator Porter asked unanimous consent that all other members of the Senate be made coauthors of SR 11, which was the order.

SR 11, as coauthored, was read at length, adopted upon motion of Senator Porter and ordered referred for enrollment.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 87 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 87, entitled:

(Economic and Community Affairs — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed SB No. 87 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 87 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Stipe and Terrill.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

PENDING CONSIDERATION OF CCR

The CCR on SB 91 was called up for consideration.

The CCR on SB 91 was adopted upon motion of Senator Crow.

SB 91, as amended in Conference, was read at length.

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

Aye: Berrong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, York and Young.—39.

Nay: Birdsong, Keating, Pierce and Wolfe.—4.

Excused: Capps, Helm, Porter, Stipe and Terrill.—5.

The bill passed.

Senator Terrill desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40. Nay: 4. Excused: 4.

The emergency passed.

SB 91, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

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 86.

The above numbered Bill as amended in Conference was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 10, as amended.

HOUSE AMENDMENTS

HAS to SCR 10 were read as follows and consideration deferred.

Amendment No. 1. Amend Page 1, Lines 24 and 25, by striking the language as follows: "of lawyers and judges".

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1018.

HCR 1018 — By Townsend of the House and Lane of the Senate.

A Concurrent Resolution fixing the day of the sine die adjournment of the First Session of the Thirty-sixth Oklahoma Legislature.

Consideration of the Resolution was deferred for this Legislative day.

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 HB 1135 and HB 1139 (2nd CCR).

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1135 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1135, entitled:

(Board of Trustees of the University Hospital — Amending 70 O.S. Supp. 1976, Section 3306.6 — 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 all Engrossed Senate Amendments.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1135 were distributed to all Senators.)

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman,

Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Stipe and Terrill.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1139 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1139, entitled:

An Act relating to public education; making appropriations to the State Board of Vocational and Technical 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 Engrossed Senate Amendments Nos. 1, 2 and 3.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1139 were distributed to all Senators.)

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Murphy, Cowan, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Crow, Chairman, Berrong, Boatner, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Stipe and Terrill.

PENDING CONSIDERATION OF CCR

The CCR on SB 93 was called up for consideration.

Senator Shatwell asked to be made a co-author of SB 93, which was the order.

Senator Crow asked unanimous consent, which was granted, that further consideration of the CCR on SB 93 be deferred.

PENDING CONSIDERATION OF CCR

The CCR on SB 355 was called up for consideration.

The CCR on SB 355 was adopted upon motion of Senator Crow.

SB 355, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Excused: Capps, Cate, Helm, Howell and Stipe.—5.

The bill and emergency passed.

SB 355, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 87 was called up for consideration.

Senator Shatwell asked to be made a co-author of SB 87, which was the order.

The CCR on SB 87 was adopted upon motion of Senator Crow.

SB 87, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, York and Young.—40.

Nay: Keating, McCune, Pierce and Wolfe.—4.

Excused: Capps, Helm, Howell and Vann.—4.

The bill and emergency passed.

SB 87, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1051 was called up for consideration.

The CCR on HB 1051 was adopted upon motion of Senator Stipe.

HB 1051, as amended in Conference, was read at length.

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

Aye: Birdsong, Boatner, Cate, Clifton,

Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—42.

Nay: Berrong and McCune.—2.

Excused: Butler, Capps, Howell and Vann.—4.

The bill and emergency passed.

HB 1051, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

UNANIMOUS CONSENT REQUEST

Senator Grantham asked unanimous consent that the members of the Judiciary Committee be excused for a meeting, which was the order.

PENDING CONSIDERATION OF CCR

The CCR on HB 1338 was called up for consideration.

The CCR on HB 1338 was adopted upon motion of Senator Stipe.

HB 1338, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein,

Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Wolfe, York and Young.—44.

Excused: Butler, Capps, Crow and Watson.—4.

The bill and emergency passed.

HB 1338, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1231, 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 96 and 104.

The above numbered Bills as amended in Conference were referred for enrollment.

GENERAL ORDER

HB 1283 by Nance of the House and Clifton and Schuelein of the Senate was read and considered.

Senator Terrill asked to be made a coauthor of HB 1283, which was the order.

Senator Clifton moved to amend HB 1283, Page 4, Lines 6 and 7, by striking all language and substituting the following: "may be otherwise provided by law", which amendment was declared adopted.

Upon motion of Senator Clifton, HB 1283, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Clifton, HB 1283, as coauthored

and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1283 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—46.

Excused: Butler and Capps.—2.

The bill passed.

HB 1283 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 363 were called up for consideration.

Upon motion of Senator Lamb, the Senate concurred in HAs to SB 363.

SB 363, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shat-

well, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—41.

Nay: Boatner, Johnson, Smith, Wolfe and Young.—5.

Excused: Capps and Porter.—2.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 376 were called up for consideration.

Upon motion of Senator Clifton, the Senate concurred in HAs to SB 376.

SB 376, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—44.

Nay: Boatner and Wolfe.—2.

Excused: Capps and Schuelein.—2.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on SB 249 was called up for consideration.

The CCR on SB 249 was adopted upon motion of Senator Howell.

SB 249, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—43.

Nay: Kilpatrick.—1.

Excused: Capps, Giles, Holden and Porter.—4.

The bill and emergency passed.

SB 249, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 350 was read and consideration deferred.

Mr. President

The Conference Committee, to which was referred SB 350, by Luton, Lane, Smith, Funston, Kilpatrick, Taliaferro, Murphy, Shatwell, Green, Wadley and York of the Senate and Elder and Davis (Don), et al, of the House, entitled:

An Act relating to motor vehicles; amending 12A O.S. 1971, Section 9-302, and 47 O.S. 1971, Section 23.3 ***.

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.

2. That the attached Conference Committee Substitute be accepted.

Add Representative Duke as a coauthor.

(Pursuant to Rule 10(b), copies of the CCS for SB 350 were distributed to all Senators.)

Respectfully submitted,

FOR THE SENATE: Luton, Green and Murphy.

FOR THE HOUSE: Elder, Davis and Duke.

THIRD READING

HB 1229 was read for the third time at length.

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

Aye: Birdsong, Boatner, Cate, Clifton, Dahl, Dawson, Funston, Giles, Green, Helm, Howard, Johnson, Keating, Kilpatrick, Lambert, Luton, Murphy, Pierce, Randle, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—28.

Nay: Berrong, Butler, Crow, Field, Grantham, Howell, Keller, Lamb, Lane,

McCune, McDaniel, Martin, Porter, Rozell, Schuelein, Shatwell, Stipe and Young.—18.

Excused: Capps and Holden.—2.

The bill passed.

HB 1229 was referred for engrossment.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 16 was read and consideration deferred.

Mr. President

Mr. Speaker

The Conference Committee, to which was referred SB 16, by Keating of the Senate and Frates of the House, entitled:

An Act relating to civil procedure; amending Section 1, Chapter 15, O.S.L. 1975 (12 O.S. Supp. 1976, Section 1770); providing procedures for entering small claims judgments on judgment docket; and authorizing release of judgments by the court.

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 Senate accept Engrossed House Amendments Nos. 1 and 2.

2) That the following Conference Committee Amendment be adopted:

Page 1, Lines 22-24, strike new language, as follows:

Any judgment entered under Section 1771 of this title may be released by the court upon proof of payment by the judgment debtor.

Respectfully submitted,

FOR THE SENATE: Keating, Wolfe and York.

FOR THE HOUSE: Frates, Elder and Brunton.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1062 and HJR 1018, as amended.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 375 as coauthored by Murphy and Hammons of the House.

The above numbered Bill was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1283 was correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SCR 11 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SR 11 was correctly enrolled, properly signed and ordered transmitted 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 HB 1198 and HB 1413.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1198 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No. 1198, and Engrossed Senate Amendments thereto by Henry, et al, of the House and Clifton and Keating of the Senate, entitled:

An Act relating to civil procedure; amending 12 O.S. 1971, Section 385; describing persons who are incompetent to testify; and expanding the clergyman-penitent privilege.

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.

(Pursuant to Rule 10(b), copies of the CCS for HB 1198 were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Davis, Hood and Henry.

FOR THE SENATE: Clifton, Keating and Grantham.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1413 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to

whom was referred Engrossed HB No. 1413, and Engrossed Senate Amendments thereto, by Elder and Bradshaw of the House and Tinsley and Wadley of the Senate, entitled:

(Counties and county officers; amending 19 O.S. 1971, Sections 180.63, 180.64A and others — 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.

(Pursuant to Rule 10(b), copies of the CCS for HB 1413 were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Elder, Bradshaw and Hooper.

FOR THE SENATE: Tinsley, Holden and York.

UNANIMOUS CONSENT REQUEST

Senator Howard asked unanimous consent that the members of the General Conference Committee on Appropriations be excused for a meeting in his office, which was the order.

PENDING CONSIDERATION OF CCR

The CCR on HB 1228 was called up for consideration.

Senator Boatner presiding.

The CCR on HB 1228 was adopted upon motion of Senator Funston.

Senator Stipe questioned the presence of a quorum. The Presiding Officer ordered

the roll called, following which he declared a quorum present.

Senator Luton presiding.

Senator Clifton moved that HB 1228 be laid over until the 2nd Session of the 36th Legislature.

Senator Funston moved to table the Clifton motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Lambert, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Taliaferro, Terrill, Tinsley, Wadley, Watson and York.—34.

Nay: Boatner, Clifton, Keller, Kilpatrick, Lamb, Luton, Shatwell, Smith, Stipe, Vann, Wolfe and Young.—12.

Excused: Capps and Lane.—2.

HB 1228, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Kilpatrick, Lambert, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley and Watson.—34.

Nay: Boatner, Cate, Clifton, Keller, Lamb, Luton, Smith, Stipe, Wolfe and Young.—10.

Excused: Capps, Lane, Murphy and York.—4.

The bill passed.

HB 1228, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Smith moved that the Senate recess for thirty minutes, which motion was declared adopted.

The Senate reassembled with Senator Lambert presiding.

Senator Smith questioned the presence of a quorum. The Presiding Officer ordered the roll called following which he declared a quorum present.

REPORT OF ENGROSSED AND ENROLLED BILLS

HB 1229 and HJR 1023 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

DECLARATION OF VOTE

Senator Murphy asked that the record show had he been in the Chamber at the time the votes were taken on HBs 1137 and 1228 he would have voted "Aye", which was the order.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 11.

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

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SBs 301 and 373.

The above numbered Bills were referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on HB 1413 was called up for consideration.

The CCR on HB 1413 was adopted upon motion of Senator Tinsley.

HB 1413, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—40.

Nay: Helm, McCune and Wolfe.—3.

Excused: Boatner, Capps, Luton, Stipe and Young.—5.

The bill and emergency passed.

HB 1413, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

GENERAL ORDER

HB 1186 by Willis of the House and Howard of the Senate was read and considered.

Senator Crow moved to amend HB 1186, Page 1, by striking the title and the entire

body of the bill and substituting in lieu thereof the following:

“An Act relating to state officers and employees; amending Section 1, Chapter 126, O.S.L. 1975, as amended by Section 1, Chapter 285, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3601); limiting number of employees for certain agencies and defining employee; limiting expenditures for salaries and wages; providing for severability; and declaring an emergency.

Be it enacted by the people of the State of Oklahoma:

SECTION 1. Section 1, Chapter 126, O.S.L. 1975, as amended by Section 1, Chapter 285, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3601), is amended to read as follows:

Section 3601. For purposes of this act, the term “employee” shall mean a full-time employee or any number of part-time employees whose combined weekly hours of employment equal those of a full-time employee; but shall not include seasonal employees. The maximum number of full-time-equivalent employees [in] and the total funds from all sources expended for the payment of any payroll, salary or wage of employees as defined herein including tax-sheltered deferment contracts authorized by state statute for each of the following agencies, boards, commissions, departments or programs shall not exceed the numbers and amounts as specified below during the fiscal year ending June 30, [1977:] 1978, EXCEPT AS MAY BE AUTHORIZED UNDER THE PROVISIONS OF SECTION 3603 OF TITLE 74 OF THE OKLAHOMA STATUTES.

	MAXIMUM NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES	TOTAL FUNDS FROM ALL SOURCES
--	--	---------------------------------

Board of Managers of the
State Insurance Fund

[48]
54

\$[591,813.00]
695,380.00

[Driver Education Program	23	267,095.00
Federal Education Program		
Division of the Department		
of Education	113	1,560,737.00
Indian Education Division of		
the Department of		
Education	15	204,217.00]
State Fire Marshal Commission	19	[252,042.00]
		269,660.00
Surplus Property Program of the		
Board of Public Affairs	28	[244,056.00]
		260,615.00
Children's Memorial Hospital,		
Department of Institutions,		
Social and Rehabilitative		
Services	[1,450	13,544,510.00]
	1,723	16,138,687.00
Oklahoma Employment Security		
Commission	[1,310	15,545,529.00]
	1,191	14,731,520.00
[Wildlife Conservation		
Commission	263	2,967,266.00]
Department of Institutions,		
Social and Rehabilitative		
Services (excluding		
Children's Memorial		
Hospital)	[9,053	110,310,403.00]
	9,052	92,709,800.00
[Oklahoma Highway Safety		
Coordinating Committee	22	349,500.00]
OKLAHOMA TEACHERS' RETIREMENT		
SYSTEM	24	321,000.00

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.

sary 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.'',

SECTION 3. It being immediately neces-

which amendment was declared adopted.

Upon motion of Senator Howard, **HB 1186**, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Howard, **HB 1186**, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1186 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—39.

Nay: Helm, Keating, Pierce and Wolfe.—4.

Excused: Boatner, Capps, Funston, Stipe and York.—5.

The bill and emergency passed.

HB 1186 was referred for engrossment.

PENDING SENATE ACTION ON CCR

Upon motion of Senator Crow, the **CCR** on **SB 93** was rejected and further conference requested, said bill to be rereferred to **GCCA**.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 16** was called up for consideration.

The **CCR** on **SB 16** was adopted upon motion of Senator Keating.

SB 16, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—43.

Excused: Boatner, Capps, Cate, Stipe and York.—5.

The bill passed.

SB 16, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 350** was called up for consideration.

The **CCR** on **SB 350** was adopted upon motion of Senator Luton.

SB 350, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dawson, Field, Funston, Giles, Green, Helm, Howard, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—36.

Nay: Dahl, Grantham, Howell, Johnson, McCune and McDaniel.—6.

Excused: Boatner, Capps, Holden, Stipe, Terrill and York.—6.

The bill passed.

SB 350, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1051, 1231 and 1338.

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 Enrolled SB 374, as amended and coauthored.

HOUSE AMENDMENTS

HAs to SB 374 were read as follows and consideration deferred.

Authors: Add the following coauthors: Murphy, Hammons and Steward of the House.

Amendment No. 1. Amend Page 1, Line 33, by inserting after the word "education" and before the ";" the following: "or industrial development;".

Amendment No. 2. Amend Page 1, Lines 34 and 35, by deleting the following: ", it shall be clearly marked or identified as "Paid for by Ratepayers." " and inserting in lieu thereof the following: "by the public utility, it shall be clearly marked or identified to indicate the identity of the public

utility and the fact that the cost is paid for by the ratepayers of the public utility,".

Amendment No. 3. Amend Page 2, Lines 8 and 9, by deleting the following: ", it shall be clearly marked or identified as "Paid for by Ratepayers." " and inserting in lieu thereof the following: "by the public utility, it shall be clearly marked or identified to indicate the identity of the public utility and the fact that the cost is paid for by the ratepayers of the public utility."

GENERAL ORDER

HB 1111, previously considered and amended on Page 915, was considered further.

Senator Randle moved to amend HB 1111, as a substitute amendment for the amendment read on Page 915, Page 3, Line 3½, by adding a new section as follows:

"SECTION 2. Section 7-132, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 7-132), is amended to read as follows:

Section 7-132. At the conclusion of the official count, the counters shall execute certificates of vote wherein said counters attest to the correctness of the totals. The inspector shall cause one copy of each certificate to be posted on the door or entrance of the polling place and shall cause one copy of each certificate to be transmitted forthwith to the Secretary of the State Election Board. PROVIDED, HOWEVER, THAT IN COUNTIES WHEREIN A CENTRAL COUNTING SYSTEM OR A REGIONAL COUNTING SYSTEM IS IN USE, THE INSPECTOR SHALL NOT BE REQUIRED TO CAUSE ONE COPY OF EACH CERTIFICATE OF VOTE TO BE POSTED, NOR SHALL THE INSPECTOR BE REQUIRED TO CAUSE ONE COPY OF EACH CERTIFICATE TO BE TRANSMITTED TO THE SECRETARY OF THE STATE ELECTION BOARD. THE INSPECTOR SHALL BE REQUIRED TO

TRANSMIT THE APPROPRIATE MATERIALS TO BE USED IN COUNTING THE VOTES TO THE CENTRAL OR REGIONAL COUNTING CENTER, AND THE STATE ELECTION BOARD SHALL PRESCRIBE METHODS OF SEALING SAID MATERIALS IN SUCH A MANNER THAT ANY TAMPERING WITH, OR ALTERING OF SAME AFTER SAID SEALING HAS BEEN ACCOMPLISHED CAN BE DETECTED. THE CENTRAL COUNTING SYSTEM OR REGIONAL COUNTING SYSTEM SHALL BE OPERATED IN SUCH A MANNER THAT RESULTS OF THE ELECTION ARE DETERMINED BY PRECINCT AS WELL AS BY ANY CUMULATIVE RESULTS. IN ALL CASES WHEREIN VOTES ARE COUNTED AT THE PRECINCT POLLING PLACE, ONE COPY OF EACH CERTIFICATE OF VOTE SHALL BE POSTED ON THE DOOR OR ENTRANCE OF THE POLLING PLACE AND ONE COPY SHALL BE TRANSMITTED FORTHWITH TO THE SECRETARY OF THE STATE ELECTION BOARD.”,

which amendment was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—38.

Nay: Green, Helm, Keating, Lambert and Pierce.—5.

Excused: Boatner, Capps, Luton, Stipe and York.—5.

The Chair advised the Senate that Senator Luton, having been present in the Chamber during the vote, would be shown

voting “no” on the amendment to HB 1111 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 38. Nay: 6. Excused: 4.

Senator Randle moved to amend HB 1111 by restoring the title, which amendment was declared adopted.

Upon motion of Senator Randle, HB 1111, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, HB 1111, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1111 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Johnson, Keller, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and York.—36.

Nay: Green, Helm, Keating, Kilpatrick, Lamb, Lambert, McCune, Pierce, Wolfe and Young.—10.

Excused: Boatner and Capps.—2.

The bill passed.

HB 1111 was referred for engrossment.

PENDING SENATE ACTION — VETO OVERRIDE ON SB 118

Senator York moved that SB 118 be enacted into law notwithstanding the veto of

the Chief Executive, which motion was declared adopted upon roll call as follows:

Aye: Birdsong, Butler, Cate, Clifton, Field, Funston, Helm, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, Martin, Murphy, Porter, Randle, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—32.

Nay: Berrong, Crow, Dahl, Dawson, Giles, Grantham, Green, Johnson, McCune, McDaniel, Pierce, Rozell and Vann.—13.

Excused: Boatner, Capps and Holden.—3.

The Chair advised the Senate that Senator Holden, having been present in the Chamber during the vote, would be shown voting “no” on the veto override on SB 118 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 32. Nay: 14. Excused: 2.

In accordance with Section 11, Article 6, of the Constitution, SB 118, together with the Governor’s Veto Message thereon, was transmitted to the Honorable House.

RESOLUTION

Senator Stipe introduced the following Resolution:

SCR 31 — By Stipe of the Senate and Townsend of the House.

A Concurrent Resolution memorializing the President and the Congress of the United States to endorse, accept and adopt the “El Paso” proposal of natural gas transportation off north slope of the State of Alaska; and directing distribution.

WHEREAS, the severity of the recent past winter illustrates not only the need to conserve natural gas, but also the necessity to tap additional sources of natural gas; and

WHEREAS, such additional vast reserves can be found on Alaska’s North Slope; and

WHEREAS, it is incumbent upon the President and the Congress of the United States to develop a transportation system to deliver natural gas from Alaska’s North Slope to consumers in the lower forty-eight states; and

WHEREAS, the United States Congress is presently considering proposals for transporting said gas; and

WHEREAS, the “El Paso” proposal entails a gas pipeline approximately 809 miles long paralleling the Alaska oil pipeline and running to Gravina Point, Alaska, where the natural gas would be liquefied and shipped by a fleet of United States vessels to recovery and regasification facilities in the state of California; and

WHEREAS, the “El Paso” proposal is totally within the jurisdiction and control of the United States and relies solely on United States materials, supplies and labor; and

WHEREAS, there are competing proposals which entail a route through Canada and involve large purchases of foreign materials, supplies and labor; and

WHEREAS, the “El Paso” proposal will result in a significant number of man-years of employment for United States citizens, including an estimated 6,400 man-years of employment for citizens of the State of Oklahoma; and

WHEREAS, under the “El Paso” plan many jobs will be created in our state through the construction and purchasing of switching gear for natural gas vessels, regenerative heaters for the liquefied natural gas plant in Alaska and various types of heat exchangers and pipeline communications and telemetry equipment.

Now, therefore, be it resolved by the Senate of the 1st Session of the 36th Oklahoma Legislature, the House of Representatives concurring therein:

SECTION 1. The Oklahoma Legislature, realizing the benefit to Oklahoma, memorializes the President and Congress to endorse and accept the proposed "El Paso" plan of natural gas transportation off the North Slope of the State of Alaska.

SECTION 2. The Oklahoma Legislature respectfully requests the President and the Congress of the United States to adopt the "El Paso" plan for transportation of natural gas off of Alaska in the North Slope in an expeditious manner.

SECTION 3. Copies of this Resolution shall be transmitted to the President of the United States, the Presiding Officers of the Congress and to the members of the Oklahoma delegation.

SCR 31 was read at length, adopted upon motion of Senator Stipe and ordered referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 1, as amended and coauthored, and SBs 284 and 324, as amended.

HOUSE AMENDMENTS

HAs to SB 1 were read as follows and consideration deferred.

Authors: Add the following coauthors: Atkins, Parris and Draper of the House.

Amendment No. 1. Restore the Title to read as follows:

"An Act relating to schools; amending 70 O.S. 1971, Section 6-104, as last amended by Section 1, Chapter 286, O.S.L. 1976 (70 O.S. Supp. 1976, Section 6-104); providing

for payment of salaries to teachers while on sick leave; specifying conditions and limitations; expanding application of the act; and declaring an emergency."

Amendment No. 2. Amend Page 1, Line 17, by striking the Enacting Clause.

Amendment No. 3. Amend Page 2, Lines 22, by striking the word "may" and substituting in lieu thereof the word "shall", and on Line 23, by adding after the word "teachers," the words "to include cumulative sick leave,".

HOUSE AMENDMENTS

HAs to SB 284 were read as follows and consideration deferred.

Amendment No. 1. Amend by striking the Title and substituting the following:

"(Indian and Hardrock Mining Museum Commission — Emergency)".

HOUSE AMENDMENTS

HAs to SB 324 were read as follows and consideration deferred.

Authors: Add the following coauthor: Peterson of the House.

Amendment No. 1. Amend Page 2, Line 10, by deleting the year "1977" and substituting in lieu thereof the year "1978".

GENERAL ORDER

HB 1398 by Riggs of the House and Smith of the Senate was read and considered.

Upon motion of Senator Smith, HB 1398 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1398 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1398 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Crow, Murphy, Porter and Stipe.—4.

Excused: Boatner, Capps and Kilpatrick.—3.

The bill passed.

The Chair advised the Senate that Senator Kilpatrick, having been present in the Chamber during the vote, would be shown voting "no" on HB 1398 in compliance with Rule 33(b). The vote thereby resulted as follows: Aye: 41. Nay: 5. Excused: 2.

HB 1398 was ordered withheld pursuant to Rule 19(f).

PENDING CONSIDERATION OF HAS

Upon motion of Senator Funston, HAS to SB 1 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Funston, Howell and Randle.

GENERAL ORDER

HB 1401 by Riggs of the House and Smith of the Senate was read and considered.

Upon motion of Senator Smith, HB 1401 was advanced to engrossment.

By unanimous consent, upon request of Senator Smith, HB 1401 was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1401 was read for the third time at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—45.

Nay: Stipe.—1.

Excused: Boatner and Capps.—2.

The bill and emergency passed.

HB 1401 was ordered withheld pursuant to Rule 19(f).

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 93, and rereferring said bill to GCCA.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 363, 375 and 376 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MOTION RE HOUSE BILLS ON SENATE CALENDAR

Senator Lane moved that the following bills be rereferred to the committees from which they came: HBs 1019, 1049, 1170, 1279, 1296, 1308, 1343 and 1347.

PENDING SENATE ACTION ON HAS

Upon motion of Senator Schuelein, HAS to SB 284 were rejected and conference requested, President Pro Tempore Howard appointing as Senate Conferees the following: Senators Schuelein, Wadley and Randle.

GENERAL ORDER

SB 326 by Lane of the Senate and Roberts of the House was read and considered.

Senator Keller moved to amend SB 326, Page 5, Line 5, by adding after the word "company" a new paragraph:

"(u) Prescriptive drugs sold to persons sixty-two (62) years of age or older."

Senator Lane moved to table the Keller amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Butler, Cate, Crow, Field, Funston, Giles, Grantham, Holden, Howard, Howell, Lane, McDaniel, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley and Young.—24.

Nay: Birdsong, Dahl, Dawson, Green, Helm, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McCune, Martin, Murphy, Pierce, Porter, Randle, Watson, Wolfe and York.—21.

Excused: Boatner, Capps and Clifton.—3.

Upon motion of Senator Lane, SB 326 was advanced to engrossment.

By unanimous consent, upon motion of Senator Lane, SB 326 was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 326 was read for the third time at length.

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

Aye: Cate, Clifton, Crow, Dahl, Field, Giles, Green, Holden, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann and Wadley.—26.

Nay: Berrong, Birdsong, Butler, Dawson, Funston, Grantham, Helm, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, McCune, Tinsley, Watson, Wolfe, York and Young.—19.

Excused: Boatner, Capps and Howard.—3.

The bill passed.

Senators York, Tinsley, Funston, Young, Grantham, Wolfe, Dawson and Butler desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34. Nay: 11. Excused: 3.

The emergency passed.

SB 326 was referred for engrossment.

UNANIMOUS CONSENT REQUEST

Senator Lambert asked unanimous consent, which was granted, that copies of the House Amendments to SB 324 not be printed for each Senator.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Crow presiding, who made the following announcements:

The Senate, in executive session, and upon motion of Senator Stipe, advised and consented to the confirmation of MRS. TONY ASHMORE, McAlester, as a member of the Carl Albert Memorial Commission to serve a 5-year term ending June 17, 1980, and effective upon Senate confirmation. Mrs. Ashmore succeeds herself.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of CHARLES L. CASHION, Oklahoma City, as a member of the State Industrial Court to serve a 6-year term ending March 14, 1983, and effective upon Senate confirmation. Mr. Cashion succeeds Silas Wolf, Norman. Effective July 5, 1977.

The Senate, in executive session, and upon motion of Senator Keating, advised and consented to the confirmation of GLENN DOBBS, Tulsa, as a member of the Jim Thorpe Memorial Commission to serve an unexpired 7-year term ending June 12, 1979, and effective upon Senate confirmation. Mr. Dobbs succeeds F. A. Dry, Tulsa.

The Senate, in executive session, and upon motion of Senator Schuelein, advised and consented to the confirmation of GARY W. GILSTRAP, Commerce, as a member of the Indian and Hardrock Mining Museum Commission to serve an unexpired 5-year term ending June 16, 1979,

and effective upon Senate confirmation. Mr. Gilstrap succeeds Ralph Cumpton, Commerce.

The Senate, in executive session, and upon motion of Senator Keller, advised and consented to the confirmation of BYRON HOLLANDER, Oklahoma City, as a member of the State Fire Marshal Commission to serve a 5-year term ending July 1, 1981, and effective upon Senate confirmation. Mr. Hollander succeeds himself.

The Senate, in executive session, and upon motion of Senator Lambert, advised and consented to the confirmation of MARIAN P. OPALA, Oklahoma City, as presiding judge of the State Industrial Court to serve a 6-year term ending March 14, 1983, and effective upon Senate confirmation. Mr. Opala succeeds A. L. Voth, Oklahoma City. Effective August 10, 1977.

The Senate, in executive session, and upon motion of Senator Johnson, advised and consented to the confirmation of JOHN E. PROCK, Heavener, as a member of the Board of Regents of Eastern Oklahoma State College, to serve a 7-year term ending June 1, 1984, and effective upon Senate confirmation. Mr. Prock succeeds himself.

The Senate, in executive session, and upon motion of Senator Keller, advised and consented to the confirmation of H. W. RAY, Oklahoma City, as lay member of the State Banking Board to serve a 6-year term ending June 1, 1982, and effective upon Senate confirmation. Mr. Ray succeeds Irving Fenster.

The Senate, in executive session, and upon motion of Senator Vann, advised and consented to the confirmation of HAZEL SHEEGOG, Pauls Valley, as a member of the State Textbook Committee, District 3, to serve a 3-year term ending June 1, 1980, and effective upon Senate confirmation.

Ms. Sheegog succeeds Warner Eales, McAlester.

REPORT OF ENGROSSED AND ENROLLED BILLS

SB 326 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand ad-

journed to meet Wednesday, June 8, 1977, at 11:00 a.m., which motion prevailed.

BILLS RELEASED

HBs 1398 and 1401 were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 6:30 p.m. to meet Wednesday, June 8, 1977, at 11:00 a.m.

Ninetieth Legislative Day

Wednesday, June 8, 1977

Pursuant to adjournment, the Senate was called to order by Senator Terrill, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—40.

Excused: Boatner, Capps, Crow, Helm, Luton, Smith, Stipe and York.—8.

Senator Terrill declared a quorum present.

The prayer was offered by Senator Watson.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Tinsley introduced Mary Gilmour, R.N., Kingfisher, as Nurse of the Day.

Senator Watson introduced his daughter, Phyllis, and asked unanimous consent,

which was granted, that she be named Honorary Chairman of Appropriations and Budget Committee for this legislative day.

LOBBY PERMITS

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

William R. Samuels, Jr., 4750 E. 54th Street, Apt. 258, Tulsa, representing Sun Oil Company, Inc.

SPECIAL INTRODUCTION

Senator Porter asked unanimous consent, which was granted, that privileges of the floor be granted to Dr. G. E. Finley, President, John Dunjee, Vice President, Dr. J. W. Sanford, Treasurer, and Russell Perry, Editor, of the Black Dispatch Publishing Company.

Senators Porter, Johnson and Birdsong were appointed as a committee to escort Senator Porter's guests to the Chamber.

Senator Porter presented SR 11 to Dr. Finley in recognition of the efforts of the late Roscoe Dunjee in establishing the Black Dispatch Newspaper, and presented Citations to Dr. Finley, Mr. Dunjee, Dr. Sanford and Mr. Perry.

Dr. Finley briefly addressed the Senate and expressed his appreciation to the

members of the Senate for their recognition of Mr. Roscoe Dunjee and the Black Dispatch.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 284, and naming House Conferees as follows: Representatives Fitzgibbon, Townsend and Henry.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 363, 375 and 376.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising Conference granted on Engrossed SB 1, and naming House Conferees as follows: Representatives Craighead, Arnold and Duckett.

CONFERENCE COMMITTEE REPORT

The following third CCR on SB 85 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was rereferred Engrossed SB No. 85, entitled:

(State Examiner and Inspector — Appropriation — 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 Engrossed House Amendments Nos. 1, 2, 3, 4, 5, 6 and 7.

2. That the following Conference Committee Amendments to the Engrossed Senate Bill be accepted:

a. Restore the title to read:

"An Act relating to the Office of the State Examiner and Inspector and making appropriations thereto; stating the purposes; providing for appointment, duties and compensation of employees within prescribed limits; limiting number of employees; limiting expenditures for salaries and wages; providing for transfer of certain unappropriated funds; providing for an annual audit of the Office of the State Examiner and Inspector; providing lapse date; providing severability; and declaring an emergency."

b. Page 1, Line 28, by deleting the amount "\$391,388.00" and substituting in lieu thereof the amount "\$389,954.00".

c. Page 1, Line 30, by deleting the amount "\$486,962.00" and substituting in lieu thereof the amount "\$485,528.00".

d. Page 1, Line 33, by deleting the amount "\$99,411.00" and substituting in lieu thereof the amount "\$100,105.00".

e. Page 1, Line 35, by deleting the amount "\$107,045.00" and substituting in lieu thereof the amount "\$107,739.00".

f. Page 2, Line 2, by deleting the amount "\$205,475.00" and substituting in lieu thereof the amount "\$207,473.00".

g. Page 2, Line 4, by deleting the amount "\$254,070.00" and substituting in lieu thereof the amount "\$256,068.00".

h. Page 2, Line 8, by inserting after the word "and" and before the word "compensation" the word "annual".

i. Page 2, Line 12, by inserting after the word "only" and before the period (.) the

following language: ", exclusive of over-time pay".

j. Page 2, Line 15, by inserting after "1978" and before the period (.) the following language: ", except as may be authorized under the provisions of Section 3603, Title 74, Oklahoma Statutes".

k. Page 3, Line 16½, by adding a new "Section 4" to read as follows:

"SECTION 4. The State Legislative Council shall conduct once each year a financial audit of the books, accounts, and cash on hand of the Office of the State Examiner and Inspector. A report of subject audit shall be submitted to the Governor, President Pro Tempore of the Senate, and the Speaker of the House of Representatives."

l. Renumber present "Section 4" to read "Section 5" and renumber succeeding sections accordingly.

Senate Conferees: Berrong, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Smith, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Murphy, Riggs, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 100 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 100, entitled:

(Department of Public Safety — Appropriation — 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 Engrossed House Amendment No. 1.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 100 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Lane, McCune, Boatner, Grantham, Holden, Murphy, Smith, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Cowan, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 101 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 101, entitled:

(Motor Vehicles and the Department of Public Safety — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 101 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Lane, McCune, Boatner, Grantham, Holden, Murphy, Smith, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Duke, Campbell, Denman, Cowan, Elder, Matheson, Morgan, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 112 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 112, entitled:

(Tourism and Recreation — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed SB No. 112 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 112 were distributed to all Senators.)

Senate Conferees: Crow, Chairman, Lane, McCune, Cate, Holden, Lamb, Murphy, Smith, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Parris, Elder, Matheson, Morgan, Murphy, Rogers, Sparkman, Townsend and Trent.

PENDING CONSIDERATION OF HAS

HAS to SB 324 were called up for consideration.

Upon motion of Senator Lambert, the Senate concurred in HAS to SB 324.

SB 324, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—39.

Excused: Boatner, Capps, Crow, Helm, Howard, Luton, Smith, Stipe and York.—9.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAS to SCR 10 were called up for consideration.

Upon motion of Senator Grantham, the Senate concurred in HAS to SCR 10.

SCR 10, as amended, was read at length,

adopted upon motion of Senator Grantham and ordered referred for enrollment.

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

PENDING CONSIDERATION OF CCR

The CCR on HB 1105 was called up for consideration.

The CCR on HB 1105 was adopted upon motion of Senator Schuelein.

Senator Howell presiding.

HB 1105, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—39.

Nay: Clifton.—1.

Excused: Boatner, Capps, Helm, Howard, Luton, Smith, Stipe and York.—8.

The bill passed.

HB 1105, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

Senator Terrill presiding.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 284 was read and adopted upon motion of Senator Schuelein.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred SB No. 284, by Schuelein of the Senate and Fitzgibbon of the House, entitled:

An Act relating to the Indian and Hard-rock Mining Museum Commission; reappropriating certain funds; providing lapse date; providing severability; 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 Amendment.

Respectfully submitted,

FOR THE SENATE: Schuelein, Wadley and Randle.

FOR THE HOUSE: Townsend and Henry.

SB 284, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—39.

Excused: Boatner, Capps, Cate, Helm, Howard, Luton, Smith, Stipe and York.—9.

The bill and emergency passed.

SB 284, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 100 was called up for consideration.

The CCR on SB 100 was adopted upon motion of Senator Crow.

SB 100, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and Young.—36.

Nay: Pierce.—1.

Excused: Boatner, Capps, Cate, Clifton, Helm, Howard, Luton, Porter, Smith, Stipe and York.—11.

The bill and emergency passed.

SB 100, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

Upon motion of Senator Crow, the CCR on SB 112 was rejected and further Con-

ference requested, said bill to be rereferred to GCCA.

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

PENDING CONSIDERATION OF CCR

The CCR on SB 85 was called up for consideration.

The CCR on SB 85 was adopted upon motion of Senator Crow.

SB 85, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—35.

Nay: Keating, McCune, Pierce and Wolfe.—4.

Excused: Capps, Helm, Howard, Howell, Luton, Porter, Smith, Stipe and York.—9.

The bill and emergency passed.

SB 85, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

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

PENDING CONSIDERATION OF CCR

The CCR on SB 101 was called up for consideration.

The CCR on SB 101 was adopted upon motion of Senator Crow.

SB 101, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—40.

Excused: Capps, Cate, Helm, Howard, Howell, Luton, Porter and Smith.—8.

The bill and emergency passed.

SB 101, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1062, 1398, 1401 and 1413 and HJR 1018.

The above numbered Enrolled Bills and Resolution were, after fourth reading, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1135 was called up for consideration.

The CCR on HB 1135 was adopted upon motion of Senator Crow.

HB 1135, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Johnson, Keating, Keller, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Capps, Helm, Howell, Kilpatrick, Luton and Smith.—6.

The bill and emergency passed.

HB 1135, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on HB 1139 was called up for consideration.

Senators Berrong and Field asked to be made coauthors of HB 1139, which was the order.

The CCR on HB 1139 was adopted upon motion of Senator Crow.

HB 1139, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Giles, Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro,

Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—43.

Nay: Wolfe.—1.

Excused: Capps, Helm, Luton and Smith.—4.

The bill and emergency passed.

HB 1139, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

DECLARATION OF VOTE

Senator Cate asked that the record show, had he been in the Chamber at the time the vote was taken on SB 101, he would have voted "Aye", which was the order.

Senator Lane moved that the Senate stand recessed until 1:00 p.m., which was the order.

The Senate reassembled with Senator Lambert presiding. Senator McCune questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senator Lane moved that the Senate stand recessed for ten minutes.

The Senate reassembled with Senator Lambert presiding.

Senator Lane questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

Senators Luton and Helm asked to be shown present, which was the order.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 25 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred Engrossed SB No. 25, by Grantham of the Senate and Elder, et al, of the House, entitled:

An Act relating to special mailing requirements; *** 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.

2. That the attached Conference Committee Substitute be accepted.

(Pursuant to Rule 10(b), copies of the CCS for SB 25 were distributed to all Senators.)

Respectfully submitted,

FOR THE SENATE: Grantham and Wolfe.

FOR THE HOUSE: Elder, Conaghan and Kennedy.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 1 was read and consideration deferred.

Mr. President
Mr. Speaker

The Conference Committee, to which was referred Engrossed SB 1, by Funston, Birdsong, Howell, Lambert and Murphy of the Senate and Craighead, Atkins, Parris and Draper of the House, entitled:

(Schools — Leave — 70 O.S., Section 6-104 — 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 Senate accept Engrossed House Amendments No. 1 and No. 3.

2. That the House recede from its Amendment No. 2.

Respectfully submitted,

FOR THE SENATE: Funston, Howell and Randle.

FOR THE HOUSE: Arnold, Craighead and Duckett.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 111 was read and consideration deferred.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 111, entitled:

(State Department of Agriculture — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed SB No. 111 be adopted.

(Pursuant to Rule 10(b), copies of the CCS for SB 111 were distributed to all Senators.)

Senate Conferees: Randle, Vice-Chairman, McCune, Boatner, Grantham, Holden, Lamb, Funston, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Cowan, Morgan, Murphy, Riggs, Rogers, Sparkman and Trent.

MESSAGE FROM THE GOVERNOR

Advising approval by him, June 7, 1977, of Enrolled SBs 98, 103, 109, 113, 126, 135, 163, 175, 214 and 231.

MESSAGE FROM THE GOVERNOR

This is to advise you that on June 8, 1977, SB 192 became law without my signature.

PENDING CONSIDERATION OF HAS

HAS to SB 179 were called up for consideration.

Upon motion of Senator Watson, the Senate concurred in HAS to SB 179.

SB 179, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, But-

ler, Cate, Clifton, Crow, Dawson, Field, Funston, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—41.

Excused: Capps, Dahl, Giles, Grantham, Murphy, Smith and Wolfe.—7.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on SB 1 was called up for consideration.

The CCR on SB 1 was adopted upon motion of Senator Funston.

SB 1, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Capps, Giles, Howard and Smith.—4.

The bill and emergency passed.

SB 1, together with the Conference Com-

mittee Report thereon, was ordered transmitted 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 1132 and 1134.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1132 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1132, entitled:

An Act relating to the Office of the State Industrial Court and making appropriations thereto; stating the purposes; *** 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 Engrossed Senate Amendment No. 1.

2. That the Conference Committee Substitute for Engrossed HB No. 1132, attached, be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1132 were distributed to all Senators.)

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Elder, Matheson, Riggs, Rogers, Sparkman and Townsend.

Senate Conferees: Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Smith, Stipe, Terrill and York.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1134 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your General Conference Committee on Appropriations, to whom was referred Engrossed HB No. 1134, entitled:

(Oklahoma State Regents for Higher Education — 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 all Engrossed Senate Amendments.
2. That the attached Conference Committee Substitute be adopted.

(Pursuant to Rule 10(b), copies of the CCS for HB 1134 were distributed to all Senators.)

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

Senate Conferees: Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Howell, Lamb, Murphy, Schuelein, Smith, Stipe, Terrill and York.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 31 was correctly engrossed, proper-

ly signed and ordered transmitted to the Honorable House for consideration.

HBs 1111 and 1186 were each correctly engrossed and, together with Engrossed SAs, properly signed and ordered returned to the Honorable House.

SBs 86, 96, 104, 301, 324 and 373 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 10 was correctly enrolled, 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 1283 and HJR 1023, as amended.

MESSAGE FROM THE HOUSE

Advising rejection of SAs to Engrossed HB 1229, requesting Conference and naming Conferees as follows: Representatives Matheson, Barker and 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 SB 87 (2nd), SB 91 (2nd) and SB 355.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1228.

The above numbered Enrolled Bill was,

after fourth reading, properly signed and ordered returned to the Honorable House.

Senator Watson presiding.

PENDING SENATE ACTION ON HAS

HAS to SB 374 were called up for consideration.

Senator York moved that the Senate concur in HAS to SB 374.

Senator Stipe moved to table the York motion, which motion to table was declared failed of adoption upon roll call as follows:

Aye: Crow, Helm, Lane, McCune, Pierce, Shatwell, Stipe, Vann and Young.—9.

Nay: Berrong, Birdsong, Boatner, Butler, Clifton, Dahl, Dawson, Field, Funston, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Porter, Randle, Rozell, Schuelein, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe and York.—33.

Excused: Capps, Cate, Giles, Grantham, Murphy and Smith.—6.

Senator York pressed his motion to adopt HAS to SB 374, which motion was declared adopted.

SB 374, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Butler, Clifton, Dahl, Dawson, Field, Funston, Green, Helm, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Taliaferro, Terrill,

Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—35.

Nay: Boatner, Crow, Holden, Lane, McCune, Pierce and Stipe.—7.

Excused: Capps, Cate, Giles, Grantham, Shatwell and Smith.—6.

The bill passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The CCR on HB 1198 was called up for consideration.

The CCR on HB 1198 was adopted upon motion of Senator Clifton.

HB 1198, as amended in Conference, was read at length.

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

Aye: Birdsong, Butler, Cate, Clifton, Dawson, Funston, Grantham, Green, Helm, Holden, Howell, Keating, Keller, Kilpatrick, Lambert, Lane, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Shatwell, Stipe, Tinsley, Vann, York and Young.—28.

Nay: Berrong, Boatner, Crow, Dahl, Field, Johnson, Lamb, Luton, Rozell, Schuelein, Taliaferro, Terrill, Watson and Wolfe.—14.

Excused: Capps, Giles, Howard, Porter, Smith and Wadley.—6.

The bill passed.

HB 1198, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAS to SB 31 were called up for consideration.

Upon motion of Senator Boatner, the Senate concurred in HAS to SB 31.

SB 31, as amended by the Honorable House, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe and York.—41.

Nay: Crow.—1.

Excused: Capps, Giles, Howard, Porter, Smith and Young.—6.

The bill and emergency passed.

House Amendments were properly signed and the above-numbered bill was referred for enrollment.

RESOLUTION

Senator Stipe introduced the following Resolution:

SCR 32 — By Stipe of the Senate and Ervin of the House.

A Concurrent Resolution memorializing the President of the United States and Congress to place the RDX-HMX Manufacturing Facility at McAlester, Oklahoma.

WHEREAS, McAlester, Oklahoma, is

richly endowed with the physical resources needed to maintain an RDX-HMX manufacturing facility; and

WHEREAS, McAlester, Oklahoma, has a rich supply of personnel needed to staff such a facility; and

WHEREAS, the placement of such a facility in McAlester, Oklahoma, would benefit the economy of the State of Oklahoma.

Now, therefore, be it resolved by the Senate of the 1st Session of the 36th Oklahoma Legislature, the House of Representatives concurring therein:

SECTION 1. The President of the United States and Congress are hereby memorialized to place the RDX-HMX manufacturing facility at McAlester, Oklahoma.

SECTION 2. Copies of this Resolution shall be transmitted to the President, the leadership of Congress and the Oklahoma Congressional delegation.

SCR 32 was read at length, adopted upon motion of Senator Stipe and ordered referred for engrossment.

PENDING SENATE ACTION — RESOLUTION

HCR 1018, introduced on Page 957, was called up for consideration.

HCR 1018 was read at length, adopted upon motion of Senator Lane, properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 25 was called up for consideration.

The CCR on SB 25 was adopted upon motion of Senator Grantham.

SB 25, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—42.

Excused: Capps, Giles, Howard, Kilpatrick, Porter and Smith.—6.

The bill passed.

SB 25, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The CCR on SB 111 was called up for consideration.

The CCR on SB 111 was adopted upon motion of Senator Crow.

SB 111, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—44.

Excused: Capps, Giles, Howard and Smith.—4.

The bill and emergency passed.

SB 111, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED BILLS

SCR 32 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

PENDING CONSIDERATION OF CCR

The CCR on HB 1132 was called up for consideration.

The CCR on HB 1132 was adopted upon motion of Senator Crow.

HB 1132, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Boatner and McCune.—2.

Excused: Capps, Giles, Howard, Smith and Vann.—5.

The bill and emergency passed.

HB 1132, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising further Conference granted on Engrossed SB 112, and rereferring same to GCCA.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 31, as coauthored by Kennedy.

The above numbered Resolution was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 301, SB 324 and SB 373.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 10.

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

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 1278.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1278 was read and consideration deferred.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was referred Engrossed HB No.

1278, and Engrossed Senate Amendments thereto, by Floyd, et al, of the House and Kilpatrick, Funston, Wadley, Berrong, Birdsong, Field, Howell and York of the Senate, entitled:

An Act relating to property; providing procedures for subjecting specified public trust property to ad valorem taxation; defining the term industries; directing codification; and setting an effective date.

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.

(Pursuant to Rule 10(b), copies of the CCS for HB 1278 were distributed to all Senators.)

Respectfully submitted,

FOR THE HOUSE: Floyd and Wiseman.

FOR THE SENATE: Kilpatrick, Holden and Randle.

PENDING CONSIDERATION OF CCR

The CCR on HB 1134 was called up for consideration.

Senators Berrong and Field asked to be made coauthors of HB 1134, which was the order.

Senator Keating moved that the CCR for HB 1134 be rejected and further Conference be requested with instructions to strike Section 3.

Senator Crow moved to table the Keating motion, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Boatner, But-

ler, Cate, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley, York and Young.—36.

Nay: Keating, Keller, McCune, Pierce, Schuelein, Vann, Watson and Wolfe.—8.

Excused: Capps, Clifton, Giles and Smith.—4.

Senator Crow moved that the CCR on HB 1134 be adopted, which motion was declared adopted.

HB 1134, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Watson, Wolfe, York and Young.—41.

Nay: Dahl, Schuelein and Wadley.—3.

Excused: Capps, Dawson, Giles and Smith.—4.

The bill and emergency passed.

HB 1134, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

DECLARATION OF VOTE

Senator Dawson asked that the record show, had he been present in the Chamber

at the time the vote was taken on HB 1134, he would have voted "Aye" on the bill, which was the order.

PENDING CONSIDERATION OF CCR

The CCR on HB 1278 was called up for consideration.

The CCR on HB 1278 was adopted upon motion of Senator Kilpatrick.

HB 1278, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Taliaferro, Terrill, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Nay: Murphy, Porter and Stipe.—3.

Excused: Capps, Giles, Smith and Tinsley.—4.

The bill passed.

HB 1278, together with the Conference Committee Report thereon, was ordered returned to the Honorable House.

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 16.

The above numbered Bill as amended in Conference was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 86, 96 and 104.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed SB 309, requesting further Conference and naming same Conferees.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 16, as coauthored by Ervin and Holaday, and SCR 19, as coauthored by Anderson, Bennett, Cotner, Cullison, Cunningham, Ervin, Floyd, Glover, Harper, Holaday, Holden, Hopkins, Lancaster, McKee, Monks, Poulos, Sanders, Thompson (Don) and Whorton.

The above numbered Resolutions were referred for enrollment.

FINAL PASSAGE

HB 1416, as amended in Conference, was read at length.

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

Aye: Birdsong, Cate, Clifton, Dahl, Dawson, Funston, Grantham, Helm, Howard, Johnson, Keating, Kilpatrick, Lambert, Luton, Martin, Pierce, Porter, Randle, Shatwell, Terrill, Tinsley, Vann, Watson, Wolfe and York.—25.

Nay: Berrong, Boatner, Butler, Crow, Field, Green, Holden, Howell, Keller, Lamb, Lane, McCune, McDaniel, Rozell, Schuelein, Stipe, Taliaferro, Wadley and Young.—19.

Excused: Capps, Giles, Murphy and Smith.—4.

The bill passed.

HB 1416, together with the Conference Committee Report thereon, was ordered withheld pursuant to Rule 19(f).

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lane, the request of the Honorable House for further Conference on SB 309 was ordered granted, President Pro Tempore Howard appointing the same Senate Conferees.

Senator Lane moved that the Senate stand recessed until 5:00 p.m., which motion prevailed.

The Senate reassembled with Senator Watson presiding. Senator Lane questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

MOTION TO RECONSIDER VOTE

As provided under Rule 19(c), Senator Vann moved that the vote be reconsidered by which HB 1416 passed.

Senator Lambert moved to table the Vann motion, which motion to table was declared adopted upon roll call as follows:

Aye: Birdsong, Cate, Clifton, Crow, Dahl, Dawson, Funston, Grantham, Helm, Howard, Keating, Lambert, McCune, Murphy, Pierce, Randle, Shatwell, Terrill, Watson, Wolfe and York.—21.

Nay: Berrong, Boatner, Butler, Field, Green, Holden, Howell, Johnson, Keller, Lamb, Lane, McDaniel, Martin, Rozell, Schuelein, Stipe, Tinsley, Vann, Wadley and Young.—20.

Excused: Capps, Giles, Kilpatrick, Luton, Porter, Smith and Taliaferro.—7.

HB 1416 was properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE GOVERNOR

Advising approval by him, June 8, 1977, of Enrolled SB 211.

**COMMITTEE REPORT —
LOBBY PERMITS**

Mr. President:

The Rules Committee, to which was referred requests for Lobby Permits, after careful consideration, recommends that the following petitioner be granted a Lobby Permit. Lobby Permits will be issued in the office of the President Pro Tempore.

William R. Samuels, Jr., 4750 E. 54th Street, Apt. # 258, Tulsa, representing Sun Oil Company, Inc.

Al Terrill, Chairman
Phil Lambert, Vice Chairman

**REPORT OF ENGROSSED AND
ENROLLED BILLS**

SBs 87, 91, 179, 355 and 374 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 31 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

Senator Lane moved that the Senate stand recessed until 6:15, which motion prevailed.

The Senate reassembled with Senator Watson presiding.

Senator Luton questioned the presence of a quorum. The Presiding Officer

ordered the roll called, following which he declared a quorum present.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 309 was read and adopted upon motion of Senator Terrill.

Mr. President
Mr. Speaker

The Conference Committee, to which was rereferred SB 309, by Terrill, et al, of the Senate and Atkins of the House, entitled:

An Act relating to protective services for elderly persons; providing for confidentiality of certain records, reports and papers; *** 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. The Senate accept House Amendment No. 1.

2. The Senate accept House Amendment No. 2.

Respectfully submitted,

FOR THE SENATE: Terrill, Dawson and Clifton.

FOR THE HOUSE: Atkins and Denman.

SB 309, as amended in Conference, was read at length.

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

Aye: Birdsong, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston,

Grantham, Green, Holden, Howard, Howell, Johnson, Keating, Lane, Martin, Rozell, Shatwell, Taliaferro, Terrill, Tinsley, Wadley, Watson, Wolfe, York and Young.—28.

Nay: Berrong, Boatner, Helm, Keller, Lamb, Lambert, Luton, McCune, McDaniel, Murphy, Pierce, Schuelein, Stipe and Vann.—14.

Excused: Capps, Giles, Kilpatrick, Porter, Randle and Smith.—6.

The bill passed.

Senators Boatner, Lambert, Vann, Berrong, Schuelein, Stipe and Murphy desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 35. Nay: 7. Excused: 6.

The emergency passed.

SB 309, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

Senator Lambert presiding.

UNANIMOUS CONSENT REQUEST

Senator Crow asked unanimous consent, which was granted, that HJR 1013 be withdrawn from the Rules Committee.

GENERAL ORDER

HJR 1013 by Wickersham of the House was read and considered.

Senator Crow asked to be made a coauthor of HJR 1013, which was the order.

Upon motion of Senator Crow, HJR 1013, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of

Senator Crow, HJR 1013, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HJR 1013 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Wadley, Watson, Wolfe, York and Young.—41.

Excused: Capps, Giles, Kilpatrick, Porter, Randle, Smith and Terrill.—7.

The resolution passed.

HJR 1013 was properly signed and ordered returned to the Honorable House.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Dawson, the request of the Honorable House for a conference on HB 1229 was ordered granted, President Pro Tempore Howard appointing as Senate conferees the following: Senators Dawson, Murphy and Luton.

Senator Lane moved that the Senate stand at ease until further notice, which motion was declared adopted.

The Senate reassembled with Senator Lambert presiding.

Senator Terrill questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

MESSAGE FROM THE HOUSE

Advising concurrence in SAs to and passage of Engrossed HB 1186, as amended.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 16 and 31 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCRs 16 and 19 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising rejection of CCR to Engrossed HB 1328, requesting further Conference and naming same Conferees.

PENDING SENATE ACTION ON HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Dawson, the request of the Honorable House for further conference on HB 1328 was ordered granted, President Pro Tempore Howard appointing the same Senate Conferees.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1100.

The above numbered Enrolled Bill was, after fourth reading, properly signed and ordered returned to the Honorable House.

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 85 (3rd), SB

100, as coauthored by Whorton of the House and SB 101.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HBs 1105, 1132, 1134, 1135, 1139, 1186, 1198, 1278, 1283 and HJR 1023.

The above numbered Enrolled Bills 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 1018.

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

MESSAGE FROM THE HOUSE

Advising that the House of Representatives has failed to override the Governor's Veto of Enrolled Senate Bill 118, the vote being: Ayes: 58; Nays: 36.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 31.

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

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 87, 91, 179, 355 and 374.

The above numbered Enrolled Bills were referred to the Governor.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 85 and 101 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

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 1229, as coauthored by Cleveland, Fried and Hammons.

CONFERENCE COMMITTEE REPORT

The following CCR on HB 1229 was read.

Mr. Speaker
and
Mr. President:

We, your Conference Committee to whom was referred Engrossed HB No. 1229, and Engrossed Senate Amendments thereto, by Matheson, Davis (Don), Denman, Ford, Craighead, Hood, Floyd, Johnston, Riggs and Johnson (Don) of the House and Dawson, Kilpatrick, Cate, Birdsong, Wadley, York, Vann, Taliaferro and Lambert of the Senate, entitled:

An Act relating to state government; regulating lobbying practices in Oklahoma; defining terms; requiring certain persons to register and making exclusions; *** repealing 21 O.S. 1971, Sections 313 and 314; directing codification; providing for severability; and providing effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

1. That the House accept Engrossed Senate Amendments No. 1, 2, 4, and 6.

2. That the Senate recede from its Amendments No. 3, 5, 7, 8, 9, 10, and 11.

3. That the Conference Committee Amendment be adopted as follows:

(a) Amend Page 7, Line 18 by striking the present Section 16 and substituting therefore a new Section 16 to read as follows:

“Any Legislator, or member of the executive or judicial branch, or employee thereof, who receives any fee or other emolument, or whose associate, partner, spouse, or any member of his immediate family receives such a fee, or emolument, for appearance, contact, or representation before or contact with, any state governmental body or representative of the same, or who receives such fees or emoluments as a representative of any group or professional association, shall make disclosure of same by filing with the committee a report showing the amount or value of such fees or emoluments during the preceding 12 month period while serving as a legislator, or member of the executive or judicial branch, or employee thereof. The report shall be filed between January 1st and January 15th of each calendar year after the effective date of this act and shall be a public record. The provisions of this section shall not apply to fees received for services and appearances in courts of record. A willful violation of this section shall constitute grounds for removal from office.”

Respectfully submitted,

FOR THE HOUSE: Matheson and Barker.

FOR THE SENATE: Dawson, Luton and Murphy.

PENDING CONSIDERATION OF CCR

Senator Howard moved that the CCR on

HB 1229 be rejected and further conference requested, and appointing the same Senate Conferees, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising adoption of and returning Engrossed SCR 32.

The above numbered Resolution was referred for enrollment.

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 1, 25, 111 (2nd) 249, 284, 309 (2nd) and 350.

The above numbered Bills as amended in Conference were referred for enrollment.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCRs 16, and 19.

The above numbered Enrolled Resolutions were ordered referred to the Secretary of State.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 16 and 31.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled HB 1416 and HJR 1013.

The above numbered Enrolled Bill and Resolution were, after fourth reading, properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Transmitting following Bill, together with Conference Committee Report there-

on, advising adoption of Conference Committee Report and passage of Measure as amended: Engrossed HB 1328 (2nd) as co-authored by Cleveland of the House.

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1328 was read.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was rereferred Engrossed HB No. 1328, and Engrossed Senate Amendments thereto, by Matheson, et al, of the House and Dawson, et al, of the Senate, entitled:

An Act relating to the practice of optometry, optical dispensing and the sale and advertising of optical goods; amending 59 O.S. 100, Sections 942, 943, and 596; prohibiting certain practices; changing prohibitions; specifying permissible advertising practices; providing method of recording results of examination and contents of prescription; creating Optical Dispensers Advisory Committee; providing for licensing of retail optical dispensers; and specifying effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

The House and Senate conferees are deadlocked and cannot reach a decision.

Respectfully submitted,

FOR THE HOUSE: Matheson, Fitzgibbon and Rogers.

FOR THE SENATE: Dawson and Wadley.

PENDING SENATE ACTION ON CCR

Senator Dawson announced that pursuant to Joint Rule 10(C), HB 1328 would

revert to the status it occupied before being sent to Conference.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 1, 25, 100 and 284 were each correctly enrolled and, after fourth reading, properly signed and ordered transmitted to the Honorable House for the signature of the Speaker.

SCR 32 was correctly enrolled, 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 85 and 101.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 8, as coauthored by Weichel, SB 332, as coauthored by Caldwell and SJR 7 as coauthored by Anderson, Bernard, Harper, Kamas and McKee.

The above numbered Bills and Resolution were referred for enrollment.

EXECUTIVE SESSION

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

The Senate reassembled in open session with Senator Lambert presiding, who made the following announcements:

The Senate, in executive session, and

upon motion of Senator Randle, advised and consented to the confirmation of JERRY D. DILLON, Tulsa, as a member of the Oklahoma State Board of Registration of Social Workers, to serve an unexpired 5-year term ending June 1, 1979, and effective upon Senate confirmation. Mr. Dillon succeeds himself.

The Senate, in executive session, and upon motion of Senator McCune, advised and consented to the confirmation of JOHN KILPATRICK, Oklahoma City as a member of the Turnpike Authority, District 1, to serve an 8-year term ending July 1, 1984, and effective upon Senate confirmation. Mr. Kilpatrick succeeds himself.

The Senate, in executive session, and upon motion of Senator Howell, advised and consented to the confirmation of GEORGE POOLAW, Oklahoma City, as a member of the Indian Affairs Commission, to serve a 3-year term ending August 15, 1979, and effective upon Senate confirmation. Mr. Poolaw succeeds himself.

The Senate, in executive session, and upon motion of Senator Lane, advised and consented to the confirmation of tag agents as per the list provided by the Oklahoma Tax Commission.

UNANIMOUS CONSENT REQUEST

Senator Crow asked unanimous consent, which was granted, that Senate Rule 10(b) be suspended.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 93 was read and adopted upon motion of Senator Crow.

Mr. President
and
Mr. Speaker

We your General Conference Committee

on Appropriations, to whom was rereferred Engrossed SB No. 93, entitled:

(Oklahoma Historical Society — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the Conference Committee Substitute for Engrossed SB No. 93, attached, be adopted.

Senate Conferees: Randle, Vice-Chairman, Berrong, Boatner, Cate, Grantham, Holden, Lamb, Schuelein, McCune, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Roberts, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

SB 93, as amended in Conference, was read at length.

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

Aye: Berrong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Funston, Grantham, Green, Helm, Holden, Howard, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—35.

Nay: Birdsong, Howell, Kilpatrick, Lambert, McCune, Murphy, Porter and York.—8.

Excused: Capps, Giles, Keating, Smith and Wolfe.—5.

The bill and emergency passed.

SB 93, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

CONFERENCE COMMITTEE REPORT

The following CCR on SB 110 was read and adopted upon motion of Senator Crow.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 110, entitled:

(Department of Transportation — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute be adopted.

Senate Conferees: Berrong, Boatner, Cate, Grantham, Holden, Lamb, Schuelein, McCune, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Campbell, Denman, Draper, Elder, Matheson, Roberts, Murphy, Riggs, Rogers, Sparkman, Townsend and Trent.

SB 110, as amended in Conference, was read at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Field, Funston, Grantham, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson, York and Young.—42.

Excused: Capps, Dawson, Giles, Keating, Smith and Wolfe.—6.

The bill and emergency passed.

SB 110, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

CONFERENCE COMMITTEE REPORT

The following second CCR on SB 112 was read.

Mr. President
and
Mr. Speaker

We your General Conference Committee on Appropriations, to whom was referred Engrossed SB No. 112, entitled:

(Tourism and Recreation — Appropriation — 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 Engrossed House Amendment No. 1.

2. That the attached Conference Committee Substitute for Engrossed SB No. 112 be adopted.

Senate Conferees: Randle, Vice-Chair-

man, Berrong, Boatner, Cate, Grantham, Holden, Lamb, Schuelein, McCune, Stipe, Terrill and York.

House Conferees: Davis (Don), Vice-Chairman, Abbott, Draper, Elder, Roberts, Murphy, Parris, Rogers, Sparkman, Townsend and Trent.

The CCR on SB 112 was adopted upon motion of Senator Crow, the roll call thereon being as follows:

Aye: Berrong, Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Green, Holden, Howard, Howell, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Wadley and Young.—30.

Nay: Birdsong, Funston, Helm, Keller, Kilpatrick, Lambert, McCune, Murphy, Pierce, Randle, Watson and York.—12.

Excused: Capps, Giles, Keating, Smith, Vann and Wolfe.—6.

SB 112, as amended in Conference, was read at length.

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

Aye: Boatner, Butler, Cate, Clifton, Crow, Dahl, Dawson, Field, Grantham, Green, Holden, Howard, Howell, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Pierce, Porter, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, Watson and Young.—32.

Nay: Berrong, Birdsong, Funston, Helm, Keller, Kilpatrick, Lambert, McCune, Murphy, Randle and York.—11.

Excused: Capps, Giles, Keating, Smith and Wolfe.—5.

The bill passed.

Senator Murphy desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33. Nay: 10. Excused: 5.

The emergency passed.

SB 112, together with the Conference Committee Report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising passage of and returning Engrossed SB 268, as amended.

HOUSE AMENDMENTS

HAs to SB 268 were read as follows and consideration deferred.

Amendment No. 1. Restore Title to read as follows:

"An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-205, as amended by Section 1, Chapter 4, O.S.L. 1975 (63 O.S. Supp. 1976, Section 1-205); providing for county, district and cooperative departments of health; requiring certain personnel to be employed as state employees; providing for certain public health services; and declaring an emergency."

Senator Lane moved that the Senate stand at ease, which motion prevailed.

The Senate reassembled with Senator Lambert presiding. Senator Howard questioned the presence of a quorum. The Presiding Officer ordered the roll called, following which he declared a quorum present.

MESSAGE FROM THE HOUSE

Advising further conference granted on HB 1229 with instructions as follows: 1. Reinstate the original Barker amendment, No. 14 (Section 16 of Engrossed Bill); and 2. Recede from the Conference Committee Amendment on Page 7, Line 18; and naming same Conferees.

PENDING SENATE ACTION — LOBBY PERMIT

Senator Terrill moved that the committee report on lobby permits be adopted, which motion was declared adopted.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 1, 25, 100 and 284.

The above numbered Enrolled Bills were referred to the Governor.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled SCR 32.

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

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 1229 (2nd).

CONFERENCE COMMITTEE REPORT

The following second CCR on HB 1229 was read.

Mr. Speaker
and
Mr. President

We, your Conference Committee to whom was rereferred Engrossed HB No. 1229, and Engrossed Senate Amendments thereto, by Matheson, et al, of the House and Dawson, et al, of the Senate, entitled:

An Act relating to State Government; regulating lobbying practices in Oklahoma; defining term; requiring certain persons to register and making exclusions; *** repealing 21 O.S. 1971, Sections 313 and 314; directing codification; providing for severability; and providing effective date.

beg leave to report that we have had the same under consideration and herewith return the same with the following recommendation:

The House and Senate Conferees are deadlocked and cannot reach a decision.

Respectfully submitted,

FOR THE HOUSE: Matheson, Barker and Rogers.

FOR THE SENATE: Murphy, Luton and Dawson.

PENDING CONSIDERATION OF CCR

Senator Dawson announced that pursuant to Joint Rule 10(C) HB 1229 would revert to the status it occupied before being sent to Conference.

Senator Lane moved that the Senate stand at ease, which motion prevailed.

The Senate reassembled with President Pro Tempore Howard presiding.

Senator Holden moved that, when the clerk's desk is clear, and pursuant to HCR 1018, the Senate of the First Regular Session of the Thirty-sixth Legislature adjourn sine die, which motion was declared adopted.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 8, 111, 249, 309, 332 and 350 and SJR 7 were each correctly enrolled and, 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 8, 111, 249, 309, 332, 350 and SJR 7.

The above numbered Enrolled Bills and Resolution were referred to the Governor.

The Clerk announced that his desk was clear, whereupon, as provided under the Holden motion and HCR 1018, the Senate of the First Regular Session of the Thirty-sixth Legislature adjourned sine die.



SENATE COMMITTEES

Thirty-sixth Legislature

RULES COMMITTEE

Terrill, Chairman
Lambert, Vice Chairman

Cate	Luton
Crow	McCune
Field	Murphy
Grantham	Smith
Holden	Stipe
Lane	York

STANDING COMMITTEES

AGRICULTURE-11

Dahl, Chairman
Capps, Vice Chairman

Boatner	McDaniel
Field	Martin
Giles	Taliaferro
Holden	Vann
Lane	

APPROPRIATIONS AND BUDGET-14

Crow, Chairman
Randle, Vice Chairman

Berrong	Lambert
Boatner	Murphy
Butler	Pierce
Cate	Stipe
Funston	Terrill
Keating	Young

BANKS AND BANKING-11

Boatner, Chairman
Randle, Vice Chairman

Birdsong	Smith
Green	Terrill
Howell	Wolfe
Keller	York
Porter	

**BUSINESS, INDUSTRY AND
LABOR RELATIONS-7**

Butler, Chairman
Kilpatrick, Vice Chairman

Birdsong	Shatwell
Helm	York
Schuelein	

**CONSTITUTIONAL REVISION AND
REGULATORY SERVICES-6**

Berrong, Chairman
Taliaferro, Vice Chairman

Howell	Pierce
McCune	Terrill

**COUNTY, STATE AND FEDERAL
GOVERNMENT-7**

Wadley, Chairman
Vann, Vice Chairman

Birdsong	Taliaferro
Cate	York
Luton	

CRIMINAL JURISPRUDENCE-6

Cate, Chairman
Keating, Vice Chairman

Clifton	Stipe
Grantham	Wolfe

EDUCATION, COMMON-14

Howell, Chairman
Funston, Vice Chairman

Butler	Luton
Capps	Martin
Dawson	Rozell
Field	Terrill
Keller	Watson
Lamb	Young

EDUCATION, HIGHER-7

Murphy, Chairman
Cate, Vice Chairman

Dawson	Shatwell
Lane	Watson
Schuelein	

ELECTIONS AND PRIVILEGES-6

Shatwell, Chairman
Pierce, Vice Chairman

Berrong	Lane
Kilpatrick	Tinsley

**EMPLOYMENT AND
ADMINISTRATION-5**

Young, Chairman
Luton, Vice Chairman

Crow Lane
Holden

**ENGROSSED AND ENROLLED
BILLS-3**

Helm, Chairman
McCune, Vice Chairman

Crow

**ENVIRONMENTAL AND
NATURAL RESOURCES-6**

Capps, Chairman
McDaniel, Vice Chairman

Helm McCune
Lambert Wadley

INSURANCE-6

Birdsong, Chairman
Green, Vice Chairman

Luton Smith
Porter Young

JUDICIARY-11

Grantham, Chairman
Lambert, Vice Chairman

Clifton Lamb
Green Luton
Howell Wolfe
Keating Young
Kilpatrick

MUNICIPAL GOVERNMENT-6

York, Chairman
Keller, Vice Chairman

Grantham Schuelein
Lambert Smith

OIL AND GAS-7

Funston, Chairman
Dahl, Vice Chairman

Field McDaniel
Giles Pierce
Holden

**PROFESSIONS AND
OCCUPATIONS-8**

Dawson, Chairman
Giles, Vice Chairman

Johnson Tinsley
Martin Wadley
Rozell Watson

PUBLIC AND MENTAL
HEALTH-6

Martin, Chairman
Wolfe, Vice Chairman

Funston	Keating
Helm	Vann

PUBLIC SAFETY AND PENAL
AFFAIRS-8

Schuelein, Chairman
Johnson, Vice Chairman

Clifton	Porter
Dahl	Stipe
McCune	Watson

REVENUE AND TAXATION-13

Smith, Chairman
Clifton, Vice Chairman

Berrong	Keller
Crow	Kilpatrick
Dawson	Lamb
Green	Murphy
Helm	Randle
Holden	

ROADS AND HIGHWAYS-13

Stipe, Chairman
Tinsley, Vice Chairman

Boatner	Johnson
Butler	McDaniel
Capps	Murphy
Giles	Shatwell
Grantham	Vann
Holden	

SOCIAL WELFARE-5

Porter, Chairman
Rozell, Vice Chairman

Lamb	Randle
Lane	

WILDLIFE-7

Tinsley, Chairman
Field, Vice Chairman

Dahl	Taliaferro
Johnson	Wadley
Rozell	

INTERIM AND SPECIAL COMMITTEE APPOINTMENTS

EXECUTIVE COMMITTEE, STATE LEGISLATIVE COUNCIL

(74 O.S., § 456)

Senator Gene C. Howard, President Pro Tempore of the Senate, Chairman
Representative William P. Willis, Speaker of the House of Representatives, Vice Chairman

Senate

Birdsong, Jimmy
Butler, Kenneth
Capps, Gilmer N.
Dahl, John L.
Dawson, Bill
Funston, Bob
Johnson, Joe
Lambert, Phil
Martin, Ernest D.
Porter, E. Melvin
Shatwell, Bob R.
Tinsley, Gideon
Wadley, Robert L.
Wolfe, Stephen C.
Young, John W.

House

Cullison, Robert V.
Davis, Guy
Hardesty, Jim W.
Holden, A. C.
Hooper, Roy B., Jr.
Hopkins, Robert E.
Johnson, A. Visanio
Kennedy, Billy F.
Lancaster, Bill
Manning, Joe R., Jr.
McIntyre, Bernard J.
Monks, John
Peterson, Charles R.
Stephenson, Tom R.
Wickersham, Victor E.

Senate Alternates

Giles, Ray A.
Green, Warren E.
McDaniel, James W.
Rozell, Herbert
Taliaferro, Paul

House Alternates

Crutcher, Bill J.
Dunn, Vernon
Joiner, Fred
Robinson, Bill
Steward, Jerry

ADVISORY COMMITTEE, SOUTH CENTRAL INTERSTATE FOREST FIRE PROTECTION COMPACT

(2 O.S., § 1301-215)

Senator Jim E. Lane
Representative Mike Murphy

COMMITTEE ON INTERSTATE COOPERATION

(74 O.S., § § 423, 425)

Representative William P. Willis, Chairman
Senator Gene C. Howard, Vice Chairman

Senate

Birdsong, Jimmy
Luton, John D.
Smith, Finis W.
Wadley, Robert L.
Watson, Phil

House

Davis, Don
Elder, Charles
Floyd, Glenn Eldon
Nance, Kenneth
Sanders, E. C. Sandy
Townsend, James B.
Twidwell, Carl

WAGE ADJUSTMENT AND SALARY BOARD

(74 O.S., § 817.3)

Advisory Members**Senate**

Dahl, John L.
Watson, Phil

House

Sanders, E. C. Sandy
Duke, Don

OKLAHOMA STATE ETHICS COMMISSION

(74 O.S., § 1408)

**Appointed by the President
Pro Tempore of the Senate**

Investigating Panel:
Dr. James G. Caster,
Oklahoma City

Hearing Panel:
Malleck G. Coury, Tulsa

**Appointed by the Speaker of
the House of Representatives**

Investigating Panel:
B. E. Bill Harkey,
Oklahoma City

Hearing Panel:
Cecil Brownie Brown, Jr.,
Oklahoma City

Appointed by the Governor

Investigating Panel:
Dr. Gene Garrison, Oklahoma City

Hearing Panel:
K. Nicholas Wilson, Oklahoma City

JOINT LEGISLATIVE ETHICS COMMITTEE

(74 O.S., § 1410)

Senator Finis W. Smith, Chairman
Representative Charles Elder, Vice Chairman

Senate

Grantham, Roy E.
Keller, E. W.

House

Camp, George
Townsend, James B.

OKLAHOMA EDUCATION COUNCIL

(74 O.S., § 3801)

Governor David Boren, Chairman

Senator Robert M. Murphy, Chairman of the Higher Education Committee of the Senate
Representative Marvin E. McKee, Chairman of the Higher Education Committee of the House of Representatives

Senator James F. Howell, Chairman of the Common School Education Committee of the Senate

Representative Lonnie L. Abbott, Chairman of the Common School Education Committee of the House of Representatives, Vice Chairman

Leslie R. Fisher, Ed.D., Superintendent of Public Instruction

E. T. Dunlap, Ed.D., Chancellor, State Regents for Higher Education

Francis Tuttle, Ed.D., Director of the State Department of Vocational and Technical Education

Gubernatorial Appointees

R. E. Carlton, Oklahoma City

Mrs. Earl J. Cherry, Tulsa

(Vacancy)

THE EDUCATIONAL COMMISSION OF THE STATES

(70 O.S., § 506.1 III A)

(Interstate Compact for Education)

Oklahoma Members

Governor David L. Boren

Senator James F. Howell

Representative Lonnie L. Abbott

E. T. Dunlap, Ed.D., Chancellor, State Regents for Higher Education

Leslie R. Fisher, Ed.D., Superintendent of Public Instruction

Ivan Holmes, Tahlequah

Tom Gallaher, Norman

**COMMISSION ON THE REORGANIZATION
OF STATE GOVERNMENT**

(74 O.S., § § 1541 through 1546)

(Senate Bill 118, 1975)

Governor David Boren, Chairman

Senator Gene C. Howard, President
Pro Tempore of the Senate

Representative William P. Willis, Speaker
of the House of Representatives

Senate

Norman A. Lamb
John D. Luton
Gene Stipe

House

David Craighead
W. D. Bradley
Lewis M. Kamas

Gubernatorial Appointees

Larry Wade, Elk City
Gary Cook, Tulsa
Bert Mackie, Enid
Bryan W. Waid, Lawton
Mrs. Shirley Weeks, Stillwater
Douglas C. Wixson, Tulsa

LEGISLATIVE LIAISON COMMITTEE ON THE CAPITOL
IMPROVEMENT AUTHORITY AND THE
STATE BOARD OF PUBLIC AFFAIRS

(73 O.S., § 176)

Representative Ross Duckett, Chairman
Senator Wayne Holden, Vice Chairman

Senate

Cate, Lee
Crow, Herschal H.

House

Cullison, Robert V.
Ford, Charles R.

COMMITTEE ON LEGISLATIVE OVERSIGHT OF PUBLIC TRUSTS

(60 O.S., § 178.1)

Senator Phil Lambert, Chairman
Representative Glenn Eldon Floyd, Vice Chairman

Senate

Tinsley, Gideon
Young, John

House

Stephenson, Tom R.
Wickersham, Victor

SOUTHERN GROWTH POLICIES BOARD

(74 O.S., § 3501, Art. II)

David L. Boren, Governor
Sam Hammons, Alternate, Office of the Governor
Representative Howard Cotner
Senator Bob Funston
Robert Sellers, Tulsa
James C. Leake, Muskogee

OKLAHOMA COMMISSIONERS ON UNIFORM STATE LAWS

(74 O.S., § 471)

Bryce Baggett, Oklahoma City
Representative Charles Elder
Senator Roy E. Grantham
Fred H. Miller, Norman
Bert McElroy, Tulsa
Maurice H. Merrill, S.J.D., Lifetime Commissioner, Norman (74 O.S., § 476)

**COMMITTEE ON APPROPRIATIONS AND BUDGET
SUBCOMMITTEE ON FISCAL OPERATIONS**

(74 O.S., § 452.3)

Senator Herschal H. Crow, Chairman
Representative Don Davis, Vice Chairman

Senate

Butler, Kenneth
Randle, Rodger A.
Stipe, Gene
Terrill, Al

House

Barker, Jim L.
Crutcher, Bill J.
Ervin, William J.
Townsend, James B.

BOARD ON LEGISLATIVE COMPENSATION

(Constitution, Article V, Section 21)

(SB 373, 1977 [74 O.S. Supp. 1977, § § 291.2, 291.3])*

Gubernatorial Appointees

Robert A. Durgin, Oklahoma City,
Chairman
Dr. William E. Neptune, Shawnee
Bill R. Retherford, Broken Arrow
Fred M. Silver, Warr Acres
Reverend Robert W. Cocke, Seminole

Senate Appointees

Duke Cooper, Stillwater
Curtis G. Holsted, Tulsa

House Appointees

Rex Kenyon, M.D.,
Oklahoma City
Cecil Brownie Brown, Jr.,
Oklahoma City

(The Chairman of the Oklahoma Tax Commission and the Director of State Finance are ex-officio and nonvoting members.)

* Director of State Finance shall serve as Secretary to the Board.

HISTORY AND FUNCTION — The board was created in 1968 by adoption of constitutional amendment and its duty is to review the compensation paid legislators each two years with the power to change such compensation, which change shall become effective on the 15th day following the succeeding general election. Currently, Oklahoma legislators are paid \$12,948 annually with the President Pro Tempore of the Senate and Speaker of the House of Representatives receiving an additional \$6,000 and the floor leaders of the majority and minority parties receiving an additional \$4,200 per year. Legislators also are reimbursed for necessary expenses.

SPECIAL COMMITTEE ON CRIMINAL JUSTICE SYSTEM

HJR 1020, 1977*

Senator Al Terrill, Chairman
Representative M. David Riggs, Vice Chairman

Senate

Clifton, John L.
Dahl, John L.
McCune, John R.
Young, John W.

House

Campbell, Terry L.
Lawter, J. Mike
Steward, Jerry
Vaughn, George

Senate Appointees

Joan Blankenship, Tulsa
Larry Hammer, Cherokee
Robert McMillin, Oklahoma City
Carl Reheman, Edmond
Michael Turpin, Muskogee

House Appointees

William Bentley, Oklahoma City
Fred Ferrell, Elgin
C. A. McCall, Atoka
William D. Parker, Edmond
Lynn Pitts, Stillwater

* Directs submission of Final Report to the Senate and House on the first day of the 2nd Session of the 36th Oklahoma Legislature.

OKLAHOMA EMPLOYMENT ANALYSIS REVIEW BOARD

(SB 91, 1977 Expires June 30, 1978)

Keith B. Frosco

Director of the State Personnel Board, Chairman

Gary Parsons

Chairman of the State Wage Adjustment and Salary Board

Roy Robert Gann, Jr.

Director of the Indian Affairs Commission

William Y. Rose

Director of the Human Rights Commission

Barbara Webb

Liaison to the Governor's Advisory Commission on the Status of Women

Senate Appointees**Randle, Rodger A.**
Kilpatrick, Don
Murphy, Robert M.**House Appointees****Sanders, E. C. Sandy**
Morgan, Charlie
Cotner, Howard

SPECIAL COMMITTEE ON STUDY OF LAND RECORDS SYSTEMS

HJR 1003, 1977*

Representative Charles R. Peterson, Chairman
Senator Phillip E. Lambert, Vice Chairman

Senate

Kilpatrick, Don

House

Frates, Kent F.

Representing the Real Property Section of the Oklahoma Bar Association:

Joe Rarick, Norman
H. G. Tolbert, Watonga
James G. Hamill, Oklahoma City

Representing the Oklahoma Land Title Association:

John W. Warren, Newkirk
John Cathey, Oklahoma City
John C. Kirkpatrick, Tulsa

Representing the Oklahoma County Clerks Association:

Cecil Parham, Oklahoma City
Anita Nesbitt, Tulsa
Romadell Hannah, Tahlequah

Lawyers cognizant with problems relating to the recording and evidencing of real property information:

Henley Blair, Oklahoma City
John Eagleton, Tulsa

*Directs submission of Final Report to the final meeting of the Executive Committee of the State Legislative Council of the 1977-1978 legislative interim.

BILLS REFERRED TO GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

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CONFERENCE COMMITTEE ON APPROPRIATIONS****HOUSE BILLS**

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SUMMARY OF LEGISLATIVE ACTION

	Intro- duced	Enacted or Adopted	Carried Over in Senate to 1978	Carried Over in House to 1978	Total Carried Over	Dead
Senate Bills	412	147	191	57	248	17
Senate Joint Resolutions	40	14	13	10	23	3
Senate Concurrent Resolutions	32	23	—	—	—	9
Senate Resolutions	11	11	—	—	—	—



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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
SR	—Senate Resolution
WD	—Withdrawn



SENATE BILLS

SB 1 — By Funston — An Act relating to schools; amending 70 O.S. 1971, Section 6-104, as last amended ... providing for payment of salaries to teachers while on sick leave ... emergency.

1st Reading	41
2d Reading	61
CR	85
Considered, passed, referred	114
Engrossed — To House	120
HAs read, consideration deferred	972
HAs rejected, Conference requested	973
SCs appointed	973
Conference granted, HCs named	978
CCR read, consideration deferred	984
CCR adopted, passed — To House	986
Referred for enrollment	998
Enrolled — 4th Reading	999
To Governor	1002
Approved June 15, 1977	

SB 2 — By Smith — An Act relating to county home rule; providing any county may adopt a County Home Rule Charter ... structure of county government ... repealing all conflicting laws ...

1st Reading	41
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SB 3 — By Grantham of the Senate and Elder of the House — An Act relating to civil procedure; amending 12 O.S. 1971, Section 990; modifying procedure for appeals to the State Supreme Court; repealing 12 O.S. 1971, Section 992 ... emergency.

1st Reading	41
2d Reading	61

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SB 4 — By Murphy — An Act relating to civil procedure; amending 12 O.S. 1971, Section 226; requiring a guardian or next friend to bring an action for an infant ... recovery of certain damages to the benefit of an infant ... emergency.

1st Reading	41
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To Governor	850
Approved June 3, 1977	941

SB 5 — By Murphy — An Act relating to schools; amending 70 O.S. 1971, Section 3409; providing for a Board of Regents for the Oklahoma Agricultural and Mechanical Colleges ... definition of farmer ... emergency.

1st Reading	41
2d Reading	61
CR	436
Considered, passed, referred	510
Engrossed — To House	529

SB 6 — By Cate — An Act relating to counties and county officers; amending 19

O.S. 1971, Section 215.23, as amended ...
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payroll clerk and assistant payroll clerk;
and changing supervision of payroll clerk
and assistant payroll clerk.

1st Reading	42
2d Reading	61
CR	328
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ML; tabled, referred for engrossment	382; 388
Engrossed — To House	401
HAs read, consideration deferred	544
HAs adopted, passed, referred	631
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Approved May 10, 1977	660

SB 7 — By Capps of the Senate and
Wickersham and Bradshaw of the House
— An Act relating to oil and gas; amend-
ing 52 O.S. 1971, Section 87.1 ... Corpora-
tion Commission to establish well spacing
and drilling units; restricting the size of
certain units ... emergency.

1st Reading	42
2d Reading	61
CR	321
Considered, passed	357
ML; tabled, referred	358; 388
Engrossed — To House	401
HAs read, consideration deferred	591
HAs rejected, Conference requested	644
SCs appointed	644
Conference granted, HCs named	647
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CCR adopted, passed — To House	688
Referred for enrollment	692
Enrolled — 4th Reading	710
To Governor	717
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House rescinded 4th Reading; reconsidered vote by which CCR was adopted, CCR rejected, further conference requested	753
Further conference granted	753

CCR read, adopted, passed — To

House	754
Referred for enrollment	773
Enrolled — 4th Reading	782
To Governor	787
Approved May 25, 1977	828

SB 8 — By Dahl — An Act relating to
agriculture; amending 2 O.S. 1971, Section
2-2; fixing compensation for members of
the State Board of Agriculture; and in-
creasing the per diem rate.

1st Reading	42
2d Reading	61
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Engrossed — To House	145
Referred for enrollment	999
Enrolled — 4th Reading	1003
To Governor	1003
Approved June 15, 1977	

SB 9 — By Dahl — An Act relating to
revenue and taxation; amending 68 O.S.
1971, Section 1305c, as amended ...
exempting sales of farm machinery from
consumer sales tax ... emergency.

1st Reading	42
2d Reading	61

SB 10 — By Dawson — An Act relat-
ing to criminal procedure; amending 22
O.S. 1971, Section 1014; and specifying the
manner of inflicting punishment of death.

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HAs rejected, Conference requested	574
SCs appointed	574
Conference granted, HCs named	579
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Referred for enrollment	654
Enrolled — 4th Reading	655

To Governor	659
Approved May 10, 1977	669

SB 11 — By Dawson — An Act relating to the State Capital and Capitol Building; repealing 73 O.S. 1971, Section 63, which provides for display of battle flags and colors in cases within the State Capitol Building.

1st Reading	42
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Considered, passed, referred	151
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HAs read, consideration deferred	669
HAs adopted, passed, referred	913
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To Governor	940
Approved June 14, 1977	

SB 12 — By Dawson — An Act relating to the State Capital and Capitol Building; repealing 73 O.S. 1971, Section 61, which provides for assignment of space in the State Capitol Building to Boy Scouts.

1st Reading	42
2d Reading	61
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SB 13 — By Dawson — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 375; prohibiting the raising of certain flags over tax-supported property ... emergency.

1st Reading	42
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SB 14 — By Keating — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 51, as amended ... imprisonment for second and subsequent offenses and adjudication of an habitual criminal ... maximum sentences.

1st Reading	42
2d Reading	61
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SB 15 — By Keating — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 652; prohibiting shooting with intent to kill and increasing the punishment therefor ... emergency.

1st Reading	42
2d Reading	61
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Engrossed — To House	239
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 10, 1977	660

SB 16 — By Keating — An Act relating to civil procedure; amending Section 1, Chapter 15, O.S.L. 1975 (12 O.S. Supp. 1976, Section 1770) ... procedures for entering small claims judgments on judgment docket ... authorizing release of judgments by the court.

1st Reading	43
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Engrossed — To House	114
HAs read, consideration deferred	801
HAs rejected, Conference requested	909
SCs appointed	909
Conference granted, HCs named	954
CCR read, consideration deferred	963
CCR adopted, passed — To House	968
Referred for enrollment	992
Enrolled — 4th Reading	996
To Governor	998
Approved June 14, 1977	

SB 17 — By Murphy of the Senate and Manning of the House — An Act relating to real property; amending 60 O.S. 1971, Sections 332 and 333, pertaining to titles by prescription; prescribing procedure, notice and time for commencing certain actions ... emergency.

1st Reading	43
2d Reading	61

SB 18 — By Keating — An Act relating to public health and safety; amending 63 O.S. 1971, Section 2-506; providing for seizure of certain vehicles used in unlawful transport of certain prohibited controlled dangerous substances ... emergency.

1st Reading 43
2d Reading 61
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SB 19 — By Smith — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2702; providing for contractual agreements for collection of municipal taxes by the Tax Commission ... emergency.

1st Reading 43
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SB 20 — By Terrill — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2358, as last amended ... providing for income tax adjustment applicable to certain newspaper enterprises; repealing 68 O.S. 1971, Section 2358, as amended ... emergency.

1st Reading 43
2d Reading 61

SB 21 — By Howell — An Act relating to administration of district attorneys; amending 19 O.S. 1971, Sections 215.14, as amended and others ... providing for district attorneys' salaries, retirement, and certain other claims and expenses ... effective date.

1st Reading 43
2d Reading 61

SB 22 — By Dawson, Watson, Clifton, McDaniel and Keating of the Senate and Abbott of the House — An Act relating to professions and occupations ... creating and stating qualifications and duties of the Optical Dispensers Committee ... emergency.

1st Reading 43
2d Reading 61

SB 23 — By Smith — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 23.2; providing for apportionment of certificate of title fees, either original, transfer or duplicate ... emergency.

1st Reading 43
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Approved May 6, 1977 644

SB 24 — By Birdsong — An Act relating to state government; amending 74 O.S. 1971, Section 1306, as amended ... duties of the State Employees Group Health and Life Insurance Board ... effective date.

1st Reading 44
2d Reading 61

SB 25 — By Grantham of the Senate and Elder of the House — An Act relating to special mailing requirements; amending 25 O.S. 1971, Section 221; authorizing use of restricted delivery where statutory requirement for registered or certified mail is specified ... emergency.

1st Reading 44
2d Reading 61
CR 80
Considered, passed, referred 121
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HAS read, consideration deferred 801
HAS rejected, Conference requested 833
SCs appointed 833
Conference granted, HCs named 846
CCR read, consideration deferred 984
CCR adopted, passed—To House 989
Referred for enrollment 998
Enrolled—4th Reading 999
To Governor 1002
Approved June 14, 1977

SB 26 — By Grantham of the Senate and Elder of the House — An Act relating to civil procedure; repealing 12 O.S. 1971, Sections 286 through 292, which relate

to the verification of certain denials ... emergency.	
1st Reading	44
2d Reading	61
CR	80
Considered, passed, referred	131
Engrossed — To House	140
HAs read, consideration deferred	655
HAs adopted, passed, referred	813
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 27 — By Dawson — An Act relating to professions and occupations; repealing 59 O.S. 1971, Section 594, limiting practice of optometrists.

1st Reading	44
2d Reading	61
CR	136

SB 28 — By Dawson — An Act relating to professions and occupations; repealing 59 O.S. 1971, Sections 736.1, 736.2 and 736.3, relating to price advertising.

1st Reading	44
2d Reading	61

SB 29 — By Boatner — An Act relating to cemeteries; amending 8 O.S. 1971, Sections 143 and 144; authorizing county commissioners to use county equipment and employees to open and close graves and maintain and improve certain cemeteries ... emergency.

1st Reading	44
2d Reading	61
CR	227
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Engrossed — To House	254

SB 30 — By Boatner — An Act relating to civil procedure; amending 12 O.S. 1971, Section 686; regulating judgments in foreclosure suits; and directing payment on a pro rata basis of current taxes on certain property.

1st Reading	44
2d Reading	61

SB 31 — By Boatner — An Act relat-

ing to state officers and employees; amending Section 18, Chapter 123, O.S.L. 1972 (74 O.S. Supp. 1976, Section 500.18); modifying the scope and application of the State Travel Reimbursement Act ... repealing Section 1, Chapter 163, O.S.L. 1973 (74 O.S. Supp. 1976, Section 500.19).

1st Reading	44
2d Reading	61
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Considered	134
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HAs read, consideration deferred	928
HAs adopted, passed, referred	989
Enrolled — 4th Reading	996
To Governor	998
Approved June 15, 1977	

SB 32 — By Boatner — An Act relating to county highways; providing a short title; providing for the hard-surfacing of secondary roads in each county; defining hard-surfaced road ... emergency.

1st Reading	44
2d Reading	61

SB 33 — By Boatner — An Act relating to cities and towns; amending 11 O.S. 1971, Section 405, as last amended ... providing for filing of protests to changes in regulations and boundaries of cities and incorporated towns ... limiting application.

1st Reading	45
2d Reading	61

SB 34 — By Howell — An Act relating to schools; amending 70 O.S. 1971, Section 5-118, as amended ... providing for meetings and compensation of Boards of Education; authorizing executive sessions under certain circumstances ... emergency.

1st Reading	45
2d Reading	61
CR	164
Considered, passed, referred	182
Engrossed — To House	194
HAs read, consideration deferred	769
HAs adopted, passed, referred	784

Enrolled — 4th Reading	794	Act relating to revenue and taxation; amending 68 O.S. 1971, Section 50001, as last amended ... increasing the salary of the State Fire Marshal and his assistant ... emergency.	
To Governor	795	1st Reading	46
Vetoed May 30, 1977	849	2d Reading	61
Veto overridden — To House	862	CR	270; 321
Action by House, overridden	874	Considered, passed, referred	361
To Secretary of State	874	Engrossed — To House	374
		Referred for enrollment	620
SB 35 — By Smith — An Act relating to insurance; providing for the Oklahoma Prepaid Legal Services Act; declaring intent ... directing codification		Enrolled — 4th Reading	630
1st Reading	45	To Governor	631
2d Reading	61	Approved May 6, 1977	644
SB 36 — By Smith of the Senate and Nance of the House — An Act relating to taxation; amending 68 O.S. 1971, Section 2355; providing for classes of taxpayers and determining rates of tax ... effective date.		SB 40 — By Dahl — An Act relating to the militia; amending 44 O.S. 1971, Section 232.3, as amended ... providing for the appointment, composition and terms of Armory Boards ... Temporary Armory Boards ... emergency.	
1st Reading	45	1st Reading	46
2d Reading	61	2d Reading	61
CR	94	CR	113
Considered, passed, referred	115	Considered	120
Engrossed — To House	120	Considered, passed, referred	121
HAs read, consideration deferred	621	Engrossed — To House	133
HAs adopted, passed, referred	644		
Enrolled — 4th Reading	655	SB 41 — By Dahl — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305c, as amended ... modifying exemptions from the consumer sales tax by defining the operation of a custom feed yard as farming and/or ranching.	
To Governor	663	1st Reading	46
Approved May 16, 1977	695	2d Reading	61
SB 37 — By Wolfe — An Act relating to crimes and punishments; prohibiting the detention of a minor child by a parent not entitled to its custody, under certain circumstances ... emergency.			
1st Reading	45	SB 42 — By Grantham of the Senate and Elder of the House — An Act relating to fees; amending 28 O.S. 1971, Section 121, as amended ... specifying fees for printing legal notices.	
2d Reading	61	1st Reading	46
SB 38 — By Keating — An Act relating to mental health; amending 43A O.S. 1971, Sections 3, 5, 55, as last amended and others ... modifying the definitions of a mentally ill person and qualified examiner ... procedure for admission into and discharge from certain institutions ... emergency.		2d Reading	61
1st Reading	45	CR	80
2d Reading	61	Considered, passed, referred	130
SB 39 — By Smith and Dawson — An		Engrossed — To House	140
		Referred for enrollment	620
		Enrolled — 4th Reading	630

To Governor	631
Approved May 6, 1977	644

SB 43 — By Grantham of the Senate and Elder of the House — An Act relating to conveyances; proclaiming public interest in abandoned mineral interests ... escheat to state of abandoned mineral interests ... emergency.

1st Reading	46
2d Reading	61
CR	128
Considered	308
Considered, passed	317
ML; adopted	318; 349
3d reading, passed, referred	498
Engrossed — To House	503

SB 44 — By Howell — An Act relating to torts; amending Section 1, Chapter 66, O.S.L. 1975 (76 O.S. Supp. 1976, Section 16); expanding committees to which certain protection from liability is provided ... emergency.

1st Reading	46
2d Reading	61

SB 45 — By Pierce — An Act relating to criminal procedure; amending 22 O.S. 1971, Section 1106; providing for deposits of money for bail; allowing combination bonds ... emergency.

1st Reading	46
2d Reading	61

SB 46 — By Smith — An Act relating to revenue and taxation; amending 68 O.S. 1971, Sections 1402 and 1403; providing for additional state use tax and apportionment of additional revenues to cities and towns within the State of Oklahoma.

1st Reading	46
2d Reading	61
CR	128
WD, rereferred	191
CR	322
Considered, passed	512
ML; referred	512; 539
Engrossed — To House	547

SB 47 — By Keating — An Act relat-

ing to property; amending 60 O.S. 1971, Section 333; providing for title by prescription; and requiring payment of taxes.

1st Reading	47
2d Reading	61

SB 48 — By Grantham — An Act relating to wills and succession; amending 84 O.S. 1971, Section 215; expanding inheritance by and from children born out of wedlock; giving children born out of wedlock right to inherit ... effective date.

1st Reading	47
2d Reading	61
CR	106
Considered, passed, referred	134
Engrossed — To House	140
HAs read, consideration deferred	621
HAs adopted, passed, referred	631
Enrolled — 4th Reading	637
To Governor	641
Approved May 6, 1977	644

SB 49 — By Grantham — An Act relating to corporations; amending 18 O.S. 1971, Section 1.174; and providing that officers and directors will be liable for corporate debts under certain conditions.

1st Reading	47
2d Reading	61

SB 50 — By Pierce — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.22, 22.22a, 22.30c and others ... providing for the abolishment of independent motor license tag agents; transferring powers, duties and responsibilities to the office of the county clerk ... repealing Section 2, Chapter 169, O.S.L. 1975 (47 O.S. Supp. 1976, Section 22.30 1-1) and others ...

1st Reading	47
2d Reading	61
Change in committee reference	72

SB 51 — By Watson — An Act relating to cities and towns; amending 11 O.S. 1971, Section 481; providing for city council authority to add territory to the city ... furnishing of fire protection ... emergency.

1st Reading	47
2d Reading	61

SB 52 — By Pierce — An Act relating to the office of county superintendent of schools; providing for a petition and election to abolish said office ... emergency.

1st Reading	47
2d Reading	61

SB 53 — By Watson — An Act relating to labor; amending 40 O.S. 1971, Section 215, as last amended ... providing certain disqualifications for unemployment benefits ... emergency.

1st Reading	47
2d Reading	61

SB 54 — By Grantham of the Senate and Elder of the House — An Act relating to probate procedure; amending 58 O.S. 1971, Section 890.5 ... jurisdiction of the court as in guardianship shall be applicable to conservatorship ... emergency.

1st Reading	47
2d Reading	61
CR	150
Considered, passed, referred	160
Engrossed — To House	166

SB 55 — By Lambert and Birdsong — An Act relating to crimes and punishments; providing mandatory minimum periods of incarceration for certain offenses prior to being eligible for commutation, pardon or parole ... effective date.

1st Reading	48
2d Reading	61

SB 56 — By Lambert and Birdsong — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 51, as amended ... specifying punishment for second and subsequent offenses ... habitual criminal offenders and specifying terms of imprisonment ... effective date.

1st Reading	48
2d Reading	61

SB 57 — By Butler — An Act relating

to schools; making an appropriation to the Oklahoma State University School of Technical Training at Okmulgee ... emergency.

1st Reading	48
2d Reading	61

SB 58 — By Birdsong — An Act relating to insurance; amending Section 1, Chapter 301, O.S.L. 1975 (36 O.S. Supp. 1976, Section 1219); providing for notification by restricted delivery mail to policyholders of delays in processing completed claims ... emergency.

1st Reading	48
2d Reading	62

SB 59 — By Keating — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 14-109, as amended ... extending exceptions to schedules of gross weight and axle load limitations ... emergency.

1st Reading	48
2d Reading	62

SB 60 — By Keating — An Act relating to labor; amending 40 O.S. 1971, Section 54; establishing fee schedules for employment agencies; and increasing fee for procuring temporary employment.

1st Reading	48
2d Reading	62
CR	136
Considered, passed, referred	157
Engrossed — To House	166
Referred for enrollment	312
Enrolled — 4th Reading	316
To Governor	317
Approved March 14, 1977	344

SB 61 — By Grantham — An Act relating to counties and county officers; amending 19 O.S. 1971, Section 180.47 ... in-state traveling expenses for certain county officials; and expanding travel limitations to include certain out-of-state travel by county clerks.

1st Reading	48
2d Reading	62

CR	90
WD, rereferred	112
CR	170
Considered, passed, referred	181
Engrossed — To House	191
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 6, 1977	644

SB 62 — By Murphy — An Act relating to motor vehicles; amending Sections 1 and 2, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 and 7-602); providing for vehicle registration; excepting "ancient vehicles" from certain provisions ... emergency.

1st Reading	48
2d Reading	62
CR	128
Considered, failed	381
ML; time extended	382; 422
Motion adopted	427
WD, rereferred	924

SB 63 — By Wadley — An Act relating to counties and county officers; authorizing county membership in the National Association of Counties; and providing for payment of dues.

1st Reading	48
2d Reading	62
CR	227
Considered, failed	323
ML	324

SB 64 — By Wadley and Howard — An Act relating to waters and water rights; amending 82 O.S. 1971, Section 870, as amended ... authorizing the Grand River Dam Authority to issue bonds ... providing certain criteria for anticipatory notes ... effective date.

1st Reading	48
2d Reading	62
CR	266
Considered, passed, referred	309
Engrossed — To House	316
Referred for enrollment	543
Enrolled — 4th Reading	559

To Governor	561
Approved April 25, 1977	582

SB 65 — By Howard of the Senate and Willis of the House — An Act relating to public buildings and public works; amending Section 2, Chapter 298, O.S.L. 1974, as amended ... (61 O.S. Supp. 1976, Section 102); expanding definitions by adding definition of retainage; authorizing partial payment on public construction projects ... effective date.

1st Reading	49
2d Reading	62
CR	90
Considered, passed, referred	122
Engrossed — To House	133
HAs read, consideration deferred	273
HAs adopted, passed, referred	739
Enrolled — 4th Reading	749
To Governor	751
Approved May 24, 1977	792

SB 66 — By Dawson — An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-1402; prohibiting certain acts; and requiring the labeling of drugs.

1st Reading	49
2d Reading	62

SB 67 — By Keating — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 455; establishing penalty for prevention of witness from answering summons or subpoena; and prohibiting the intimidation of witnesses.

1st Reading	49
2d Reading	62
CR	200
Considered, passed, referred	231
Engrossed — To House	239
HAs read, consideration deferred	601
HAs rejected, Conference requested	614
SCs appointed	614
Conference granted, HCs named	620
CCR read, consideration deferred	672
CCR rejected, further Conference requested	686
Further Conference granted	688

2d CCR read, consideration deferred	689
2d CCR adopted, passed — To House ..	814
Referred for enrollment	874
Enrolled — 4th Reading	884
To Governor	891
Approved June 3, 1977	941

SB 68 — By Keating — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 647; and making conviction of aggravated assault and battery a felony.

1st Reading	49
2d Reading	62

SB 69 — By Keating — An Act relating to crimes and punishments; repealing 21 O.S. 1971, Sections 1550.1 through 1550.3, which prohibit the use of credit cards by certain individuals and provide penalties.

1st Reading	49
2d Reading	62
CR	386
Considered, passed	428
ML; referred	428; 459
Engrossed — To House	465
HAs read, consideration deferred	882
HAs rejected, Conference requested .	909
SCs appointed	909
Conference granted, HCs named	954

SB 70 — By Murphy — An Act relating to waters and water rights; amending Section 20, Chapter 254, O.S.L. 1972 (82 O.S. Supp. 1976, Section 1324.20); and modifying dissolution of certain districts by changing distribution of excess funds.

1st Reading	49
2d Reading	62
CR	180
Considered, passed, referred	203
Engrossed — To House	210
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 10, 1977	660

SB 71 — By Birdsong — An Act relating to workmen's compensation; amend-

ing 85 O.S. 1971, Section 65.2; estopping certain employers and insurance carriers from asserting that an employee was not employed in a hazardous employment ... emergency.

1st Reading	49
2d Reading	62

SB 72 — By Young — An Act relating to workmen's compensation; authorizing two additional Industrial Court Judges to be assigned first and second congressional district cases ... codification.

1st Reading	49
2d Reading	62

SB 73 — By Young, Birdsong, Howard, Luton and Holden — An Act relating to Uniform Accident and Health Insurance and or Benefits and Life Insurance and or Life Benefits on employees and officers of the State of Oklahoma; amending 74 O.S. 1971, Sections 1301 to 1306 as amended and others ... emergency.

1st Reading	49
2d Reading	62
CR	65
Considered	70
Considered, passed, referred	71
Engrossed — To House	78
HAs read, consideration deferred	781
HAs adopted, passed, referred	927
Enrolled — 4th Reading	935
To Governor	947
Approved June 17, 1977	

SB 74 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma State Legislature and making an appropriation thereto ... procedures for filing and approval of claims ... emergency.

1st Reading	51
2d Reading	62
CR	73
Considered, passed, referred	81
Engrossed — To House	87
HAs read, consideration deferred	107
HAs rejected, Conference requested .	688
SCs appointed	688

Conference granted, HCs named	692
CCR read, consideration deferred	777
CCR adopted, passed — To House	827
Referred for enrollment	849
Enrolled — 4th Reading	854
To Governor	862
Approved June 3, 1977	941

SB 75 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma State Legislative Council . . . payment of state assessment for the Southwest Regional Energy Council . . . emergency.

1st Reading	51
2d Reading	62
CR	118
Considered, passed, referred	131
Engrossed — To House	140
HAs read, consideration deferred	210
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	778
CCR adopted, passed — To House	827
Referred for enrollment	849
Enrolled — 4th Reading	854
To Governor	862
Approved June 3, 1977	941

SB 76 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the Governor and making an appropriation thereto . . . authorizing appropriated funds for federal matching purposes . . . emergency.

1st Reading	51
2d Reading	62
CR	164
Considered, passed, referred	171
Engrossed — To House	182
HAs read, consideration deferred	301
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	722
CCR adopted, passed — To House	782
Referred for enrollment	796
Enrolled — 4th Reading	833

To Governor	836
Approved May 30, 1977	854

SB 77 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the Lieutenant Governor and making an appropriation thereto . . . travel expenses of Lieutenant Governor . . . emergency.

1st Reading	51
2d Reading	62
CR	118
Considered, passed, referred	132
Engrossed — To House	140
HAs read, consideration deferred	334
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	699
CCR adopted, passed — To House	739
Referred for enrollment	773
Enrolled — 4th Reading	779
To Governor	787
Approved May 27, 1977	849

SB 78 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Division of the Budget and making an appropriation thereto . . . payment of expenses of the Board on Legislative Compensation . . . emergency.

1st Reading	51
2d Reading	62
CR	164
Considered, passed, referred	172
Engrossed — To House	182
HAs read, consideration deferred	274
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	700
CCR adopted, passed — To House	741
Referred for enrollment	773
Enrolled — 4th Reading	779
To Governor	787
Approved May 27, 1977	849

SB 79 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of

the House — An Act relating to the Office of the Secretary of State and making appropriations thereto ... emergency.		CCR read, consideration deferred ...	778
1st Reading	51	CCR adopted, passed — To House	827
2d Reading	62	Referred for enrollment	849
CR	80	Enrolled — 4th Reading	854
Considered, passed, referred	97	To Governor	862
Engrossed — To House	103	Approved June 3, 1977	941
HAs read, consideration deferred	158		
HAs rejected, Conference requested	688	SB 82 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the State Auditor and making an appropriation thereto ... emergency.	
SCs appointed	688	1st Reading	52
Conference granted, HCs named	692	2d Reading	62
CCR read, consideration deferred	701	CR	80
CCR adopted, passed — To House	740	Considered, passed, referred	98
Referred for enrollment	773	Engrossed — To House	103
Enrolled — 4th Reading	779	HAs read, consideration deferred	159
To Governor	787	HAs rejected, Conference requested	688
Approved May 27, 1977	849	SCs appointed	688
		Conference granted, HCs named	692
SB 80 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the State Emergency Fund and making an appropriation thereto ... emergency.		CCR read, consideration deferred	701
1st Reading	52	CCR adopted, passed — To House	740
2d Reading	62	Referred for enrollment	773
CR	73	Enrolled — 4th Reading	779
Considered, passed, referred	80	To Governor	787
Engrossed — To House	87	Approved May 27, 1977	849
HAs read, consideration deferred	371		
HAs rejected, Conference requested	688	SB 83 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Secretary of the State Election Board and making appropriations thereto ... emergency.	
SCs appointed	688	1st Reading	52
Conference granted, HCs named	692	2d Reading	62
		CR	80
SB 81 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Department of Industrial Development and making appropriations thereto ... agreements or contracts with substate planning districts ... emergency.		Considered, passed, referred	98
1st Reading	52	Engrossed — To House	103
2d Reading	62	HAs read, consideration deferred	166
CR	128	HAs rejected, Conference requested	688
Considered, passed, referred	138	SCs appointed	688
Engrossed — To House	145	Conference granted, HCs named	692
HAs read, consideration deferred	260	CCR read, consideration deferred	790
HAs rejected, Conference requested	688	CCR adopted, passed — To House	834
SCs appointed	688	Referred for enrollment	849
Conference granted, HCs named	692	Enrolled — 4th Reading	856
		To Governor	862
		Approved June 3, 1977	941

SB 84 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Board of Equalization and making an appropriation thereto ... emergency.

1st Reading	52
2d Reading	62
CR	80
Considered, passed, referred	99
Engrossed — To House	103
HAs read, consideration deferred	160
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	710
CCR adopted, passed — To House	740
Referred for enrollment	773
Enrolled — 4th Reading	779
To Governor	787
Approved May 27, 1977	849

SB 85 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the State Examiner and Inspector and making appropriations thereto ... emergency.

1st Reading	52
2d Reading	62
CR	113
Considered, passed, referred	123
Engrossed — To House	133
HAs read, consideration deferred	301
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	710
CCR adopted, passed	782
ML; adopted, vote reconsidered, HAS rejected, further Conference requested	782; 833
Further Conference granted	846
2d CCR read, consideration deferred	878
2d CCR adopted, passed — To House	886
House rejected 2d CCR, requested further conference	897
Further Conference granted	897
3d CCR read, consideration deferred	978

3d CCR adopted, passed — To House	982
Referred for enrollment	996
Enrolled — 4th Reading	997
To Governor	999
Approved June 14, 1977	

SB 86 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the State Board of Public Affairs and making an appropriation thereto ... amending 74 O.S. 1971, Section 81b, as last amended ... pertaining to salaries of members ... emergency.

1st Reading	52
2d Reading	62
CR	314
Considered, passed, referred	346
Engrossed — To House	358
HAs read, consideration deferred	693
HAs rejected, Conference requested	762
SCs appointed	762
Conference granted, HCs named	780
CCR read, consideration deferred	853
CCR adopted, passed — To House	900
Referred for enrollment	957
Enrolled — 4th Reading	987
To Governor	993
Approved June 15, 1977, except item in Section 5 for Capitol Flag Pole	

SB 87 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Department of Economic and Community Affairs; making appropriations thereto ... emergency.

1st Reading	53
2d Reading	62
CR	128
Considered, passed, referred	218
Engrossed — To House	230
HAs read, consideration deferred	567
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	860
CCR rejected, further Conference requested	885
Further Conference granted	898

2d CCR read, consideration deferred	956
2d CCR adopted, passed — To House	959
Referred for enrollment	987
Enrolled — 4th Reading	994
To Governor	996
Approved June 15, 1977	

SB 88 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Tax Commission and making appropriations thereto ... emergency.

1st Reading	53
2d Reading	62
CR	600
Considered, passed, referred	678
Engrossed — To House	689
HAs read, consideration deferred	828
HAs rejected, Conference requested	883
SCs appointed	883
Conference granted, HCs named	898
[See SB 1, 1st Extraordinary Session, 1977]	

SB 89 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the State Treasurer and making an appropriation thereto ... emergency.

1st Reading	53
2d Reading	62
CR	94
Considered, passed, referred	107
Engrossed — To House	114
HAs read, consideration deferred	334
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	702
CCR adopted, passed — To House	782
Referred for enrollment	796
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 90 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Capitol Improvement Authority and making appropriations thereto ... emergency.

1st Reading	53
2d Reading	62
CR	94
Considered, passed, referred	115
Engrossed — To House	120
HAs read, consideration deferred	391
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	711
CCR adopted, passed — To House	783
Referred for enrollment	796
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 91 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to state officers and employees; making an appropriation to the State Personnel Board ... amending 74 O.S. 1971, Section 813, as last amended ... providing for the cost of operating the Merit System ... emergency.

1st Reading	53
2d Reading	62
CR	94
Considered, passed, referred	108
Engrossed — To House	114
HAs read, consideration deferred	358
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	741
CCR adopted, passed — To House	783
Referred for enrollment	796
WD from Committee on Engrossed and Enrolled Bills	846
House requested to reconsider passage and consider further	846
House reconsidered, further conference requested	847
Further Conference granted	868
2d CCR read, consideration deferred	950
2d CCR adopted, passed — To House	957
Referred for enrollment	987
Enrolled — 4th Reading	994
To Governor	996
Approved June 15, 1977	

SB 92 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Department of Libraries and making an appropriation thereto . . . emergency.

1st Reading	53
2d Reading	62
CR	113
Considered, passed, referred	123
Engrossed — To House	133
HAs read, consideration deferred	413
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	781
CCR adopted, passed — To House	828
Referred for enrollment	849
Enrolled — 4th Reading	856
To Governor	862
Approved June 3, 1977	941

SB 93 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the Oklahoma Historical Society and making an appropriation thereto . . . emergency.

1st Reading	53
2d Reading	62
CR	113
Considered, passed, referred	124
Engrossed — To House	133
HAs read, consideration deferred	358
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	951
CCR considered	959
CCR rejected, further Conference requested	968
Further Conference granted	973
2d CCR read, adopted, passed — To House	999

[See SB 2, 1st Extraordinary Session, 1977]

SB 94 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the J. M. Davis Memorial Commission and making an appropriation thereto . . . emergency.

1st Reading	54
2d Reading	62
CR	113
Considered, passed, referred	124
Engrossed — To House	133
HAs read, consideration deferred	239
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	744
CCR adopted, passed — To House	807
Referred for enrollment	828
Enrolled — 4th Reading	849
To Governor	850
Approved June 3, 1977	941

SB 95 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Will Rogers Memorial Commission and making an appropriation thereto . . . emergency.

1st Reading	54
2d Reading	62
CR	118
Considered, passed, referred	132
Engrossed — To House	140
HAs read, consideration deferred	240
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	724
CCR adopted, passed — To House	808
Referred for enrollment	828
Enrolled — 4th Reading	849
To Governor	850
Approved June 3, 1977	941

SB 96 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the State Department of Health; making appropriations thereto . . . emergency.

1st Reading	54
2d Reading	62
CR	378
Considered, passed, referred	420
Engrossed — To House	428
HAs read, consideration deferred	669
HAs rejected, Conference requested	688

SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	897
CCR adopted, passed — To House	932
Referred for enrollment	960
Enrolled — 4th Reading	987
To Governor	993
Approved June 15, 1977	

SB 97 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Health Planning Commission and making an appropriation thereto ... emergency.

1st Reading	54
2d Reading	62
CR	118
Considered, passed, referred	133
Engrossed — To House	140
HAs read, consideration deferred	555
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	736
CCR adopted, passed — To House	808
Referred for enrollment	828
Enrolled — 4th Reading	849
To Governor	850
Approved June 3, 1977	941

SB 98 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Board of Medicolegal Investigations and making appropriations thereto ... emergency.

1st Reading	54
2d Reading	62
CR	223
Considered, passed, referred	243
Engrossed — To House	254
HAs read, consideration deferred	544
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	819
CCR rejected, further Conference requested	843
Further Conference granted	856
2d CCR read, consideration deferred	857

2d CCR adopted, passed — To House	865
Referred for enrollment	888
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 99 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Department of Mental Health, Central State Griffin Memorial Hospital, Eastern State Hospital and Western State Hospital and making appropriations thereto ... authorizing expenditures in support of the Drug Treatment and Rehabilitation Authority and the Alcohol Prevention, Training, Treatment and Rehabilitation Authority ... emergency.

1st Reading	54
2d Reading	62
CR	164
Considered, passed, referred	172
Engrossed — To House	182
HAs read, consideration deferred	670
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	880
CCR adopted, passed — To House	886
Referred for enrollment	908
Enrolled — 4th Reading	931
To Governor	940
Approved June 15, 1977	

SB 100 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Department of Public Safety; making appropriations thereto ... amending Section 2, Chapter 231, O.S.L. 1975 (73 O.S. Supp. 1976, Section 18.2), pertaining to mansion security guards ... amending 47 O.S. 1971, Sections 14-116 and 22.2, as last amended ... pertaining to collection and allocation of fees ... emergency.

1st Reading	55
2d Reading	62
CR	164
Considered, passed, referred	183
Engrossed — To House	191

HAs read, consideration deferred	655	HAs rejected, Conference requested	688
HAs rejected, Conference requested	688	SCs appointed	688
SCs appointed	688	Conference granted, HCs named	692
Conference granted, HCs named	692	CCR read, consideration deferred	791
CCR read, consideration deferred	979	CCR adopted, passed — To House	833
CCR adopted, passed — To House	982	Referred for enrollment	849
Referred for enrollment	996	Enrolled — 4th Reading	856
Enrolled — 4th Reading	999	To Governor	862
To Governor	1002	Approved June 3, 1977	941

Approved June 15, 1977

SB 101 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to motor vehicles and the Department of Public Safety; amending 47 O.S. 1971, Sections 2-102, 2-104, and others . . . pertaining to members, positions, salaries, qualifications, longevity and retirement; providing for the appointment and compensation of the Commissioner of Public Safety . . . emergency.

1st Reading	55
2d Reading	62
CR	378
Considered, passed, referred	432
Engrossed — To House	438
HAs read, consideration deferred	655
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	979
CCR adopted, passed — To House	982
Referred for enrollment	996
Enrolled — 4th Reading	997
To Governor	999

Approved June 15, 1977

SB 102 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the Oklahoma Military Department and making an appropriation thereto . . . emergency.

1st Reading	55
2d Reading	62
CR	188
Considered, passed	195
Engrossed — To House	201
HAs read, consideration deferred	556

SB 103 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the State Bureau of Investigation and making appropriations thereto . . . emergency.

1st Reading	55
2d Reading	62
CR	223
Considered, passed, referred	244
Engrossed — To House	254
HAs read, consideration deferred	415
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	855
CCR adopted, passed — To House	866
Referred for enrollment	890
Enrolled — 4th Reading	913
To Governor	915
Approved June 7, 1977	985

NOTE: Announcement re enrollment 909

SB 104 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Crime Commission and making an appropriation thereto . . . emergency.

1st Reading	56
2d Reading	62
CR	164
Considered, passed, referred	183
Engrossed — To House	191
HAs read, consideration deferred	655
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	892
CCR adopted, passed — To House	910
Referred for enrollment	960
Enrolled — 4th Reading	987

To Governor 993
 Approved June 15, 1977

SB 105 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of Civil Defense and making an appropriation thereto ... emergency.

1st Reading 56
 2d Reading 62
 CR 188
 Considered, passed, referred 196
 Engrossed — To House 201
 HAs read, consideration deferred 417
 HAs rejected, Conference requested 688
 SCs appointed 688
 Conference granted, HCs named 692
 CCR read, consideration deferred 726
 CCR adopted, passed — To House 808
 Referred for enrollment 828
 Enrolled — 4th Reading 849
 To Governor 850
 Approved June 3, 1977 941

SB 106 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Council on Law Enforcement Education and Training and making an appropriation thereto ... emergency.

1st Reading 56
 2d Reading 62
 CR 164
 Considered, passed, referred 182
 Engrossed — To House 191
 HAs read, consideration deferred 511
 HAs rejected, Conference requested 688
 SCs appointed 688
 Conference granted, HCs named 692
 CCR read, consideration deferred 733
 CCR adopted, passed — To House 809
 Referred for enrollment 828
 Enrolled — 4th Reading 849
 To Governor 850
 Approved June 3, 1977 941

SB 107 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Department of Corrections and making ap-

propriations thereto ... repealing Section 6, Chapter 244, O.S.L. 1976 (57 O.S. Supp. 1976, Section 534.1) ... emergency.

1st Reading 56
 2d Reading 62
 CR 590
 Considered, passed, referred 680
 Engrossed — To House 689
 HAs read, consideration deferred 883
 HAs rejected, Conference requested 883
 SCs appointed 883
 Conference granted, HCs named 898
 [See SB 3, 1st Extraordinary Session, 1977]

SB 108 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Office of the Pardon and Parole Board and making an appropriation thereto ... emergency.

1st Reading 56
 2d Reading 62
 CR 314
 Considered, passed, referred 332
 Engrossed — To House 349
 HAs read, consideration deferred 546
 HAs rejected, Conference requested 688
 SCs appointed 688
 Conference granted, HCs named 692
 CCR read, consideration deferred 734
 CCR adopted, passed — To House 809
 Referred for enrollment 828
 Enrolled — 4th Reading 849
 To Governor 850
 Approved June 3, 1977 941

SB 109 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Bureau of Narcotics and Dangerous Drugs Control and making appropriations thereto ... amending 63 O.S. 1971, Section 2-103, as last amended ... pertaining to the appointment of the Director, qualifications, salary, probation, and longevity of agents ... emergency.

1st Reading 57
 2d Reading 62
 CR 314
 Considered, passed, referred 333

Engrossed — To House	349
HAs read, consideration deferred	601
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	852
CCR adopted, passed — To House	867
Referred for enrollment	888
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 110 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the State Department of Transportation; making an appropriation thereto ... emergency.	
1st Reading	57
2d Reading	62
CR	378
Considered, passed, referred	421
Engrossed — To House	428
HAs read, consideration deferred	621
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, adopted, passed — To House	1000
[See SB 4, 1st Extraordinary Session, 1977]	

SB 111 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the State Department of Agriculture; making appropriations thereto ... emergency.	
1st Reading	57
2d Reading	62
CR	378
Considered	421
Considered, passed, referred	433
Engrossed — To House	438
HAs read, consideration deferred	655
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	794
CCR rejected, futher Conference requested	843
Further Conference granted	856
2d CCR read, consideration deferred	985

2d CCR adopted, passed — To House ..	990
Referred for enrollment	998
Enrolled — 4th Reading	1003
To Governor	1003
Approved June 15, 1977	

SB 112 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Tourism and Recreation Department and making appropriations thereto ... emergency.	
1st Reading	57
2d Reading	62
CR	378
Considered, passed, referred	431
Engrossed — To House	438
HAs read, consideration deferred	670
HAs rejected, Conference requested ..	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	980
CCR rejected, further Conference requested	982
Further Conference granted	991
2d CCR read, consideration deferred	1001
2d CCR adopted, passed — To House ..	1001
[See SB 5, 1st Extraordinary Session, 1977]	

SB 113 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Oklahoma Conservation Commission and making appropriations thereto ... emergency.	
1st Reading	58
2d Reading	62
CR	223
Considered, passed, referred	245
Engrossed — To House	254
HAs read, consideration deferred	546
HAs rejected, Conference requested ..	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	859
CCR adopted, passed — To House	867
Referred for enrollment	888
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	

SB 114 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Water Resources Board and making an appropriation thereto . . . emergency.

1st Reading	58
2d Reading	62
CR	314
Considered, passed, referred	332
Engrossed — To House	349
HAs read, consideration deferred	694
HAs rejected, Conference requested	762
SCs appointed	762
Conference granted, HCs named	780
CCR read, consideration deferred	819
CCR adopted, passed — To House	843
Referred for enrollment	874
Enrolled — 4th Reading	884
To Governor	891
Approved June 3, 1977	941

SB 115 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to the Department of Pollution Control and making an appropriation thereto . . . emergency.

1st Reading	58
2d Reading	62
CR	223
Considered, passed, referred	243
Engrossed — To House	254
HAs read, consideration deferred	585
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	820
CCR adopted, passed — To House	843
Referred for enrollment	874
Enrolled — 4th Reading	884
To Governor	891
Approved June 3, 1977	941

SB 116 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act relating to public finance; establishing a fund; stating its purpose; providing for investment and interest earned thereon . . . emergency.

1st Reading	58
2d Reading	62

CR	73
Considered, passed, referred	99
Engrossed — To House	103
Referred for enrollment	120
Enrolled — 4th Reading	133
To Governor	134
Approved January 26, 1977	140

SB 117 — By Crow and Randle of the Senate and Miskelly and Davis (Don) of the House — An Act making an appropriation from designated state funds to pay unpaid claims and warrants cancelled by statutes . . . emergency.

1st Reading	58
2d Reading	62
CR	73
Considered, passed, referred	108
Engrossed — To House	114
HAs read, consideration deferred	167
HAs rejected, Conference requested	688
SCs appointed	688
Conference granted, HCs named	692
CCR read, consideration deferred	880
CCR adopted, passed — To House	887
Referred for enrollment	908
Enrolled — 4th Reading	931
To Governor	940
Approved June 14, 1977	

SB 118 — By York of the Senate and Fried of the House — An Act relating to schools; amending 70 O.S. 1971, Section 509.2; providing for employee representation for collective bargaining; providing for petitions for employee organizations . . . emergency.

1st Reading	58
2d Reading	62
CR	366
Considered, passed, referred	390
Engrossed — To House	401
HAs read, consideration deferred	801
HAs adopted, passed, referred	838
Enrolled — 4th Reading	849
To Governor	850
Vetoed June 3, 1977	923
Veto overridden — To House	970
Action by House, veto sustained	996

SB 119 — By Stipe and Grantham of the

Senate and Kennedy and Matheson of the House — An Act relating to coal pipelines; authorizing companies operating pipelines in Oklahoma to transport coal by pipeline; granting such companies the right of eminent domain ... emergency.	
1st Reading	59
2d Reading	66
CR	118
Considered, passed, referred	146
Engrossed — To House	150
HAs read, consideration deferred	567
HAs adopted, passed, referred	587
Enrolled — 4th Reading	595
To Governor	596
Approved April 28, 1977	612

SB 120 — By Grantham of the Senate and Elder, et al, of the House — An Act relating to corporations; amending 18 O.S. 1971, Section 1.19; providing general powers of domestic corporations; and increasing names under which domestic corporations may be sued.	
1st Reading	60
2d Reading	66
CR	136
Considered, referred	165
Engrossed — To House	173

SB 121 — By Grantham of the Senate and Holt, et al, of the House — An Act relating to children; amending 10 O.S. 1971, Section 60.6, as last amended ... prescribing parental consent as a requisite to adoption of a child ... providing for the validation of certain decrees of adoption.	
1st Reading	60
2d Reading	66
CR	227
Considered, failed	245
ML; adopted, votes reconsidered, rereferred	246; 255
CR	516
Considered, passed, referred	559
Engrossed — To House	566

SB 122 — By Berrong and Grantham of the Senate and Floyd, Nance and Parris of the House — An Act relating to conveyances; providing for Oklahoma	
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Subdivided Land Sales Code; defining terms ... codification.	
1st Reading	60
2d Reading	66
CR	80; 164
Considered, passed, referred	201
Engrossed — To House	210
HAs read, consideration deferred	678
HAs adopted, passed	750
ML; WD, referred	750; 784
Enrolled — 4th Reading	796
To Governor	800
Approved May 30, 1977	854

SB 123 — By Keating — An Act relating to property; amending 60 O.S. 1971, Section 31; and increasing the period during which the absolute power of alienation may be suspended.	
1st Reading	60
2d Reading	66
CR	85
Considered, failed	109
ML; adopted, passed, referred	109; 122
Engrossed — To House	133
Referred for enrollment	221
Enrolled — 4th Reading	225
To Governor	225
Approved February 22, 1977	253

SB 124 — By Lane — An Act relating to state government; requiring that the state, school districts, counties and municipalities give purchase preference to goods manufactured or produced within this state ... emergency.	
1st Reading	60
2d Reading	66
CR	90
Considered, passed, referred	119
Engrossed — To House	133
Referred for enrollment	649
Enrolled — 4th Reading	655
To Governor	663
Approved May 16, 1977	699

SB 125 — By Dawson of the Senate and Sanders of the House — An Act relating to cities and towns; repealing 11 O.S. 1971, Sections 335 and 336, which prohibit politi-	
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cal activity of paid firemen and provide penalties.

1st Reading	60
2d Reading	66
CR	136
Considered, passed, referred	152
Engrossed — To House	158
Referred for enrollment	191
Enrolled — 4th Reading	194
To Governor	197
Approved February 15, 1977	213

SB 126 — By Boatner — An Act relating to counties and county officers; amending 19 O.S. 1971, Section 288; prescribing the keeping of a plat record by the county clerk ... duplication of names of recorded subdivisions ... emergency.

1st Reading	60
2d Reading	66
CR	227
Considered, passed, referred	253
Engrossed — To House	264
HAs read, consideration deferred	694
HAs adopted, passed, referred	885
Enrolled — 4th Reading	899
To Governor	908
Approved June 8, 1977	985

SB 127 — By Boatner and Young — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1303, as last amended ... terminating the transfer of a portion of sales tax revenue to the general fund.

1st Reading	60
2d Reading	66

SB 128 — By Helm — An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 510, as last amended ... specifying powers and duties of the Director of the Department of Corrections; modifying qualifications of a warden or superintendent for each penal institution ... emergency.

1st Reading	60
2d Reading	66

SB 129 — By Crow, Holden and Field of the Senate and Morgan, et al, of the House

— An Act relating to motor vehicles; repealing Sections 1 through 6, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 through 7-606), which relate to compulsory liability insurance ... emergency.

1st Reading	65
2d Reading	70
CR	106

SB 130 — By Capps — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 856; providing for permits and signs of official inspection stations ... augmenting vehicle mechanical equipment which must be examined and tested.

1st Reading	66
2d Reading	70

SB 131 — By Green — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 22.17; providing pro rata adjustment of registration and license fees for motor vehicles ... emergency.

1st Reading	66
2d Reading	70
WD, referred	202

SB 132 — By Green — An Act relating to statutes and reports; amending Section 1, Chapter 182, O.S.L. 1974 (75 O.S. Supp. 1976, Section 26.41) ... procedures for deciding proposed amendments to the U.S. Constitution; changing voting requirements to require a two-thirds majority for passage; ... emergency.

1st Reading	66
2d Reading	70

SB 133 — By Keating — An Act relating to criminal procedure; amending 22 O.S. 1971, Section 1106; providing for release of defendants posting certain sums of money as bail; and making release of defendants posting a twenty-five percent cash bond discretionary.

1st Reading	66
2d Reading	70

SB 134 — By Capps — An Act relating to courts; amending 20 O.S. 1971, Section

1504; entitling certain persons to enrollment as licensed court reporters without examination; altering an eligibility date ... emergency.

1st Reading	66
2d Reading	70
CR	85
Considered, advanced	121
Votes reconsidered, bill considered, passed, referred	140
Engrossed — To House	145

SB 135 — By Watson and Terrill — An Act relating to public health and safety; requiring adoption of written criteria for granting of hospital staff privileges ... codification.

1st Reading	66
2d Reading	70
CR	164
Considered, passed, referred	172
Engrossed — To House	182
Referred for enrollment	882
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 136 — By Howard of the Senate and Willis of the House — An Act relating to state officers and employees; amending 74 O.S. 1971, Section 85.9A; providing for deposit and expenditure of proceeds of insurance ... emergency.

1st Reading	69
2d Reading	78
CR	113
Considered, passed, referred	123
Engrossed — To House	133

SB 137 — By McCune — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1287, as amended ... providing for penalties for use of weapons while committing certain crimes ... emergency.

1st Reading	69
2d Reading	78

SB 138 — By Holden and Lane of the Senate and Elder and Parris of the House

— An Act relating to state government; defining terms; providing for the termination, recreation, modification or consolidation of certain statutory agencies ... emergency.

1st Reading	70
2d Reading	78
CR	80
Considered	91
Considered, passed	96
ML; withdrawn, referred	97; 98
Engrossed — To House	103
HAs read, consideration deferred	220
HAs rejected, Conference requested	220
SCs appointed, with instructions	220
Conference, granted, HCs named	221
Senate conferees released from instructions	300
CCR read, consideration deferred	305
CCR adopted, passed — To House	310
Referred for enrollment	317
Enrolled — 4th Reading	323
To Governor	324
Approved March 10, 1977	330

SB 139 — By Keller — An Act relating to state government; providing for the review and continuation or termination of certain agencies; providing a definition of agency ... emergency.

1st Reading	76
2d Reading	80

SB 140 — By Keller — An Act relating to game and fish; amending Sections 4-101, Chapter 17, O.S.L. 1974, and 4-112, Chapter 17, O.S.L. 1974, as last amended ... (29 O.S. Supp. 1976, Sections 4-101 and 4-112); providing for license usage and expiration; establishing hunting license requirements ... effective date.

1st Reading	77
2d Reading	80

SB 141 — By Keller — An Act relating to civil procedure; requiring that delinquent child support payments draw specified interest; and directing codification.

1st Reading	77
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2d Reading	80	Considered, passed, referred	280
CR	106	Engrossed — To House	285
Considered, passed, referred	133	HAs read, consideration deferred	557
Engrossed — To House	140	HAs adopted, passed, referred	568
HAs read, consideration deferred	225	Enrolled — 4th Reading	575
HAs adopted, passed, referred	362	To Governor	578
Enrolled — 4th Reading	375	Governor requested to return bill; returned	606
To Governor	376	House requested to rescind 4th Reading	608
Approved March 22, 1977	399	House rescinded 4th Reading	612
SB 142 — By Capps — An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 2, as last amended ... providing eligibility for compensation for persons engaged in certain specified em- ployments; repealing 85 O.S. 1971, Section 2, as amended ... specifying certain em- ployments ... emergency.		Senate rescinded 4th Reading, reconsidered votes, rejected HAs, requested Conference	614
1st Reading	77	House granted conference	622
2d Reading	80	CCR read, consideration deferred	668
CR	453	CCR adopted, passed — To House	698
Considered, passed, referred	485	Referred for enrollment	727
Engrossed — To House	496	Enrolled — 4th Reading	749
HAs read, consideration deferred	803	To Governor	751
HAs adopted, passed, referred	837	Approved May 24, 1977	792
Enrolled — 4th Reading	849	SB 145 — By Keating — An Act relat- ing to criminal procedure; amending 22 O.S. 1971, Section 404; allowing certain multiple offenses to be charged in the same information; and providing for consecutive sentences.	
To Governor	850	1st Reading	77
Approved June 3, 1977	941	2d Reading	80
SB 143 — By Dawson — An Act relat- ing to public health and safety; amending 63 O.S. 1971, Section 173; requiring the posting of certain notices; eliminating the requirement of having a rope fire escape in certain buildings; and repealing 63 O.S. 1971, Section 172.		SB 146 — By Berrong — An Act relat- ing to labor; amending 40 O.S. 1971, Sec- tion 197.4, defining terms under the Okla- homa Minimum Wage Act; and providing for the exclusion of certain taxes in computing gross business.	
1st Reading	77	1st Reading	77
2d Reading	80	2d Reading	80
SB 144 — By Tinsley and Lane of the Senate and Dunn of the House — An Act relating to public finance; amending 62 O.S. 1971, Sections 310.1, 310.2, 310.3 and 310.4; modifying purchasing procedures of county, school district and municipal of- ficers and boards of county commissioners ... codification.		SB 147 — By Crow — An Act relating to counties and county officers; amending Section 1, Chapter 157, O.S.L. 1976 (19 O.S. Supp. 1976, Section 510); changing eligibility requirements for the office of county sheriff ... emergency.	
1st Reading	77	1st Reading	77
2d Reading	80	2d Reading	80
Reference changed	112	SB 148 — By Grantham of the Senate and Elder and Floyd of the House — An Act relating to crimes and punishments,	
CR	227		

concerning nepotism; amending 21 O.S. 1971, Section 483; repealing 21 O.S. 1971, Section 484 ... emergency.	
1st Reading	77
2d Reading	80
CR	491
Considered, failed	560
ML; adopted, rereferred to committee	560; 574

SB 149 — By Luton — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 10-115; providing for confidentiality of accident reports and supplemental information ... emergency.	
1st Reading	80
2d Reading	86

SB 150 — By Stipe and Boatner of the Senate and Hopkins of the House — An Act relating to roads, bridges and ferries; amending Section 1, Chapter 182, O.S.L. 1976 (69 O.S. Supp. 1976, Section 1206.1); modifying participation in the acquisition of lands for use for certain rights-of-way ... emergency.	
1st Reading	80
2d Reading	86
CR	128
Considered	146
Considered, passed, referred	161
Engrossed — To House	166
HAs read, consideration deferred	211
HAs adopted, passed, referred	232
Enrolled — 4th Reading	239
To Governor	245
Vetoed February 25, 1977	267
Veto sustained	783
ML	783

Note: Communication from Governor to author re 625

SB 151 — By Keller — An Act relating to the Corporation Commission; amending 17 O.S. 1971, Section 158.27; requiring certain disclosures relating to advertising by public service corporations, public utilities, telephone companies, retail electric suppliers, associations doing business under the Rural Electric	
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Cooperative Act and generation or transmission associations ... codification.	
1st Reading	86
2d Reading	91

SB 152 — By Grantham of the Senate and Elder of the House — An Act relating to cities and towns; amending 11 O.S. 1971, Section 523, as amended ... relating to vacation of plats, streets and alleys; prescribing procedure, including notice, for vacation ... effective date.	
1st Reading	86
2d Reading	91
CR	200
Considered, passed, referred	212
Engrossed — To House	219

SB 153 — By Keating — An Act relating to criminal procedure; allowing certain tape recordings of telephone conversations to be admissible as evidence ... codification.	
1st Reading	86
2d Reading	91
CR	386
Considered, failed	565
ML; tabled	565; 596

SB 154 — By Funston of the Senate and Lancaster of the House — An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Section 1705, as amended ... powers, duties, authority and functions of the Oklahoma Turnpike Authority; and authorizing an additional tollgate in the vicinity of Porter, Oklahoma.	
1st Reading	86
2d Reading	91

SB 155 — By Smith of the Senate and Davis (Don) of the House — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2357; increasing allowable tax credits by adding tax credit for child care expenses in certain circumstances ... emergency.	
1st Reading	86
2d Reading	91
CR	94

Considered, passed, referred	103
Engrossed — To House	103
Referred for enrollment	166
Enrolled — 4th Reading	173
To Governor	177
Approved February 8, 1977	181

SB 156 — By Field of the Senate and McKee of the House — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305, as amended ... creating sales tax exemption for natural gas used for irrigation purposes.

1st Reading	86
2d Reading	91

SB 157 — By Grantham of the Senate and Elder and Conaghan of the House — An Act relating to civil procedure; amending 12 O.S. 1971, Section 1573, as amended ... and Section 3, Chapter 71, O.S.L. 1976 (12 O.S. Supp. 1976, Sections 1573 and 1573.1); prescribing certain requirements for order and writ of replevin ... emergency.

1st Reading	90
2d Reading	94
CR	102
Considered, passed, referred	139
Engrossed — To House	145
Referred for enrollment	800
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 158 — By Cate — An Act relating to state government; amending 74 O.S. 1971, Section 360.13, as amended ... specifying powers of campus policemen; expanding powers of campus policemen holding a certain certificate; and repealing 70 O.S. 1971, Section 4304.

1st Reading	90
2d Reading	94
CR	170
Considered, passed, referred	186
Engrossed — To House	191
HAS read, consideration deferred	621
HAS adopted, passed, referred	663
Referred for enrollment	663
Enrolled — 4th Reading	671

To Governor	673
Approved May 16, 1977	695

SB 159 — By Terrill, Holden, Stipe, McCune, Grantham, Berrong, Lane and Green of the Senate and Townsend of the House — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 563 and 564 ... providing for licensing motor vehicle dealers, salesmen, manufacturers, and others ... by the Oklahoma Motor Vehicle Commission ... emergency.

1st Reading	90
2d Reading	94
CR	150
Considered, passed, referred	173
Engrossed — To House	182
HAS read, consideration deferred	255
HAS rejected, Conference requested	262
SCs appointed	263
Conference granted, HCs named	264
CCR read, consideration deferred	279
CCR adopted, passed — To House	287
Referred for enrollment	324
Enrolled — 4th Reading	334
To Governor	339
Approved March 18, 1977	379

SB 160 — By Field of the Senate and McKee of the House — An Act relating to oil and gas; creating a preferred usage for certain natural gas; granting rights to certain persons engaged in agricultural activities where natural gas is produced or gathered ... severable.

1st Reading	90
2d Reading	94
CR	248; 424
Considered, passed, referred	447
Engrossed — To House	456
HAS read, consideration deferred	591
HAS adopted, passed, referred	614
Enrolled — 4th Reading	620
To Governor	624
Approved May 6, 1977	644

SB 161 — By Boatner, York and Watson — An Act relating to schools; establishing a program of student internships in state government; providing for the

appointment, duties, salary and expenses of an administrator ... emergency.

1st Reading	90
2d Reading	94
CR	265

SB 162 — By Berrong — An Act relating to insurance; amending 36 O.S. 1971, Section 1513 ... changing the basis of valuation of certain real property; and repealing Section 1, Chapter 151, O.S.L. 1972 (36 O.S. Supp. 1976, Section 311.3).

1st Reading	94
2d Reading	102

SB 163 — By Luton — An Act relating to civil procedure; amending Section 6, Chapter 208, O.S.L. 1972, as last amended ... (12 O.S. Supp. 1976, Section 170.6); providing for service by publication; and expanding grounds for such service.

1st Reading	94
2d Reading	102
CR	180
Considered, passed, referred	203
Engrossed — To House	210
HAs read, consideration deferred	803
HAs adopted, passed, referred	883
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 164 — By Tinsley — An Act relating to counties and county officers; authorizing the use of county-owned machinery and equipment for public schools for certain school improvements ... codification.

1st Reading	94
2d Reading	102
CR	266; 412
Considered, passed, referred	447
Engrossed — To House	456

SB 165 — By Keller — An Act relating to the Corporation Commission; requiring certain disclosures relating to advertising by public service corporations, public utilities, telephone companies, retail electric suppliers, associations doing

business under the Rural Electric Cooperative Act and generation or transmission associations ... codification.

1st Reading	102
2d Reading	106

SB 166 — By Rozell — An Act relating to game and fish; amending Section 4-101, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 4-101); modifying requirements for certain licenses and permits.

1st Reading	106
2d Reading	114
CR	216
Considered, passed, referred	230
Engrossed — To House	239
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 10, 1977	660

SB 167 — By Luton, Lambert, York and Howard — An Act relating to motor license agents; amending 47 O.S. 1971, Sections 22.2, as last amended and others ... modifying apportionment, retention and distribution of certain monies; providing for motor license agents and subagents ... repealing Section 2, Chapter 396, O.S.L. 1967 ... emergency.

1st Reading	106
2d Reading	114

SB 168 — By McCune — An Act relating to county officers; amending 19 O.S. 1971, Sections 242, 544 and others ... changing methods of filling vacancies for county assessor, county clerk, county sheriff, county superintendent of schools, county surveyor, county treasurer and court clerk ... effective date.

1st Reading	114
2d Reading	118

SB 169 — By Porter — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1303, as last amended ... apportionment of revenues to the State Assistance Fund; deleting provision that transferred portion of sales tax revenue to General Revenue Fund ... emergency.

1st Reading	114
2d Reading	118

SB 170 — By York — An Act relating to public health and safety; mandating procedures for issuance of disposal permits for dead bodies; repealing 63 O.S. 1971, Section 1-329 ... effective date.

1st Reading	114
2d Reading	118

SB 171 — By Keller — An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-534, as recodified as 63 O.S. Supp. 1976, Section 1-533; providing the State Board of Education institute an educational program concerning prevention of mental retardation ... from certain inborn diseases ... criteria for program.

1st Reading	114
2d Reading	118
CR	462
Considered, passed, referred	496
Engrossed — To House	503

SB 172 — By Vann and Stipe of the Senate and Monks of the House — An Act relating to funeral establishments and funeral directors; amending 59 O.S. 1971, Section 396.12; providing for places deemed funeral establishments; providing requirements of funeral establishments ... repealing 59 O.S. 1971, Sections 401 through 406 ... emergency.

1st Reading	118
2d Reading	129
CR	227
Considered, referred	254

SB 173 — By Vann and Stipe of the Senate and Monks of the House — An Act relating to embalmers and funeral directors; amending 59 O.S. 1971, Section 396.2; amending the statutory definition of funeral director ... emergency.

1st Reading	118
2d Reading	129
CR	227
Considered, referred	254

SB 174 — By Howell — An Act relat-

ing to joint city-county operations; amending 63 O.S. 1971, Section 1-210 and 65 O.S. 1971, Sections 554 and 555; providing for a City-County Board of Health and a Metropolitan Library Commission ... effective date.

1st Reading	118
2d Reading	129
CR	366

SB 175 — By Howell — An Act relating to professions and occupations; amending Sections 205, 207, and others ... providing for an Oklahoma Real Estate Revolving Fund; modifying its contents; providing for an annual report of certain fees ... emergency.

1st Reading	128
2d Reading	137
CR	248
Considered	287
Considered, passed, referred	293
Engrossed — To House	300
HAs read, consideration deferred	803
HAs adopted, passed, referred	883
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 176 — By Keating — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.4, as last amended and others ... providing for assignment of vehicle number plate and stickers and issuance of certificate of registration; providing rules and requirements governing plates and stickers; providing certain new provisions for a five-year license plate and providing exceptions ... repealing Section 2, Chapter 396, O.S.L. 1967, providing for certain population limitations ... effective date.

1st Reading	128
2d Reading	137

SB 177 — By Keller — An Act relating to motor vehicles; providing certain exemptions for liability insurance requirements; providing for certification ... codification.

1st Reading	129
2d Reading	137

SB 178 — By Stipe — An Act relating to workmen's compensation; repealing 85 O.S. 1971, Sections 1, 1.1, 2, as amended and others ... which repeal all Sections in Title 85.

1st Reading	129
2d Reading	137

SB 179 — By Watson and Terrill — An Act relating to schools; amending 70 O.S. 1971, Sections 625.3 and 625.5, as last amended and others ... fixing terms and conditions for repayment of certain scholarships; fixing penalties; granting exceptions; establishing scholarship eligibility requirements ... emergency.

1st Reading	136
2d Reading	144
CR	322
Considered, passed, referred	394
Engrossed — To House	401
HAs read, consideration deferred	934
HAs adopted, passed, referred	985
Enrolled — 4th Reading	994
To Governor	996
Approved June 14, 1977	

SB 180 — By Terrill of the Senate and Hopkins of the House — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 14-101, as last amended and others ... prohibiting violation of certain vehicle size, weight and load provisions; specifying certain exceptions ... prescribing certain duties of Department of Transportation and Commissioner of Public Safety ... emergency.

1st Reading	136
2d Reading	144
CR	228
Considered, passed, referred	272
Engrossed — To House	285
HAs read, consideration deferred	557
HAs adopted, passed, referred	654
Enrolled — 4th Reading	671
To Governor	673
Approved May 16, 1977	695

SB 181 — By Terrill — An Act relating to professions and occupations; providing for an Alarm Industry Act; defining terms ... emergency.

1st Reading	137
2d Reading	144
CR	228
Considered, failed	529
ML; failed	529; 558

SB 182 — By Young — An Act relating to insurance; setting qualifications of insurance realty appraisers; setting certain requirements of the appraisal report; authorizing the Insurance Commissioner to require additional appraisal ... effective date.

1st Reading	137
2d Reading	144

SB 183 — By Young — An Act relating to state officers and employees; amending Section 1, Chapter 52, O.S.L. 1976 (74 O.S. Supp. 1976, Section 1703) ... placing certain employees under direction of Executive Director of Oklahoma Public Employees Retirement System ... emergency.

1st Reading	137
2d Reading	144

SB 184 — By Howard of the Senate and Willis of the House — An Act relating to state government; amending 74 O.S. 1971, Section 456, as amended ... eliminating the Executive Committee's duty to schedule certain required agenda for its first meeting.

1st Reading	144
2d Reading	150
CR	170
Considered, passed, referred	184
Engrossed — To House	191
Referred for enrollment	800
Enrolled — 4th Reading	833
To Governor	838
Approved May 30, 1977	854

SB 185 — By Keller — An Act relating to the Corporation Commission;

amending 17 O.S. 1971, Section 158.27; providing for supervision over certain associations and cooperative corporations ... granting certain enforcement powers.
 1st Reading 150
 2d Reading 157

SB 186 — By Young of the Senate and Poulos of the House — An Act relating to the Office of the Governor and making an appropriation thereto; stating the purpose ... emergency.

1st Reading 150
 2d Reading 157
 CR 314
 Considered, passed, referred 332
 Engrossed — To House 349
 Referred for enrollment 693
 Enrolled — 4th Reading 710
 To Governor 717
 Approved May 23, 1977 772

SB 187 — By Crow, Holden and Field — An Act relating to waters and water rights; declaring legislative intent; creating the Oklahoma Water Development Board ... emergency.

1st Reading 150
 2d Reading 157
 CR 284
 Considered, passed, referred 394
 Engrossed — To House 401

SB 188 — By Dahl — An Act relating to agriculture; amending 2 O.S. 1971, Section 6-102, as last amended ... prohibiting the sale and removal of bovine animals from markets unless certain conditions are met ... issuance of certain feeder permits.

1st Reading 155
 2d Reading 164

SB 189 — By Dahl — An Act relating to agriculture; amending 2 O.S. 1971, Sections 4-5 and 4-7; modifying application procedure for registration of certain marks or brands ... publication of a certain brand book and supplements ... providing for their sale and receipt.

1st Reading 156
 2d Reading 164
 CR 216
 Considered, passed, referred 252
 Engrossed — To House 264
 Referred for enrollment 595
 Enrolled — 4th Reading 603
 To Governor 608
 Approved May 3, 1977 628

SB 190 — By Dahl — An Act relating to agriculture; amending 2 O.S. 1971, Sections 3-61, 3-62, 3-64, 3-81 through 3-86 and 3-271 through 3-276 ... modifying provisions for permits for certain applications; modifying requirements for certain applicators ... repealing 2 O.S. 1971, Sections 3-87, 3-88, 3-171 through 3-180 and 3-279.

1st Reading 156
 2d Reading 164
 CR 216
 WD, rereferred 230
 CR 314
 Considered, passed, referred 362
 Engrossed — To House 374
 HAS read, consideration deferred 603
 HAS rejected, Conference requested 619
 SCs appointed 619
 Conference granted, HCs named 629
 CCR read, consideration deferred 672
 CCR adopted, passed — To House 703
 Referred for enrollment 794
 Enrolled — 4th Reading 833
 To Governor 836
 Approved May 30, 1977 854

SB 191 — By Howard of the Senate and Townsend of the House — An Act relating to credit unions; providing that a state-chartered credit union may exercise any of the powers of a federally-chartered credit union doing business in the state unless prohibited by rule of the State Credit Union Board ... emergency.

1st Reading 156
 2d Reading 164
 CR 284
 Considered, passed, referred 335
 Engrossed — To House 349
 HAS read, consideration deferred 670

HAS rejected, Conference requested . . .	686
SCs appointed . . .	686
Conference granted, HCs named . . .	699
CCR read, consideration deferred . . .	746
CCR adopted, passed — To House . . .	752
Referred for enrollment . . .	794
Enrolled — 4th Reading . . .	833
To Governor . . .	836
Approved May 30, 1977 . . .	854

SB 192 — By Kilpatrick of the Senate and Joiner of the House — An Act relating to schools; amending 70 O.S. 1971, Section 7-101, as last amended . . . providing for procedures for approval of annexation of school districts, or parts thereof, by annexation election when boards of education of affected districts concur in holding the election . . . emergency.

1st Reading . . .	156
2d Reading . . .	164
CR . . .	216
Considered, passed, referred . . .	239
Engrossed — To House . . .	254
HAS read, consideration deferred . . .	621
HAS rejected, Conference requested . . .	842
SCs appointed . . .	842
Conference granted, HCs named . . .	846
CCR read, consideration deferred . . .	848
CCR adopted, passed — To House . . .	848
Referred for enrollment . . .	874
Enrolled — 4th Reading . . .	884
To Governor . . .	891
Became law without Governor's signature June 8, 1977 . . .	985

SB 193 — By Keating — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 6-101, as last amended and others . . . providing for certain fees, apportionment of certain monies, motor license agents . . . repealing Section 2, Chapter 396, O.S.L. 1967 . . . emergency.

1st Reading . . .	156
2d Reading . . .	164

SB 194 — By Pierce — An Act relating to professions and occupations; insuring medical treatment for certain prematurely born infants; directing codification . . . emergency.

1st Reading . . .	156
2d Reading . . .	164
CR . . .	223
Considered, passed, referred . . .	241
Engrossed — To House . . .	254
Referred for enrollment . . .	304
Enrolled — 4th Reading . . .	308
To Governor . . .	309
Approved March 11, 1977 . . .	330

SB 195 — By Boatner — An Act relating to schools; amending 70 O.S. 1971, Section 17-105, as last amended . . . membership in the Teachers' Retirement System; prescribing conditions for eligibility for benefits . . . effective date.

1st Reading . . .	157
2d Reading . . .	165

SB 196 — By Boatner — An Act relating to cities and towns; permitting policeman to apply service as sheriff or deputy sheriff for credit towards service pension; and directing codification.

1st Reading . . .	157
2d Reading . . .	165

SB 197 — By York — An Act relating to children; amending 10 O.S. 1971, Section 404; prescribing rules and procedures for adoption of standards and requirements of child care facilities . . . changing composition of certain advisory committees.

1st Reading . . .	164
2d Reading . . .	170

SB 198 — By York of the Senate and Monks of the House — An Act relating to probate procedure; amending Section 1, Chapter 240, O.S.L. 1974, as amended . . . (58 O.S. Supp. 1976, Section 912); modifying procedure for termination of joint tenancy . . . emergency.

1st Reading . . .	164
2d Reading . . .	170

SB 199 — By Boatner — An Act relating to cities and towns; providing for municipal elections for certain officials; fixing terms of office; making municipal elections uniform . . . emergency.

1st Reading	170	Engrossed — To House	380
2d Reading	181	Referred for enrollment	654
CR	200	Enrolled — 4th Reading	655
Considered, passed, referred	210	To Governor	663
Engrossed — To House	219	Approved May 11, 1977	681
Referred for enrollment	255		
Enrolled — 4th Reading	264	SB 203 — By Wolfe — An Act relating	
To Governor	264	to civil procedure; fixing manner of	
Approved February 25, 1977	268	disbursal of certain bonds in civil actions	
		granting rights of enforcement to obligee	
		... repealing Section 1, Chapter 265, O.S.L.	
		1976 (12 O.S. Supp. 1976, Section 1276.1) ...	
		effective date.	
SB 200 — By York of the Senate and		1st Reading	180
Steward of the House — An Act relating		2d Reading	189
to cities and towns; amending 11 O.S. 1971,		CR	322
Section 1436; providing procedure for		Considered, passed, referred	392
overruling city planning commission ac-		Engrossed — To House	401
tions under certain circumstances ...		Referred for enrollment	584
emergency.		Enrolled — 4th Reading	595
1st Reading	180	To Governor	596
2d Reading	189	Approved April 28, 1977	612
CR	291		
Considered, passed, referred	300	SB 204 — By Wolfe — An Act relating	
Engrossed — To House	308	to civil procedure; amending 12 O.S. 1971,	
Referred for enrollment	620	Section 727; providing interest on judg-	
Enrolled — 4th Reading	630	ments of courts; specifying applicable	
To Governor	631	rates ... severability.	
Vetoed May 10, 1977	660	1st Reading	181
Veto overridden — To House	660	2d Reading	189
Action by House, Veto overridden ...	673	CR	206
To Secretary of State	673	WD, rereferred (motion on p. 914)	
SB 201 — By Pierce — An Act relat-		SB 205 — By McDaniel — An Act re-	
ing to motor vehicles; providing for intent		lating to schools; amending 70 O.S. 1971,	
of Legislature to initiate new five-year tag		Sections 4-101, as amended, and others ...	
and monthly staggered registration and li-		changing these sections by abolishing of-	
censing through a mail order renewal plan		fice of county superintendent of schools	
... repealing 47 O.S. 1971, Sections 22.4, as		and transferring his duties to county	
amended and others ... which provide for		school district clerk; repealing 70 O.S.	
certain rules regulating motor vehicle		1971, Sections 4-102, 4-103, 4-107 and 4-112	
registration and licensing ... emergency.		... effective date.	
1st Reading	180	1st Reading	188
2d Reading	189	2d Reading	193
SB 202 — By Howell — An Act relat-		SB 206 — By Funston of the Senate and	
ing to banks and trust companies; pro-		Hammons of the House — An Act relat-	
hibiting the establishment of branch of-		ing to affairs of decedents, missing per-	
fices by trust companies ... codification.		sons, minors, incapacitated persons and	
1st Reading	180	certain others and constituting the Uni-	
2d Reading	189		
CR	354		
Considered, passed, referred	372		

form Probate Code ... repealing inconsistent laws.

1st Reading 188
2d Reading 193

SB 207 — By Cate — An Act relating to banks; defining terms; providing for extended facilities and procedure for approval or disapproval for extended service facilities ... repealing 6 O.S. 1971, Section 415, as amended and others ... effective date.

1st Reading 200
2d Reading 208

SB 208 — By Grantham of the Senate and Elder of the House — An Act relating to cities and towns; authorizing appeal to the Court of Criminal Appeals from final judgments, final orders, judgments and sentences in criminal matters appealed to district courts from municipal courts not of record ... codification.

1st Reading 200
2d Reading 208

SB 209 — By McCune — An Act relating to cities and towns; amending 11 O.S. 1971, Section 958.22; providing clarification of the maximum amount of temporary cash bond required in municipal courts not of record to assure the appearance in court of an accused ... emergency.

1st Reading 200
2d Reading 208
CR 291
Considered, passed, referred 310
Engrossed — To House 317

SB 210 — By Luton — An Act relating to professions and occupations; amending 59 O.S. 1971, Section 15.22; providing for issuance of permits for public accounting; providing for renewal of permits ... emergency.

1st Reading 206
2d Reading 218
CR 291
Considered, passed, referred 304
Engrossed — To House 308

SB 211 — By Young — An Act relating to state government; amending Section 2, Chapter 64, O.S.L. 1972, as last amended ... Section 1, Chapter 52, O.S.L. 1976 (74 O.S. Supp. 1976, Sections 1701 and 1703); enabling certain employees to participate in tax sheltered income deferment plans ... transferring appointment of certain appointments for certain purposes from the Board of Trustees to the Oklahoma Public Employees Retirement System.

1st Reading 206
2d Reading 218
CR 298
Considered, passed, referred 311
Engrossed — To House 316
HAS read, consideration deferred 803
HAS adopted, passed, referred 882
Enrolled — 4th Reading 899
To Governor 908
Approved June 8, 1977 994

SB 212 — By Dawson — An Act relating to insurance; amending 36 O.S. 1971, Section 312.1, as last amended ... providing for reports, appropriation and disbursement of fees and taxes collected on certain insurance premiums ... emergency.

1st Reading 206
2d Reading 218
CR 322
Considered, passed, referred 488
Engrossed — To House 496

SB 213 — By Capps of the Senate and Weichel of the House — An Act relating to motor vehicles; providing for establishment and enforcement of speed limits on public trust property; setting penalties ... emergency.

1st Reading 206
2d Reading 218
CR 328
Considered, passed, referred 375
Engrossed — To House 380
HAS read, consideration deferred 694
HAS adopted, passed, referred 764
Enrolled — 4th Reading 779

To Governor	787
Approved May 27, 1977	849

SB 214 — By Dahl of the Senate and Townsend of the House — An Act relating to game and fish; amending Section 5-203, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 5-203); modifying provisions for carrying shotguns or firearms while training certain dogs ... providing penalties.

1st Reading	206
2d Reading	218
CR	248
Considered, passed, referred	262
Engrossed — To House	268
HAs read, consideration deferred	722
HAs adopted, bill failed	765
ML; adopted, vote reconsidered .	765; 766
HAs rejected, Conference requested .	767
SCs appointed	767
Conference granted, HCs named	768
CCR read, consideration deferred	818
CCR adopted, passed — To House	848
Referred for enrollment	890
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 215 — By Martin — An Act relating to the Oklahoma Tourism and Recreation Department and making an appropriation thereto; authorizing use of funds for purchase of Turner Falls Park ... emergency.

1st Reading	206
2d Reading	218

SB 216 — By Murphy — An Act relating to waters and water rights; amending 82 O.S. 1971, Section 861; creating the Grand River Dam Authority; specifying powers and limitations of such authority ... effective date.

1st Reading	206
2d Reading	218
CR	378
Considered, passed	393
ML; adopted, passed, referred	393; 434
Engrossed — To House	438

SB 217 — By Tinsley — An Act relating to counties and county officers; providing for regulation of certain subdivisions, sanitary landfills, hazardous waste disposal sites and other waste disposal sites ... emergency.

1st Reading	206
2d Reading	218
CR	572
WD, rereferred (motion on p. 914)	

SB 218 — By Tinsley — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 22.2, as last amended ... providing for apportionment of certain license fees, taxes and penalties pursuant to certain provisions of the motor vehicle statutes ... emergency.

1st Reading	207
2d Reading	218
CR	298
Considered, passed, referred	375
Engrossed — To House	380
HAs read, consideration deferred	586
HAs adopted, passed, referred	645
Enrolled — 4th Reading	655
To Governor	663
Approved May 16, 1977	695

SB 219 — By Rozell — An Act relating to contracts; amending 15 O.S. 1971, Section 598.2; defining terms; modifying definition of cost to retailer; and setting an effective date.

1st Reading	207
2d Reading	218
CR	366

SB 220 — By Howell — An Act relating to statutes and reports; amending 75 O.S. 1971, Sections 306 and 318; providing for an action for declaratory judgment to determine validity or applicability of certain rules ... modifying provisions for venue.

1st Reading	207
2d Reading	218
CR	284
Considered, passed, referred	316
Engrossed — To House	324
HAs read, consideration deferred	656

HAs adopted, passed, referred	765
Enrolled — 4th Reading	779
To Governor	787
Became law without Governor's signature May 31, 1977	862

SB 221 — By Martin — An Act relating to the historical societies and associations; providing for an appropriation to the Oklahoma Historical Society for use of the Healdton Oil Museum ... emergency.	
1st Reading	207
2d Reading	218

SB 222 — By Field of the Senate and Converse of the House — An Act relating to game and fish; amending Section 5-401, Chapter 17, O.S. L. 1974, as amended ... (29 O.S. Supp. 1976, Section 5-401); providing for open seasons, bag limits, catch limits, possession limits and territorial limits on protected game ... emergency.	
1st Reading	207
2d Reading	218

SB 223 — By Field of the Senate and Converse of the House — An Act relating to game and fish; amending Section 6-303, Chapter 17, O.S.L. 1974, as amended ... (29 O.S. Supp. 1976, Section 6-303); providing for the taking of nongame fish; and authorizing Oklahoma Wildlife Conservation Commission to determine permissible net size.	
1st Reading	207
2d Reading	218
CR	248
Considered, passed, referred	260
Engrossed — To House	268

SB 224 — By Boatner — An Act relating to property; amending 60 O.S. 1971, Section 331; modifying manner of acquisition of property; prohibiting acquisition of title to real property by adverse possession ... repealing 60 O.S. 1971, Sections 332 and 333 ... effective date.	
1st Reading	207
2d Reading	218

SB 225 — By Lane — An Act relating	
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to intoxicating liquors; amending 37 O.S. 1971, Section 537; prohibiting certain acts relating to intoxicating liquors ... further restricting package store hours.	
1st Reading	207
2d Reading	218

SB 226 — By Funston and Watson — An Act relating to revenue and taxation; implementing and vitalizing Section 12a of Article X of the Constitution of the State of Oklahoma, relating to common school taxes on the property of public service corporations ... emergency.	
1st Reading	207
2d Reading	218

SB 227 — By Kilpatrick of the Senate and Floyd of the House — An Act relating to property; subjecting specified public trust property to ad valorem taxation ... effective date.	
1st Reading	208
2d Reading	218

SB 228 — By Cate — An Act relating to a state building; assigning specified building to Oklahoma War Veterans Commission ... emergency.	
1st Reading	208
2d Reading	218
CR	266
Considered, passed, referred	288
Engrossed — To House	292
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 4, 1977	644

SB 229 — By Schuelein of the Senate and Sparkman of the House — An Act relating to public health and safety; requiring cities and towns to utilize instate water testing laboratories in certain cases ... effective date.	
1st Reading	216
2d Reading	224

SB 230 — By Wadley — An Act relating to soldiers and sailors; amending 72	
--	--

O.S. 1971, Section 67.13a, as amended ...	
modifying definition of war veterans ...	
emergency.	
1st Reading	216
2d Reading	224
CR	258
Considered, passed, referred	273
Engrossed — To House	285

SB 231 — By Luton — An Act relating to counties and county officers; amending 19 O.S. 1971, Section 215.14, as last amended ... and 215.15, as amended ... providing for employment and salaries of district attorneys and certain other employees; providing for increases in certain salaries ... emergency.

1st Reading	216
2d Reading	224
CR	366
Considered, passed, referred	401
Engrossed — To House	421
HAS read, consideration deferred ...	567
HAS rejected, Conference requested .	596
SCs appointed	596
Conference granted, HCs named	608
CCR read, consideration deferred ...	787
CCR adopted, passed — To House	860
Referred for enrollment	890
Enrolled — 4th Reading	899
To Governor	908
Approved June 7, 1977	985

SB 232 — By Luton, Howard and Lane — An Act relating to state officers and employees; amending 74 O.S. 1971, Section 292, as last amended ... which provides for positions, numbers and salaries of temporary and permanent employees of the Senate ... emergency.

1st Reading	216
2d Reading	224
CR	453
Considered, passed, referred	663
Engrossed — To House	670
Referred for enrollment	801
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 233 — By Field — An Act relating

to natural gas; prescribing certain conditions, restrictions and procedures for termination of certain rights of natural gas lessees ... effective date.

1st Reading	216
2d Reading	224

SB 234 — By Capps and Crow — An Act relating to corporations; amending 18 O.S. 1971, Sections 951 and 952; prohibiting farming or ranching business corporations with certain exceptions ... excluding applicability to certain corporations.

1st Reading	216
2d Reading	224
CR	248
WD, rereferred	273
CR	314
Considered, passed, referred	393
Engrossed — To House	401
HAS read, consideration deferred ...	803
HAS adopted, passed, referred	853
Enrolled — 4th Reading	884
To Governor	891
Approved June 3, 1977	941

SB 235 — By Capps — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2457, as amended ... providing for county boards of equalization ... providing for county excise boards ... penalties.

1st Reading	217
2d Reading	224
CR	321
Considered, votes reconsidered; deferred	350; 351
Considered, passed, referred	503
Engrossed — To House	511
Referred for enrollment	801
Enrolled — 4th Reading	833
To Governor	838
Approved May 30, 1977	854

SB 236 — By Murphy — An Act relating to state government ... creating a State Building Energy Conservation Commission ... effective date.

1st Reading	217
2d Reading	224

SB 237 — By Murphy and Howell of the Senate and Abbott of the House — An Act relating to state government; amending Section 3, Chapter 22, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3803) ... powers and duties of the Oklahoma Education Council ... codification.

1st Reading 217
2d Reading 224
CR 236
Considered, passed, referred 253
Engrossed — To House 264

SB 238 — By Lamb — An Act relating to courts; amending 20 O.S. 1971, Section 1102A, as amended ... providing disability retirement benefits for certain judges and justices; providing benefits for surviving spouse under certain circumstances ... emergency.

1st Reading 217
2d Reading 224

SB 239 — By Martin of the Senate and Duke of the House — An Act relating to higher education; authorizing and directing the Oklahoma State Regents for Higher Education to make higher education services available to the people of the Ardmore area ... emergency.

1st Reading 217
2d Reading 224
CR 270
Considered, failed 302
ML; adopted 303; 318
3d Reading, passed, referred 346
Engrossed — To House 358

SB 240 — By Funston — An Act relating to mental health; declaring legislative intent; amending 43A O.S. 1971, Sections 3, 54, as amended ... and 55, as last amended ... modifying proceedings conducted by a sanity commission; modifying provisions for an attorney ... emergency.

1st Reading 217
2d Reading 224
CR 491
Considered, passed, referred 516
Engrossed — To House 529

HAs read, consideration deferred 804
HAs adopted, passed, referred 829
Enrolled — 4th Reading 849
To Governor 850
Approved June 3, 1977 941

SB 241 — By Cate — An Act relating to fees; amending 28 O.S. 1971, Section 86; providing fees to be paid to jurors for their services; increasing juror's fees ... emergency.

1st Reading 217
2d Reading 224
CR 258

SB 242 — By Cate — An Act relating to jurors; providing penalties for discharging an employee from his employment that is required to serve on a jury panel ... emergency.

1st Reading 217
2d Reading 224
CR 258
Considered, passed, referred 268
Engrossed — To House 272

SB 243 — By Luton — An Act relating to motor vehicles; providing for issuance and possession of temporary permits which function in lieu of registration under certain conditions ... effective date.

1st Reading 218
2d Reading 224
Change in committee assignment 285
CR 328
Considered, passed, referred 350
Engrossed — To House 358
HAs read, consideration deferred 769
HAs adopted, passed, referred 838
Enrolled — 4th Reading 849
To Governor 850
Approved June 3, 1977 941

SB 244 — By Helm — An Act relating to schools ... declaring academic tests confidential; setting requirements concerning administration of personality or adjustment tests ... effective date.

1st Reading 218
2d Reading 224

CR	378
Considered	537
Considered, bill WD, rereferred	554

SB 245 — By Lambert — An Act relating to professions and occupations; amending 59 O.S. 1971, Section 1315; prohibiting certain persons or classes from being bail bondsmen or runners; and including new class of persons in provisions.	
1st Reading	218
2d Reading	224
CR	412
Considered, failed	456

SB 246 — By Rozell — An Act relating to public utilities ... establishing the Oklahoma Public Utilities Commission; stating qualifications and terms of office of members ... emergency.	
1st Reading	224
2d Reading	230
CR	617

SB 247 — By Stipe and Smith — An Act relating to professions and occupations; providing for welding observers and weld-testing facilities ... requiring certain qualifications of applicants for certification as a welding observer ... effective date.	
1st Reading	224
2d Reading	230

SB 248 — By Funston and Berrong of the Senate and Floyd, Riggs, Fried and Morgan of the House — An Act relating to workers' compensation; amending 20 O.S. 1971, Sections 91.1 and 91.2, 85 O.S. 1971, Sections 1, 2, as last amended and others ... providing for compensation to injured workers under certain circumstances; specifying who shall provide workers' compensation; defining terms; specifying procedures for claimant and employer to follow under Workers' Compensation Act ... creating a Workers' Compensation Administration Fund and providing procedures in relation thereto ... abolishing the State Industrial Court	
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and transferring funds, property, records, personnel and outstanding obligations and encumbrances; repealing 85 O.S. 1971, Sections 2, as amended and others ... severability.	
1st Reading	228
2d Reading	237

SB 249 — By Howell — An Act relating to schools; amending 70 O.S. 1971, Section 6-103, as amended ... modifying procedure for teacher dismissal, and nonre-employment ... authorizing temporary suspension of a teacher, under certain conditions ... repealing 70 O.S. 1971, Sections 6-120 and 6-122, as last amended ... emergency.	
1st Reading	229
2d Reading	237
CR	378
Considered, passed, referred	464
Engrossed — To House	471
HAs read, consideration deferred	929
HAs rejected, Conference requested	930
SCs appointed	930
Conference granted, HCs named	940
Change in House conferee	950
CCR read, consideration deferred	954
CCR adopted, passed — To House	962
Referred for enrollment	998
Enrolled — 4th Reading	1003
To Governor	1003
Approved June 17, 1977	

SB 250 — By Grantham of the Senate and Elder and Conaghan of the House — An Act relating to children; authorizing the Department of Institutions, Social and Rehabilitative Services to administer a statewide service of child support collection, parent location and paternity determination assistance ... emergency.	
1st Reading	229
2d Reading	237
CR	284
Considered, passed, referred	338
Engrossed — To House	349
HAs read, consideration deferred	694
HAs adopted, passed, referred	858
Enrolled — 4th Reading	884

To Governor	891
Approved June 3, 1977	941

SB 251 — By Stipe — An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees ... effective date.

1st Reading	229
2d Reading	237

SB 252 — By York — An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 941 and 942; providing for county parking lots ... parking structures and facilities ... emergency.

1st Reading	230
2d Reading	237
CR	531
Considered, passed	559
ML; referred	560; 588
Engrossed — To House	595

SB 253 — By Stipe — An Act relating to civil procedure; amending 12 O.S. 1971, Section 390; and modifying manner of compliance to a subpoena.

1st Reading	230
2d Reading	237
CR	342
Considered, failed	376
ML; time extended	376; 409
Motion adopted, passed, referred	426
Engrossed — To House	438

SB 254 — By Johnson of the Senate and Matheson of the House — An Act relating to state government; transferring powers, duties and property concerning the Uniform Crime Reporting System from the Oklahoma State Bureau of Investigation to the Oklahoma Crime Commission ... repealing Section 10, Chapter 259, O.S.L. 1976 (74 O.S. Supp. 1976, Section 150.10) ... emergency.

1st Reading	236
2d Reading	249

SB 255 — By Holden and Howard of the Senate and Morgan of the House — An

Act relating to insurance; creating the Oklahoma Property and Casualty Insurance Guaranty Association ... powers and duties of Commissioner of Insurance under this act ... emergency.

1st Reading	236
2d Reading	249
CR	453
Considered, passed	606
ML on bill and emergency	608
Motion on emergency adopted, emergency passed	624
Motion to reconsider vote on bill tabled, referred	625
Engrossed — To House	630

SB 256 — By Porter — An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 138.1, 138.2 and 138.4, as amended ... creating office of public defender in certain counties ... transferring power of appointment from district judges to Governor ... effective date.

1st Reading	236
2d Reading	249

SB 257 — By Porter — An Act relating to children; requiring an annual review of financial resources of children housed in certain institutions ... effective date.

1st Reading	236
2d Reading	249
CR	284
Considered, passed, referred	295
Engrossed — To House	300

SB 258 — By Stipe — An Act relating to civil procedure; amending 12 O.S. 1971, Section 95; providing limitations for certain civil actions; changing certain limitations ... effective date.

1st Reading	236
2d Reading	249
CR	342
Considered, passed, referred	444
Engrossed — To House	456

SB 259 — By Keller — An Act relating to labor; fixing disqualification for

benefits under unemployment compensation laws for certain persons ... effective date.

1st Reading	236
2d Reading	249

SB 260 — By Stipe — An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees ... effective date.

1st Reading	236
2d Reading	249

SB 261 — By Stipe of the Senate and Nance of the House — An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees ... effective date.

1st Reading	237
2d Reading	249

SB 262 — By Smith — An Act relating to special assessments; amending 11 O.S. 1971, Sections 106, 131, and others ... providing for levy and collection of special assessments ... adding requirements concerning notice be given to owner of assessed property ... emergency.

1st Reading	237
2d Reading	249
CR	321
Considered, passed, referred	380
Engrossed — To House	390

SB 263 — By McCune — An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 199.1 and 803; and modifying certain definitions.

1st Reading	237
2d Reading	249
CR	354
Considered, passed, referred	382
Engrossed — To House	390

SB 264 — By Luton, Howard, Lambert, Birdsong, Howell, Porter, Smith, Murphy and Randle — An Act relating to motorboats and vessels; amending 63 O.S. 1971,

Sections 804.4 and 804.9; providing for certificates of title and registration of motorboats and vessels ... changing right of certain tag agent to retain certain fees as compensation ... emergency.

1st Reading	248
2d Reading — Direct to Calendar	258
Considered, passed, referred	275
Engrossed — To House	281

SB 265 — By York, Birdsong and Porter — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 6-101, as last amended ... 22.22, and others ... licenses and fees; authorizing appointment of motor license agents ... repealing 47 O.S. 1971, Section 23.12 and Section 2, Chapter 396, O.S.L. 1967 ... emergency.

1st Reading	248
2d Reading	258
CR	266
Considered, passed, referred	278
Engrossed — To House	281
HAs read, consideration deferred	588
HAs rejected, Conference requested	595
SCs appointed	596
Conference granted, HCs named	608
CCR read, consideration deferred	666
CCR rejected, further Conference requested	671
Further Conference granted	673
2d CCR read, consideration deferred	690
2d CCR adopted, passed — To House	691
Referred for enrollment	780
Enrolled — 4th Reading	787
To Governor	787
Approved May 30, 1977	854

SB 266 — By Cate — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1111; defining rape; expanding the definition of rape to include prevention of resistance by threats of present or future harm to victim or victim's relatives ... emergency.

1st Reading	248
2d Reading	258
CR	386
Considered, passed, referred	443
Engrossed — To House	456

SB 267 — By Randle — An Act relating to revenue and taxation; providing for income averaging; specifying eligibility requirements ... effective date.

1st Reading	248
2d Reading	258
CR	652
Considered, passed, referred	692
Engrossed — To House	710
HAs read, consideration deferred	769
HAs adopted, passed, referred	806
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 268 — By Randle of the Senate and Atkins of the House — An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-205, as amended ... providing for county, district and cooperative departments of health ... emergency.

1st Reading	248
2d Reading	258
CR	453
Considered, passed, referred	590
Engrossed — To House	603
HAs read, consideration deferred	1002

SB 269 — By Randle — An Act relating to officers; amending 51 O.S. 1971, Section 24; providing certain records of public officials, agencies and State of Oklahoma subdivisions be open to public inspection ... emergency.

1st Reading	249
2d Reading	258

SB 270 — By Randle — An Act relating to insurance; providing for notice to insured before cancellation of motor vehicle insurance policy ... emergency.

1st Reading	249
2d Reading	258

SB 271 — By Murphy — An Act relating to water and water rights; amending Section 25, Chapter 253, O.S.L. 1972 (82 O.S. Supp. 1976, Section 1085.24); providing for purchase of investment certificates by the State Treasurer under certain circumstances ... emergency.

1st Reading	249
2d Reading	258
CR	541
Considered, passed, referred	564
Engrossed — To House	575

SB 272 — By Rozell — An Act relating to game and fish; directing the Oklahoma Department of Wildlife Conservation to provide personal civil liability insurance or bonds in specified amounts for all rangers ... emergency.

1st Reading	258
2d Reading	267
CR	314
Considered, advanced, votes reconsidered	347
Considered, passed, referred	347
Engrossed — To House	358
HAs read, consideration deferred	656
HAs adopted, passed, referred	715
Enrolled — 4th Reading	722
To Governor	727
Approved May 23, 1977	772

SB 273 — By Dawson, Terrill, Birdsong, Randle and York — An Act relating to the Corporation Commission; defining certain terms; providing for approval of certain fossil fuel adjustment, purchased gas adjustment and purchased power adjustment clauses ... emergency.

1st Reading	266
2d Reading	270
CR	522
Considered	592
Considered, passed, referred	594
Engrossed — To House	603
Referred for enrollment	908
Enrolled — 4th Reading	931
To Governor	940
Approved June 15, 1977	

SB 274 — By Howell — An Act relating to schools; amending 70 O.S. 1971, Section 8-110; requiring a certain report from the county superintendent of schools; modifying certain exemptions relating to transportation costs ... emergency.

1st Reading	266
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2d Reading	270
CR	453
Considered, passed, referred	495
Engrossed — To House	503

SB 275 — By Grantham of the Senate and Elder, Johnson (Don) and Kennedy of the House — An Act relating to courts; amending Section 9, Chapter 293, O.S.L. 1975 (20 O.S. Supp. 1976, Section 1226); authorizing transfer of funds from court fund of a county for law library ... emergency.	
1st Reading	266
2d Reading	270
CR	284
Considered, passed, referred	304
Engrossed — To House	308
Referred for enrollment	768
Enrolled — 4th Reading	779
To Governor	787
Approved May 27, 1977	849

SB 276 — By Grantham of the Senate and Elder, Frates, Kennedy and Wiseman of the House — An Act relating to evidence; stating legislative purpose; providing short title; delineating scope of code ... repealing 12 O.S. 1971, Sections 381, as amended ... 401, 424, 486, 489, 490, and others ... effective date.	
1st Reading	266
2d Reading	270
CR	314
Considered, passed, referred	478
Engrossed — To House	496

SB 277 — By Dahl of the Senate and Converse of the House — An Act relating to game and fish; amending Sections 2-111 and 2-132, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Sections 2-111 and 2-132) ... changing classification of certain animal ... effective date.	
1st Reading	267
2d Reading	270
CR	314
Considered, passed, referred	335
Engrossed — To House	349
HAs read, consideration deferred	805
HAs adopted, passed, referred	832

Enrolled — 4th Reading	849
To Governor	850
Approved June 3, 1977	941

SB 278 — By Helm — An Act relating to motor vehicles; exempting owners of unused vehicles from compulsory liability insurance requirements upon filing of specified affidavit ... effective date.	
1st Reading	267
2d Reading	270
CR	321; 462
Considered, advanced; votes reconsidered	534; 536
Considered, passed, referred	536
Engrossed — To House	547

SB 279 — By Keller — An Act relating to cities and towns; amending 11 O.S. 1971, Section 404 and 405, as last amended ... providing for certain regulations for planning and zoning within cities and towns ... emergency.	
1st Reading	267
2d Reading	270
CR	291
Considered, passed, referred	300
Engrossed — To House	308

SB 280 — By Keating and Cate of the Senate and Hood of the House — An Act relating to public health and safety; creating the Oklahoma Alcohol Services Act; declaring public policy and purpose of act; amending 63 O.S. 1971, Sections 2101, as amended and others ... expanding powers and duties of the Authority; setting guidelines for administration of funds ... codification.	
1st Reading	270
2d Reading	284
CR	424; 442

SB 281 — By Wadley — An Act relating to the Oklahoma Public Employees Retirement System; amending Section 7, Chapter 207, O.S.L. 1976 (74 O.S. Supp. 1976, Section 931); granting retirants an additional cost of living increase on July 1, 1977 ... emergency.	
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1st Reading	284
2d Reading	292
Change in committee assignment	323

SB 282 — By Porter — An Act relating to professions and occupations; amending 59 O.S. 1971, Section 328.19 ... requiring license for certain practices ... qualifications for fees, issuance and display of associate denturist certificates and denturist licenses; restricting operation of denturist clinic and supervision of associates ... emergency.

1st Reading	284
2d Reading	292

SB 283 — By Kilpatrick — An Act relating to professions and occupations; amending 59 O.S. 1971, Section 628; and modifying requirements for a certain osteopathic examination.

1st Reading	284
2d Reading	292
CR	516
Considered, passed, referred	565
Engrossed — To House	575
Referred for enrollment	663
Enrolled — 4th Reading	671
To Governor	673
Approved May 16, 1977	695

SB 284 — By Schuelein — An Act relating to the Indian and Hardrock Mining Museum Commission; reappropriating certain funds ... emergency.

1st Reading	291
2d Reading	299
CR	398
Considered, passed, referred	420
Engrossed — To House	428
HAs read, consideration deferred	972
HAs rejected, Conference requested	974
SCs appointed	974
Conference granted, HCs named	978
CCR read, adopted, passed — To House	981
Referred for enrollment	998
Enrolled — 4th Reading	999
To Governor	1002
Approved June 14, 1977	

SB 285 — By Rozell of the Senate and Townsend of the House — An Act relating to waters and water rights ... establishment of certain commissions relating to scenic rivers ... emergency.

1st Reading	291
2d Reading	299
CR	378
Considered, passed, referred	419
Engrossed — To House	428
Referred for enrollment	595
Enrolled — 4th Reading	603
To Governor	608
Approved May 3, 1977	628

SB 286 — By McCune — An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Sections 601, 1301 through 1306 and others ... powers and duties of boards of county commissioners ... providing for construction and maintenance of limited access facilities and rural roads ... rural road districts by petition ... emergency.

1st Reading	292
2d Reading	299

SB 287 — By Wadley — An Act relating to schools; amending 70 O.S. 1971, Section 3802; creating a Board of Regents for Claremore Junior College; expanding Board membership ... emergency.

1st Reading	298
2d Reading	308
CR	386
Considered, passed, referred	438
Engrossed — To House	444

SB 288 — By Clifton — An Act relating to criminal procedure; amending 22 O.S. 1971, Section 991b, as last amended ... prescribing rules and procedures for revocation of suspended sentences ... effective date.

1st Reading	298
2d Reading	308

SB 289 — By McDaniel — An Act relating to revenue and taxation; limiting property conveyed in tax deed to real property, including mineral rights, of surface owner ... effective date.

1st Reading	298
2d Reading	308
CR	386
Considered, failed	456
ML; adopted	457; 467
3d Reading, passed, referred	510
Engrossed — To House	518
HAs read, consideration deferred	694
HAs adopted, bill failed	716
ML; adopted, vote reconsidered	716; 719
HAs rejected, Conference requested	719
SCs appointed	720
Conference granted, HCs named	754
CCR read, consideration deferred	800
CCR adopted, bill failed, ML; tabled	838; 846

SB 290 — By Young of the Senate and Rogers of the House — An Act relating to professions and occupations; creating an Oklahoma Board of Private Investigative and Security Agencies ... effective date.	
1st Reading	298
2d Reading	308

SB 291 — By Watson — An Act relating to schools; amending 70 O.S. 1971, Section 1-116, as amended ... modifying definitions of certain school personnel ... emergency.	
1st Reading	307
2d Reading	315
CR	412
Considered, passed, referred	587
Engrossed — To House	595

SB 292 — By Taliaferro — An Act relating to public warehouses; amending 2 O.S. 1971, Sections 9-21, 9-22, 9-25, 9-27, 9-28, and 9-34; adding definitions; providing for warehousemen's licenses and bonds ... effective date.	
1st Reading	314
2d Reading	322
CR	366; 366
Considered, passed, referred	426
Engrossed — To House	438
Referred for enrollment	768
Enrolled — 4th Reading	782
To Governor	787
Approved May 27, 1977	849

SB 293 — By Funston — An Act relating to the militia; creating a scholarship program for members of the Oklahoma National Guard at institutions of higher education ... emergency.	
1st Reading	314
2d Reading	322
CR	386

SB 294 — By Grantham and Taliaferro of the Senate and Elder, et al, of the House — An Act relating to probate procedure; amending 58 O.S. 1971, Section 775, as amended ... providing eligibility of non-residents for appointment of guardian of property of or person of minor or person of unsound mind.	
1st Reading	314
2d Reading	322
CR	342
Considered, passed, referred	427
Engrossed — To House	438
Referred for enrollment	801
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 295 — By Murphy — An Act relating to labor; amending 40 O.S. 1971, Section 197.11; limiting certain powers of the Wage and Hour Commission ... creating an Apprenticeship Advisory Council within the Department of Labor ... effective date.	
1st Reading	314
2d Reading	322

SB 296 — By Tinsley — An Act relating to county officers; authorizing county sheriffs to issue private security officer commissions under certain circumstances ... emergency.	
1st Reading	315
2d Reading	322

SB 297 — By Wolfe — An Act relating to civil procedure; amending 12 O.S. 1971, Section 1751, as amended ... authorizing certain suits to be brought under small claims procedure; deleting provision limiting attorney's fees ... effective date.	
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1st Reading	315
2d Reading	322
CR	354
WD, rereferred (motion on p. 914)	

SB 298 — By Watson — An Act relating to civil procedure; providing that a counterclaim for damages for abuse of process in filing may be filed and litigated in the same action when the action is for damages for personal injury or death ... emergency.

1st Reading	315
2d Reading	322

SB 299 — By Watson — An Act relating to medical care; providing that no liability shall be imposed against a provider of medical care for breach of any guaranty, warranty, contract ... unless the same be in writing and signed by the provider of medical care or his authorized agent ... emergency.

1st Reading	315
2d Reading	322

SB 300 — By Watson — An Act relating to civil procedure; providing for admissibility of evidence of indemnification from collateral sources for loss sustained in action brought for damages for personal injury ... emergency.

1st Reading	315
2d Reading	322

SB 301 — By Cate — An Act relating to schools; amending 70 O.S. 1971, Section 5-129, as amended ... providing for student activity funds and petty cash accounts ... effective date.

1st Reading	322
2d Reading	330
CR	453
Considered, passed, referred	470
Engrossed — To House	486
Referred for enrollment	965
Enrolled — 4th Reading	987
To Governor	991
Approved June 14, 1977	

SB 302 — By Cate of the Senate and

Rogers of the House — An Act relating to banks and trust companies ... setting requirements for bank holding companies ... registration and reporting by bank holding companies ... repealing 6 O.S. 1971, Sections 415, 501, as amended ... effective date.

1st Reading	322
2d Reading	330

SB 303 — By Luton — An Act relating to crimes and punishments; defining solicitation of a crime; proscribing solicitation of a crime ... codification.

1st Reading	328
2d Reading	343

SB 304 — By Luton — An Act relating to taxation; exempting gross receipts from the conduct of bingo games from sales tax ... emergency.

1st Reading	328
2d Reading	343
CR	412; 442
Considered	489
WD, rereferred	785

SB 305 — By Luton — An Act relating to intoxicating liquors; amending 37 O.S. 1971, Section 539; authorizing the issuance of a search warrant for the purpose of searching, seizing and holding certain property ... distribution of proceeds.

1st Reading	328
2d Reading	343

SB 306 — By Murphy — An Act relating to the Oklahoma State Regents for Higher Education for a facility for tick eradication research at Oklahoma State University and making an appropriation thereto ... emergency.

1st Reading	329
2d Reading	343
CR	522

SB 307 — By Wolfe of the Senate and Smith of the House — An Act relating to grand juries; amending 22 O.S. 1971, Section 329, and 38 O.S. 1971, Section 21, as amended ... providing for the selection of

certain jurors ... alternate grand jurors
... emergency.

1st Reading 329
2d Reading 343

SB 308 — By Stipe — An Act relating to roads, bridges and ferries; amending Section 4, Chapter 218, O.S.L. 1976 (69 O.S. Supp. 1976, Section 4004); authorizing certain divisions within the Department of Transportation; creating a Division of Water Transportation ... emergency.

1st Reading 329
2d Reading 343
CR 412
Considered 439
WD, rereferred 440

SB 309 — By Terrill of the Senate and Atkins of the House — An Act relating to protective services for elderly persons ... investigation of elderly persons alleged to be in need of protective services ... emergency.

1st Reading 329
2d Reading 343
CR 442
Considered, passed 502
ML; referred 503; 529
Engrossed — To House 533
HAS read, consideration deferred 908
HAS rejected, Conference requested 935
SCs appointed 935
Conference granted, HCs named 941
CCR read, consideration deferred 953
CCR adopted, passed — To House 955
CCR rejected, further Conference requested 993
Further Conference granted 993
2d CCR read, adopted, passed — To House 994
Referred for enrollment 998
Enrolled — 4th Reading 1003
To Governor 1003
Approved June 17, 1977

SB 310 — By Terrill of the Senate and Riggs and Morgan of the House — An Act relating to public health and safety ... creating an Emergency Medical Services

Division within the Department of Health
... emergency.

1st Reading 329
2d Reading 343
CR 462
Considered, passed, referred 496
Engrossed — To House 503
Referred for enrollment 690
Enrolled — 4th Reading 710
To Governor 717
Approved May 19, 1977 787

SB 311 — By Terrill — An Act relating to poor persons; amending 56 O.S. 1971, Section 165, as amended ... amount of assistance payments ... modifying provisions for exclusion of certain amounts of certain insurance policies and contracts from such persons' financial resources ... emergency.

1st Reading 329
2d Reading 343
CR 442
Considered, passed, referred 455
Engrossed — To House 465

SB 312 — By Smith of the Senate and Townsend of the House — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2484; prohibiting use of revenue from nonrecurrent sources in estimates of probable income ... emergency.

1st Reading 330
2d Reading 343
CR 412
Considered, passed, referred 458
Engrossed — To House 465
HAS read, consideration deferred 770
HAS adopted, passed, referred 812
Enrolled — 4th Reading 833
To Governor 836
Approved May 30, 1977 854

SB 313 — By Capps — An Act relating to public health and safety; amending 63 O.S. 1971, Section 141.9 ... responsibility of permit holders ... creating a felony of abandonment of an explosive charge ... emergency.

1st Reading	342
2d Reading	356

SB 314 — By Lamb — An Act relating to revenue and taxation; amending Section 1, Chapter 313, O.S.L. 1974 (68 O.S. Supp. 1976, Section 2407.1); authorizing an additional homestead exemption for persons having a specified gross household income ... increasing gross household income of eligible persons ... effective date.	
1st Reading	342
2d Reading	356
CR	412

SB 315 — By Holden, Keller, Schuelein and Crow of the Senate and Duckett, et al, of the House — An Act relating to State Capital and Capitol Building; amending Section 4, Chapter 144, O.S.L. 1975, as amended ... (73 O.S. Supp. 1976, Section 163.2); providing for the deposit of monies from certain leases to the General Revenue Fund; excepting monies from certain lease agreements ... emergency.	
1st Reading	342
2d Reading	356
CR	462
Considered, passed, referred	471
Engrossed — To House	486

SB 316 — By Howell — An Act relating to civil procedure; providing counseling services in divorce actions; establishing duties and privileges of counselors ... codification.	
1st Reading	342
2d Reading	356
CR	436; 572
Considered, passed, referred	612
Engrossed — To House	620

SB 317 — By Howell — An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 1052 through 1055, 1058, 1060 and 1061; increasing requirements for a person to advertise or conduct a "closing out sale" ... certain exemption.	
1st Reading	342
2d Reading	356

CR	442
Considered, WD, rereferred	513

SB 318 — By Keller — An Act relating to damages; amending 23 O.S. 1971, Section 10; providing for recovery of damages from parents of minors; adding authority to recover damages for stolen property ... effective date.	
1st Reading	343
2d Reading	356
CR	398
Considered, passed, referred	446
Engrossed — To House	456

SB 319 — By Luton of the Senate and Harper of the House — An Act relating to insurance; prohibiting reinsurance of consumer credit insurance under certain conditions; directing codification ... effective date.	
1st Reading	343
2d Reading	356
CR	453
Considered, passed, referred	580
Engrossed — To House	588

SB 320 — By Lambert — An Act relating to professions and occupations; amending Section 14, Chapter 182, O.S.L. 1973 (59 O.S. Supp. 1976, Section 1564); providing for fees, procedures and requirements for hearing aid dealers' and fitters' licenses ... effective date.	
1st Reading	343
2d Reading	356
CR	398
Considered, passed, referred	427
Engrossed — To House	438

SB 321 — By Lambert — An Act relating to criminal procedure; adopting the Interstate Agreement on Detainers Act ... setting out provisions of the agreement whereby detainers lodged may be cleared ... effective date.	
1st Reading	343
2d Reading	356
CR	412
Considered, passed, referred	429
Engrossed — To House	438

Referred for enrollment	768
Enrolled — 4th Reading	782
To Governor	787
Approved May 27, 1977	849

SB 322 — By Lambert — An Act relating to public finance; amending 62 O.S. 1971, Section 511; providing methods for depositing public funds; and repealing 62 O.S. 1971, Section 513.

1st Reading	343
2d Reading	356

SB 323 — By Lambert — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1040.51; prohibiting certain activities relating to obscene material ... repealing 21 O.S. 1971, Section 1040.53 ... effective date.

1st Reading	343
2d Reading	356
CR	386
WD, rereferred (motion on page 914)	

SB 324 — By Lambert — An Act relating to fees; amending 28 O.S. 1971, Sections 81 and 82, as amended ... providing rate for fees for certain witnesses; providing for certain restrictions; increasing certain witness fees ... effective date.

1st Reading	354
2d Reading	368
CR	386
Considered, passed, referred	418
Engrossed — To House	428
HAS read, consideration deferred	972
HAS adopted, passed, referred	980
Enrolled — 4th Reading	987
To Governor	991
Approved June 15, 1977	

SB 325 — By Lambert — An Act relating to crimes and punishments; amending Section 1, Chapter 1, O.S.L. 1976, 1st Extraordinary Session (21 O.S. Supp. 1976, Section 701.7); defining murder in the first degree including the taking of a life while in the commission or attempted commission of certain prohibited acts ... effective date.

1st Reading	354
2d Reading	368

SB 326 — By Lambert — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1305, as amended ... providing for certain exemptions to the Sales Tax Code ... changes in agricultural products exemption; repealing 68 O.S. 1971, Sections 1305b, as last amended and others ... emergency.

1st Reading	354
2d Reading	368
Unanimous consent granted to report on bill	949
CR	949; 949
Considered, passed, referred	974
Engrossed — To House	976

SB 327 — By Lambert — An Act relating to criminal procedure; amending 22 O.S. 1971, Section 196, as amended ... changing circumstances that permit arrests without warrants ... effective date.

1st Reading	355
2d Reading	368
CR	386
Considered, passed	438
ML; referred	438; 468
Engrossed — To House	471
Referred for enrollment	584
Enrolled — 4th Reading	595
To Governor	596
Approved April 28, 1977	612

SB 328 — By Lambert — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1021; prohibiting certain indecent or obscene acts; providing for liberal enumeration of such prohibitions ... penalties.

1st Reading	355
2d Reading	368
CR	386
Considered, passed, referred	445
Engrossed — To House	456
HAS read, consideration deferred	805

SB 329 — By Grantham and Howell of the Senate and Holt and Conaghan of the House — An Act relating to public finance; repealing Sections 1 through 7, Chapter 11, O.S.L. 1976 (62 O.S. Supp. 1976,

Sections 571 through 577), relating to proceeds of bond issues.

1st Reading	355
2d Reading	368
CR	453
Considered, failed	534
ML	534

SB 330 — By Wolfe of the Senate and Fitzgibbon and Matheson of the House — An Act relating to intoxicating liquors; amending 37 O.S. 1971, Sections 540, 541, and others ... changing tax stamp method of evidencing payment of tax on intoxicating liquors ... repealing 37 O.S. 1971, Sections 544 and 558 ... emergency.

1st Reading	355
2d Reading	368

SB 331 — By Martin of the Senate and Craighead of the House — An Act relating to public health and safety; amending 63 O.S. 1971, Section 2-210, as amended ... authorizing exceptions of certain listed drugs by Board of Pharmacy; adding dextropropoxyphene to Schedule IV ... emergency.

1st Reading	355
2d Reading	368
CR	491
Considered, passed, referred	537
Engrossed — To House	547

SB 332 — By Stipe — An Act relating to public health and safety; amending 63 O.S. 1971, Section 1058, as amended ... providing for appointment of commissioners of a housing authority ... employment of certain personnel.

1st Reading	355
2d Reading	368
CR	522
Considered, passed, referred	565
Engrossed — To House	575
Referred for enrollment	999
Enrolled — 4th Reading	1003
To Governor	1003
Approved June 15, 1977	

SB 333 — By Lambert — An Act re-

lating to crimes and punishments; repealing 21 O.S. 1971, Section 41, which prohibits conviction for attempt where crime is perpetrated.

1st Reading	366
2d Reading	378

SB 334 — By Lambert — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 51, as amended ... providing punishments for second and subsequent offenses ... effective date.

1st Reading	366
2d Reading	378
CR	412
WD, rereferred (motion on p. 914)	

SB 335 — By Terrill of the Senate and Atkins of the House — An Act relating to child abuse; amending 21 O.S. 1971, Sections 843, as amended and others ... criminalizing child abuse ... increasing age of child to eighteen ... effective date.

1st Reading	366
2d Reading	378
CR	442
Considered, passed, referred	486
Engrossed — To House	496
HAs read, consideration deferred	806
HAs adopted, passed, referred	834
Enrolled — 4th Reading	849
To Governor	850
Approved June 3, 1977	941

SB 336 — By Funston — An Act relating to children; declaring legislative intent; defining terms; granting specified economic incentives to certain adoptive parents of hard-to-place children ... codification.

1st Reading	367
2d Reading	379
CR	442
Considered, passed, referred	497
Engrossed — To House	503
HAs read, consideration deferred	586
HAs adopted, passed, referred	615
Enrolled — 4th Reading	620
To Governor	624
Approved May 6, 1977	644

SB 337 — By Dawson of the Senate and Matheson of the House — An Act relating to state government; regulating lobbying practices in Oklahoma ... requiring certain persons to register ... repealing 21 O.S. 1971, Sections 313 and 314 ... effective date.

1st Reading 367
2d Reading 379

SB 338 — By York — An Act relating to public health; authorizing the providing of certain hospital records to licensed chiropractors under certain conditions.

1st Reading 367
2d Reading 379

SB 339 — By Howell of the Senate and Davis (Don) and Johnston of the House — An Act relating to insurance; amending 36 O.S. 1971, Sections 308 through 310; modifying procedure for examination of domestic document insurers ... modifying provisions for certain examination reports.

1st Reading 367
2d Reading 379
CR 572
WD, rereferred (motion on p. 914)

SB 340 — By Howell of the Senate and Davis (Don) and Johnston of the House — An Act relating to insurance; prohibiting the appointment of certain personnel in delinquency proceedings ... codification.

1st Reading 367
2d Reading 379
CR 522
Considered 542
Considered, passed, referred 543
Engrossed — To House 559

SB 341 — By Howell of the Senate and Davis (Don) and Johnston of the House — An Act relating to insurance; requiring approval of costs incident to the conduct of certain delinquency proceedings ... codification.

1st Reading 367
2d Reading 379
CR 563

Considered, passed, referred 767
Engrossed — To House 779

SB 342 — By Howell of the Senate and Davis (Don) and Johnston of the House — An Act relating to insurance; amending 36 O.S. 1971, Sections 301, 307, and others ... creating an Insurer Delinquency Board; providing for membership, terms, powers and duties ... effective date.

1st Reading 367
2d Reading 379

SB 343 — By Howell — An Act relating to insurance; prohibiting the appointment of certain personnel in delinquency proceedings ... codification.

1st Reading 367
2d Reading 379

SB 344 — By Capps of the Senate and Bradshaw of the House — An Act relating to oil and gas; providing for the release of certain land subject to an oil and gas lease ... emergency.

1st Reading 368
2d Reading 379

SB 345 — By York — An Act relating to liens; amending 42 O.S. 1971, Section 143; providing for liens upon land or improvements by subcontractors, artisans or laborers ... exception for owners of dwelling houses ... emergency.

1st Reading 378
2d Reading 387

SB 346 — By Lane — An Act relating to statutes and reports; amending 75 O.S. 1971, Sections 251, 255, 304 and 308, as amended ... providing for filing of rules and regulations; prescribing manner thereof; requiring certain publication ... emergency.

1st Reading 378
2d Reading 387
CR 600
WD, rereferred (motion on p. 914)

SB 347 — By Grantham of the Senate and Elder, et al, of the House — An Act relating to revenue and taxation; provid-

ing for excluding marital deduction from the gross value of the estate of a non-resident decedent ... emergency.

1st Reading	378
2d Reading	387
CR	492
Considered, passed, referred	566
Engrossed — To House	575
Referred for enrollment	768
Enrolled — 4th Reading	782
To Governor	787
Approved May 27, 1977	849

SB 348 — By Grantham of the Senate and Elder and Holt of the House — An Act relating to poor persons; payment of public assistance money for any child creates a debt to Department of Institutions, Social and Rehabilitative Services ... emergency.

1st Reading	378
2d Reading	387
CR	442
Considered, passed, referred	455
Engrossed — To House	465
HAs read, consideration deferred	771
HAs adopted, passed, referred	858
Enrolled — 4th Reading	884
To Governor	891
Approved June 3, 1977	941

SB 349 — By Lambert — An Act relating to game and fish; amending Section 4-110, Chapter 17, O.S.L. 1974, as last amended ... (29 O.S. Supp. 1976, Section 4-110); requiring a fishing license under certain conditions ... penalty.

1st Reading	386
2d Reading	399
CR	442
Considered, passed, referred	454
Engrossed — To House	465
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 10, 1977	660

SB 350 — By Luton — An Act relating to motor vehicles; amending 12A O.S. 1971, Section 9-302, and 47 O.S. 1971, Section 23.3; providing for filing for perfection of security interest ... providing rules re-

garding perfection, release and filing of certain security interests, liens or encumbrances.

1st Reading	386
2d Reading	399
CR	516; 522
Considered, passed, referred	560
Engrossed — To House	566
HAs read, consideration deferred	771
HAs rejected, Conference requested .	784
SCs appointed	784
Conference granted, HCs named	794
CCR read, consideration deferred	962
CCR adopted, passed — To House	968
Referred for enrollment	998
Enrolled — 4th Reading	1003
To Governor	1003
Approved June 14, 1977	

SB 351 — By Keating — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1431; providing for and defining burglary in the first degree ... repealing 21 O.S. 1971, Section 1440 ... effective date.

1st Reading	386
2d Reading	399
CR	491
Considered, passed, referred	573
Engrossed — To House	588

SB 352 — By Boatner — An Act relating to wills and succession; amending 84 O.S. 1971, Section 55, as amended ... formal requisites for execution of certain wills ... certain new condition upon admission to probate of certain wills.

1st Reading	386
2d Reading	399
CR	436
Considered, passed, referred	444
Engrossed — To House	456
Referred for enrollment	673
Enrolled — 4th Reading	677
To Governor	686
Approved May 16, 1977	695

SB 353 — By Cate — An Act relating to the State Capital and Capitol Building; amending 73 O.S. 1971, Section 173, as amended ... and Section 3, Chapter 161,

O.S.L. 1973, as amended ... (73 O.S. Supp. 1976, Sections 173 and 176) ... creating the Oklahoma Capitol-Medical Center Parking Authority ... effective date.

1st Reading	386
2d Reading	399
CR	462
WD, rereferred (motion on p. 914)	

SB 354 — By Lane — An Act relating to state government; amending 74 O.S. 1971, Section 913, as last amended ... crediting of prior service; and modifying provisions for crediting of participating service.

1st Reading	387
2d Reading	399
CR	698
WD, rereferred (motion on p. 914)	

SB 355 — By Crow — An Act relating to the Oklahoma State Regents for Higher Education and providing for continuation and reappropriation of an appropriation previously made ... nonfiscal.

1st Reading	387
2d Reading	399
Assigned to additional committee	429
CR	508; 590
Considered, passed, referred	679
Engrossed — To House	689
HAs read, consideration deferred	828
HAs rejected, Conference requested	883
SCs appointed	883
Conference granted, HCs named	898
CCR read, consideration deferred	950
CCR adopted, passed — To House	959
Referred for enrollment	987
Enrolled — 4th Reading	994
To Governor	996
Approved June 14, 1977	

SB 356 — By Young and Dawson — An Act relating to professions and occupations; providing an exemption for certain persons to the provisions of "The State Dental Act" ... emergency.

1st Reading	398
2d Reading	412

SB 357 — By York of the Senate and

Davis (Don) of the House — An Act relating to torts; amending Section 3, Chapter 44, O.S.L. 1976 (76 O.S. Supp. 1976, Section 19); providing for access to certain medical records; providing for waiver of certain privilege ... effective date.

1st Reading	398
2d Reading	412
CR	436
Considered, passed, referred	454
Engrossed — To House	465
Referred for enrollment	663
Enrolled — 4th Reading	671
To Governor	673
Approved May 16, 1977	695

SB 358 — By Porter and Smith — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 501 ... exempting taxicab operators having taxicab exemption permits from payment of certain gasoline taxes ... emergency.

1st Reading	398
2d Reading	412
CR	491
Considered, failed	558
ML; adopted, bill rereferred	558; 584

SB 359 — By Keller — An Act relating to children; providing for prosecution of certain minors as adults charged with violating state statutes or municipal ordinances ... repealing 10 O.S. 1971, Section 1112, as last amended ... emergency.

1st Reading	398
2d Reading	412
CR	563; 590
Considered, passed	637
ML; referred	641; 673
Engrossed — To House	677

SB 360 — By Field of the Senate and Dunn and McKee of the House — An Act relating to public health and safety; allowing registered nurses to sign certain death certificates; limiting application ... effective date.

1st Reading	412
2d Reading	425

SB 361 — By Terrill — An Act relating to professions and occupations;

amending 59 O.S. 1971, Section 498; providing for reciprocal registration by the State Board of Medical Examiners of applicants without examination, under certain conditions ... emergency.

1st Reading	412
2d Reading	425
CR	516
Considered, passed, referred	612
Engrossed — To House	620
Referred for enrollment	914
Enrolled — 4th Reading	931
To Governor	940
Approved June 15, 1977	

SB 362 — By Capps — An Act relating to waters and water rights; amending 82 O.S. 1971, Sections 932, as amended ... and 932.1, as amended ... creating the State Department of Pollution Control ... Pollution Control Coordinating Board ... emergency.

1st Reading	412
2d Reading	425

SB 363 — By Lamb — An Act relating to schools; amending 70 O.S. 1971, Section 22-104; providing for standards for school audits; providing for certain qualifications of such accountants ... guidelines for liability insurance.

1st Reading	412
2d Reading	425
CR	491
Considered, passed, referred	533
Engrossed — To House	547
HAs read, consideration deferred	806
HAs adopted, passed, referred	961
Enrolled — 4th Reading	973
To Governor	978
Approved June 14, 1977	

SB 364 — By Crow — A Bill making a supplemental appropriation to a state agency.

1st Reading	412
2d Reading	425

SB 365 — By Randle — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 24100; allowing certain temporary appropriations by excise

boards to certain governmental entities ... effective date.

1st Reading	424
2d Reading	436
CR	491
Considered, passed, referred	536
Engrossed — To House	547
Referred for enrollment	649
Enrolled — 4th Reading	655
To Governor	663
Approved May 16, 1977	695

SB 366 — By Funston of the Senate and Bennett of the House — An Act relating to public health and safety; amending 63 O.S. 1971, Sections 1-704, 1-706, 1-805 and 1-807; providing for licensing of certain hospitals and domiciliary facilities; providing for fees and criteria therefor ... effective date.

1st Reading	424
2d Reading	436

SB 367 — By Funston of the Senate and Bennett of the House — An Act relating to public health and safety; amending 63 O.S. 1971, Sections 1-1118, 1-1119, 1-1201 and 1-1314; increasing certain license and permit fees of hotels, milk importers and wholesale and retail dealers in food ... effective date.

1st Reading	424
2d Reading	436
CR	532
WD, rereferred (motion on p. 914)	

SB 368 — By Funston — An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 1004, 1008, 1009, 1013 and 1017; establishing the Committee of Plumbing Examiners and specifying membership ... effective date.

1st Reading	424
2d Reading	436
CR	563

SB 369 — By Funston — An Act relating to securities; amending 71 O.S. 1971, Sections 405, 411 and 412; providing for certain investigations and examinations; specifying certain powers of the

Administrator ... modifying provisions for certain expenditures.

1st Reading	424
2d Reading	436
CR	572
WD, rereferred (motion on p. 914)	

SB 370 — By Shatwell — An Act relating to oil and gas; defining terms; prohibiting the use of certain contractual provisions relating to fuel allocations or allotments ... effective date.

1st Reading	424
2d Reading	436

SB 371 — By Wolfe — An Act relating to actions for wrongful death; amending 12 O.S. 1971, Section 1053; defining damages recoverable in actions for wrongful death in addition to damages recoverable for death of minor ... emergency.

1st Reading	425
2d Reading	436
CR	470
WD, rereferred	574
CR	617
Considered, advanced	631
3d Reading, passed, referred	641
Engrossed — To House	647

SB 372 — By Wolfe of the Senate and Brunton of the House — An Act relating to financial privacy ... limiting permissible disclosure of specific credit information of individuals by certain businesses ... effective date.

1st Reading	425
2d Reading	436

SB 373 — By Howard of the Senate and Ford of the House — An Act relating to state government; providing for meetings and terms of members of the Board on Legislative Compensation ... emergency.

1st Reading	425
2d Reading	436
CR	851
Considered, passed, referred	884
Engrossed — To House	892
Referred for enrollment	965
Enrolled — 4th Reading	987

To Governor 991
Approved June 14, 1977

SB 374 — By York, Kilpatrick, Terrill, Birdsong, Dawson, Randle, Watson, Boatner, Butler, Capps, Cate, Clifton, Funston, Johnston, Keller, Lane, Murphy, Porter, Rozell, Schuelein, Shatwell, Taliaferro, Tinsley, Vann, Wadley and Young of the Senate and Weichel, et al, of the House — An Act relating to the Corporation Commission; providing for advertising expenses by public utility companies ... codification.

1st Reading	425
2d Reading	436
CR	532
Considered, passed, referred	604
Engrossed — To House	612
HAs read, consideration deferred	969
HAs adopted, passed, referred	988
Enrolled — 4th Reading	994
To Governor	996
Approved June 17, 1977	

SB 375 — By York, Kilpatrick, Terrill, Rozell, Dawson, Randle, Birdsong, Porter, Funston, and Tinsley of the Senate and Weichel, et al, of the House — An Act relating to the Corporation Commission; prohibiting promotional payments by public utilities ... codification.

1st Reading	425
2d Reading	436
CR	532
Considered, failed	613
ML; adopted, passed	614; 629
Engrossed — To House	637
Referred for enrollment	963
Enrolled — 4th Reading	973
To Governor	978
Approved June 14, 1977	

SB 376 — By Clifton — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 2497, and 70 O.S. 1971, Section 24-108; prescribing procedure for computation of ad valorem tax levies; reducing permissible reserve for delinquent taxes ... emergency.

1st Reading	425
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2d Reading	436
CR	491
Considered, passed, referred	528
Engrossed — To House	533
HAs read, consideration deferred	806
HAs adopted, passed, referred	961
Enrolled — 4th Reading	973
To Governor	978
Approved June 14, 1977	

SB 377 — By Clifton — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 24101, as amended ... prescribing and modifying procedures for making supplemental and additional appropriations for current expenses of counties, cities, towns and school districts ... effective date.

1st Reading	425
2d Reading	436
CR	491
Considered, passed, referred	528
Engrossed — To House	533

SB 378 — By Keller — An Act relating to schools; requiring proofs of English proficiency of nonimmigrant aliens applying for admission to institutions of the Oklahoma State System of Higher Education ... effective date.

1st Reading	436
2d Reading	442

SB 379 — By Young — An Act relating to crimes and punishments; prohibiting the exposure of certain parts of the human body by certain persons; prohibiting causing or assisting certain acts ... effective date.

1st Reading	442
2d Reading	453

SB 380 — By Keating — An Act relating to state legislators; requiring legislators to file annual financial statements on specified date with specified contents ... effective date.

1st Reading	442
2d Reading	453

SB 381 — By Lambert — An Act re-

lating to intoxicating liquors; amending 37 O.S. 1971, Section 537, which enumerates prohibited acts and sets penalties; changing closing hours of retail liquor stores ... effective date.

1st Reading	453
2d Reading	462

SB 382 — By Terrill, Birdsong, Dawson, Randle and York of the Senate and Weichel of the House — An Act relating to the Corporation Commission; amending Section 18 of Article IX of the Oklahoma Constitution; expanding certain powers and duties ... prohibiting the construction of certain facilities ... emergency.

1st Reading	462
2d Reading	470

SB 383 — By Birdsong — An Act relating to roads, bridges and ferries; amending Section 1, Chapter 182, O.S.L. 1976 (69 O.S. Supp. 1976, Section 1206.1); modifying participation in the acquisition of lands for use for certain rights-of-way ... emergency.

1st Reading	470
2d Reading	484
WD; referred	494

SB 384 — By Green of the Senate and Thompson (Don) of the House — An Act relating to courts; amending 20 O.S. 1971, Section 30.5; providing for Court of Appeals to render written opinions; providing for publication of Court of Appeals opinions ... emergency.

1st Reading	470
2d Reading	484

SB 385 — By Howell — An Act relating to savings and loan associations; amending 18 O.S. 1971, Sections 381.2, 381.20, and others ... modifying provisions for articles of incorporation, hearing on application for certificate of authority, required capital and subscriptions, corporate existence and organizational meeting for certain new associations ... emergency.

1st Reading	484
2d Reading	492

SB 386 — By Terrill, Birdsong, Dawson, Randle and York of the Senate and Weichel and Converse of the House — An Act relating to public utilities; amending Section 34 of Article IX of the Oklahoma Constitution ... creating an Oklahoma Public Utility Control Board and an Oklahoma Public Utility Control Board Nominating Committee ... emergency.

1st Reading	492
2d Reading	502
CR	627
Considered	712
Considered further, rereferred	731
Motion to reconsider vote on rereferral, tabled	733

SB 387 — By Vann of the Senate and Morgan of the House — An Act relating to cities and towns; amending 11 O.S. 1971, Section 1044, which relates to certain procedures concerning unplatted property annexed to a town ... emergency.

1st Reading	492
2d Reading	502
CR	522
Considered, passed, referred	557
Engrossed — To House	566

SB 388 — By Young of the Senate and Floyd of the House — An Act relating to the Oklahoma Department of Public Safety; making appropriation thereto ... emergency.

1st Reading	508
2d Reading	516
CR	572

SB 389 — By Tinsley — An Act relating to counties and county officers; amending 19 O.S. 1971, Sections 180.63 and 180.64A, as last amended ... increases in basic salaries of county officers ... increases in minimum salaries of county officers ... emergency.

1st Reading	508
2d Reading	516
CR	572

SB 390 — By Howell — An Act relating to state government ... providing for an Oklahoma State Bureau of Investiga-

tion Retirement System; providing for Retirement and Pension Fund and a Retirement and Pension Board ... effective date.

1st Reading	522
2d Reading	532

SB 391 — By Howell — An Act relating to schools; amending Section 1, Chapter 1, O.S.L. 1976 (70 O.S. Supp. 1976, Section 1-120), which provides a method for calculating average daily attendance for purposes of state aid ... emergency.

1st Reading	522
2d Reading	532
CR	553
Considered, passed, referred	568
Engrossed — To House	575
Referred for enrollment	801
Enrolled — 4th Reading	833
To Governor	836
Approved May 30, 1977	854

SB 392 — By Howell — An Act relating to elections; modifying manner of election of Governor and Lieutenant Governor; providing for joint filing of a declaration of candidacy; imposing certain requirements for such filing ... emergency.

1st Reading	522
2d Reading	532

SB 393 — By Howell — An Act relating to crime and punishments; amending 21 O.S. 1971, Section 421; increasing penalty for conspiracy.

1st Reading	523
2d Reading	532

SB 394 — By Randle — An Act relating to state government; amending Section 2, Chapter 64, O.S.L. 1972, as last amended and others ... providing for participation in certain voluntary tax-sheltered income deferment plans ... codification.

1st Reading	532
2d Reading	542

SB 395 — By Capps — An Act relating

to counties and county officers; amending 19 O.S. 1971, Sections 866.2 and 866.36; authorizing city and county cooperation in certain planning projects ... emergency.
 1st Reading 532
 2d Reading 542

SB 396 — By Funston — An Act relating to courts; providing for additional district judges for Tulsa and Oklahoma Counties ... repealing Section 2, Chapter 61, O.S.L. 1975 (20 O.S. Supp. 1976, Section 92e4) ... emergency.
 1st Reading 542
 2d Reading 554

SB 397 — By Funston of the Senate and Arnold of the House — An Act relating to counties and county officers; amending 19 O.S. 1971, Section 956 ... expanding eligibility to certain employees with less than fifteen years of service.
 1st Reading 542
 2d Reading 554

SB 398 — By Dahl — An Act relating to waters and water rights; amending 82 O.S. 1971, Section 1452, as amended ... including Sand Creek as scenic river area ... emergency.
 1st Reading 564
 2d Reading 572
 CR 628
 Considered, passed, referred 645
 Engrossed — To House 654

SB 399 — By Schuelein of the Senate and Sparkman of the House — An Act relating to poor persons; amending Section 1, Chapter 119, O.S.L. 1976 (56 O.S. Supp. 1976, Section 200.4); authorizing expenditure from state assistance fund for certain purposes ... emergency.
 1st Reading 564
 2d Reading 572
 CR 617; 665
 Considered, passed, referred 684
 Engrossed — To House 689
 Referred for enrollment 768
 Enrolled — 4th Reading 782
 To Governor 787
 Approved May 27, 1977 849

SB 400 — By Terrill of the Senate and Duke of the House — An Act relating to torts ... unauthorized use of electricity; prohibiting the damage of certain electrical apparatus and the use and diversion of electricity, under certain conditions ... powers, duties and jurisdiction of the Oklahoma Corporation Commission ... emergency.
 1st Reading 572
 2d Reading 582
 CR 582
 Considered, referred 603
 CR 643
 Considered, passed, referred 652
 Engrossed — To House 670

SB 401 — By McDaniel — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 14-103A, as amended ... hauling certain structures on highways; providing for special permits for certain over-size structures ... effective date.
 1st Reading 572
 2d Reading 582

SB 402 — By Funston — An Act relating to contracts; amending Sections 2 through 8, and 11 through 13, Chapter 227, O.S.L. 1972 (15 O.S. Supp. 1976, Sections 752 through 758 and 761 through 763) ... granting and enlarging certain powers and duties of the Attorney General; providing remedies, damages and attorney fees in certain cases ... repealing Sections 14 and 15, Chapter 227, O.S.L. 1972 (15 O.S. Supp. 1976, Sections 764 and 765) ... effective date.
 1st Reading 582
 2d Reading 590

SB 403 — By Boatner and Capps of the Senate and Davis (Guy) of the House — An Act relating to schools; amending 70 O.S. 1971, Section 16-102, as amended ... meetings of the State Textbook Committee; requiring the selection of certain textbooks ... emergency.
 1st Reading 582
 2d Reading 590
 CR 635

Considered, advanced	648	providing for death certificates, burial permits and burial transit permits ... effective date.	
3d Reading, passed, referred	715	1st Reading	618
Engrossed — To House	722	2d Reading	628
Referred for enrollment	931	SB 409 — By Keating — An Act relating to civil procedure; repealing 12 O.S. 1971, Sections 109 through 113, limiting certain actions in tort.	
Enrolled — 4th Reading	935	1st Reading	636
To Governor	947	2d Reading	644
Approved June 14, 1977		SB 410 — By Lane of the Senate and Monks of the House — An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 131, as amended ... creating the State Insurance Fund ... adding procedures for establishment of premiums ... emergency.	
SB 404 — By Dahl — An Act relating to fees; and increasing a certain fee which a notary public may charge and collect.		1st Reading	644
1st Reading	590	2d Reading	652
2d Reading	600	SB 411 — By Crow of the Senate and Miskelly of the House — An Act relating to the State Manufactured Mobile Home Board and making an appropriation thereto ... amending Section 9, Chapter 257, O.S.L. 1974 (63 O.S. Supp. 1976, Section 2459); modifying disposition of certain fees and fines ... emergency.	
SB 405 — By Keating — An Act relating to motor vehicles; providing for a course for persons entering certain pleas concerning the operation of a motor vehicle under certain conditions ... emergency.		1st Reading	644
1st Reading	590	2d Reading	652
2d Reading	600	CR	789
SB 406 — By Clifton — An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 72 and 74; providing for qualifications and examination of applicants by the Board of Barber Examiners ... emergency.		Considered, passed, referred	884
1st Reading	600	Engrossed — To House	892
2d Reading	612	SB 412 — By Pierce — An Act relating to professions and occupations; amending Section 4, Chapter 203, O.S.L. 1973 (59 O.S. Supp. 1976, Section 1604); providing for license of speech pathologists and audiologists ... expanding exceptions to include certain other persons.	
SB 407 — By Clifton — An Act relating to professions and occupations; setting requirements for issuance of certificates and permits to practice municipal accounting ... amending 59 O.S. 1971, Section 15.25 ... providing for regulation by Oklahoma State Board of Public Accountancy ... emergency.		1st Reading	744
1st Reading	600	2d Reading	762
2d Reading	612		
SB 408 — By Keating — An Act relating to public health and safety; amending 63 O.S. 1971, Sections 1-317 through 1-319;			

SENATE JOINT RESOLUTIONS

SJR 1 — By Lambert and Birdsong of the Senate and Hood of the House — A Joint Resolution ... a proposed amendment of Section 10 of Article VI of the Oklahoma Constitution relating to the powers and duties of the Pardon and Parole Board ... authorizing the Legislature to prescribe minimum and maximum terms of imprisonment ... directing filing.

1st Reading	50
2d Reading	62
CR	266; 298
Considered, passed	358
ML; tabled, referred	361; 390
Engrossed — To House	409
Referred for enrollment	620
Enrolled — 4th Reading	630
To Secretary of State	632

SJR 2 — By Luton — A Joint Resolution ... proposed amendment to the Constitution of the State of Oklahoma amending Section 8 of Article II; enlarging nonbailable offenses ... directing filing.

1st Reading	50
2d Reading	62

SJR 3 — By Randle of the Senate and Atkins of the House — A Joint Resolution ratifying the amendment to the Constitution of the United States extending equal rights for men and women; and directing distribution.

1st Reading	50
2d Reading	62

SJR 4 — By Watson — A Joint Reso-

lution ... proposed amendment of Section 15 of Article IX of the Oklahoma Constitution; creating a Corporation Commission; modifying manner of election of members ... ordering a special election.

1st Reading	50
2d Reading	62
CR	227

SJR 5 — By Watson — A Joint Resolution ... proposed amendment to ... Section 10 of Article VI of the Constitution of the State of Oklahoma; directing the State Legislature to create one or more pardon and parole boards ... directing filing.

1st Reading	51
2d Reading	62
CR	228

SJR 6 — By Howard of the Senate and Willis of the House — A Joint Resolution approving grade adjustments recommended by the Oklahoma State Personnel Board and establishing an effective date ... salary increases ... salary increase procedure for all state employees ... emergency.

1st Reading	70
2d Reading	78
CR	492
Considered, passed, referred	535
Engrossed — To House	547
HAs read, consideration deferred	694
HAs adopted, passed, referred	723
Enrolled — 4th Reading	749
To Governor	751
Approved May 24, 1977	792

SJR 7 — By Capps of the Senate and Cotner of the House — A Joint Resolution relating to the allocation of Oklahoma's water ... ensure Oklahoma's water resources are used primarily in projects to benefit the residents of Oklahoma....

1st Reading	77
2d Reading	80
Exception to cutoff date	818
CR	818
Considered, passed, referred	842
Engrossed — To House	854
Referred for enrollment	999
Enrolled — 4th Reading	1003
To Governor	1003
Approved June 14, 1977	

SJR 8 — By Boatner — A Joint Resolution granting Southeastern Oklahoma State University the authority to confer superintendents' and administrators' certificates in the field of secondary education ... distribution.

1st Reading	80
2d Reading	86

SJR 9 — By Dawson of the Senate and Johnston of the House — A Joint Resolution relating to the naming of the bridge over Wewoka Creek ... "John Quimby Wilson Bridge" ... distribution.

1st Reading	90
2d Reading	94
CR	128
Considered, passed, referred	152
Engrossed — To House	158
Referred for enrollment	255
Enrolled — 4th Reading	264
To Governor	264
Approved February 25, 1977	268

SJR 10 — By Watson — A Joint Resolution ... proposed amendment to Section 26 of Article V of the Oklahoma Constitution ... date of meeting and duration of regular legislative sessions; limiting the second session of each Legislature to ninety calendar days ... directing filing.

1st Reading	94
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2d Reading	102
CR	228

SJR 11 — By Dahl of the Senate and Johnson (Don) and Kennedy of the House — A Joint Resolution authorizing Mr. Joe F. Colby to bring suit against the State of Oklahoma to determine the amount of damages ... the construction of State Highway 60 ... payment of any judgment ... out of the State Highway Construction and Maintenance Fund.

1st Reading	102
2d Reading	106
CR	128; 188
Considered, passed, referred	202
Engrossed — To House	210
Referred for enrollment	584
Enrolled — 4th Reading	595
To Governor	596
Approved April 28, 1977	612

SJR 12 — By Porter and Birdsong — A Joint Resolution relating to assistance payments; requesting increases in payments under certain welfare programs; and declaring an emergency.

1st Reading	106
2d Reading	114
CR	200
Considered, passed, referred	209
Engrossed — To House	219

SJR 13 — By Keller — A Joint Resolution preventing the imposition of delinquency penalties for the purchase of motor vehicle license plates through April 15, 1977 ... distribution.

1st Reading	137
2d Reading — Direct to Calendar	144
Considered, failed	151
ML; failed	151; 171

SJR 14 — By Lane — A Joint Resolution ... proposed amendment to Section 9 of Article X of the Oklahoma Constitution; providing for levy and collection of ad valorem taxes; specifying millage for school purposes ... directing filing.

1st Reading	137
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2d Reading	144
CR	328
Considered, passed, referred	525
Engrossed — To House	533

SJR 15 — By Martin — A Joint Resolution disapproving certain regulations by the Department of Tourism and Recreation allowing the Department to establish controlled access areas with fee schedules ... emergency.

1st Reading	144
2d Reading	150
CR	206
Considered, passed, referred	219
Engrossed — To House	225

SJR 16 — By Boatner — A Joint Resolution relating to assistance payments; requesting increases in payments under certain welfare programs ... emergency.

1st Reading	181
2d Reading	189

SJR 17 — By Funston — A Joint Resolution relating to patient's rights; setting forth and affirming the patient's bill of rights adopted by the American Hospital Association ... requesting health professionals to observe and assist in the observance of such rights.

1st Reading	193
2d Reading	200
CR	314
Considered, passed, referred	428
Engrossed — To House	438

SJR 18 — By Howell of the Senate and Abbott of the House — A Joint Resolution ... proposed amendment to Section 5 of Article I of the Oklahoma Constitution; providing for the establishment and maintenance of public schools ... removing certain construction that did not prohibit the establishment of separate schools ... directing filing.

1st Reading	200
2d Reading	208
CR	258; 321
Considered, passed, referred	335

Engrossed — To House	349
Referred for enrollment	673
Enrolled — 4th Reading	677
To Secretary of State	686

SJR 19 — By Lamb — A Joint Resolution authorizing E. F. Riffel and Floyd Riffel ... to bring suit against the State of Oklahoma to determine the amount of damage ... by reason of the design, construction and maintenance of Highways No. 60, 64 and 81 ... payment of any judgment rendered in said suit out of the State Highway Construction and Maintenance Fund ... emergency.

1st Reading	200
2d Reading	208
CR	216; 412
Considered, passed, referred	494
Engrossed — To House	503
Referred for enrollment	673
Enrolled — 4th Reading	677
To Governor	686
Approved May 16, 1977	695

SJR 20 — By Howell of the Senate and Abbott of the House — A Joint Resolution ... repeal of Section 11 of Article XXIII of the Oklahoma Constitution, which defines certain terms ... directing filing.

1st Reading	208
2d Reading	218
CR	258
WD, referred	304
CR	322
Considered, passed, referred	337
Engrossed — To House	349
Referred for enrollment	801
Enrolled — 4th Reading	833
To Secretary of State	836

SJR 21 — By Luton and Clifton — A Joint Resolution ... proposed amendment to Section 26 of Article X of the Oklahoma Constitution; providing a maximum of indebtedness in any one year any county, city, town, school district or other political corporation or subdivision may incur ... statewide general election.

1st Reading	208
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2d Reading	218
CR	321; 453
Considered, passed	477
ML; referred	478; 506
Engrossed — To House	511

SJR 22 — By Keating — A Joint Resolution ... proposed amendment to Article V of the Oklahoma Constitution by adding a new section, to be designated as Section 17A; limiting the number of terms in office State Senators and Representatives may serve ... directing filing.

1st Reading	208
2d Reading	218

SJR 23 — By Funston and Schuelein — A Joint Resolution directing each public institution of higher education to develop certain policy statements ... distribution.

1st Reading	270
2d Reading	284
WD, referred	333
CR	386
Considered, passed, referred	495
Engrossed — To House	503
HAs read, consideration deferred	670
HAs adopted, passed, referred	684
Enrolled — 4th Reading	689
To Governor	692
Approved May 19, 1977	787

SJR 24 — By Terrill, Lane and Watson of the Senate and Matheson of the House — A Joint Resolution directing the Board of Trustees of the University Hospital to issue revenue bonds for the construction of structures including but not limited to a multipurpose parking facility ... emergency.

1st Reading	330
2d Reading	343

SJR 25 — By Cate — A Joint Resolution relating to the Oklahoma Medical Research Foundation; directing the Board of Public Affairs to convey a certain parcel of land to the Foundation ... emergency.

1st Reading	355
2d Reading — Direct to Calendar	368

Considered, passed, referred	379
Engrossed — To House	390
HAs read, consideration deferred	772
HAs adopted, passed, referred	930
Enrolled — 4th Reading	935
To Governor	947
Approved June 15, 1977	

SJR 26 — By Terrill, Lane and Watson of the Senate and Matheson of the House — A Joint Resolution directing the Board of Trustees of the University Hospital to establish a tax-exempt foundation to exist for the benefit of the University Hospital ... emergency.

1st Reading	355
2d Reading	368
CR	386
Considered, passed, referred	458
Engrossed — To House	465

SJR 27 — By Boatner of the Senate and Davis (Guy) of the House — A Joint Resolution creating a Special Committee on Federal Surplus Property; providing for membership and duties ... emergency.

1st Reading	378
2d Reading	387
CR	462
Considered, passed, referred	493
Engrossed — To House	503
HAs read, consideration deferred	591
HAs adopted, passed, referred	608
Enrolled — 4th Reading	612
To Governor	614
Approved May 3, 1977	628
Special Committee Appointed	
Martin, Howell, Tinsley	615
Report of Committee	659
Report Adopted	666

SJR 28 — By Berrong of the Senate and Winn of the House — A Joint Resolution authorizing the State Board of Public Affairs to sell the right, title and interest of the state in certain parcels of real property in Custer County ... emergency.

1st Reading	462
2d Reading	470

CR	531
Considered, passed, referred	574
Engrossed — To House	588
Referred for enrollment	768
Enrolled — 4th Reading	779
To Governor	787
Approved May 27, 1977	849

SJR 29 — By Young, Howard, McCune and Porter of the Senate and Riggs and Willis of the House — A Joint Resolution creating a special committee; providing for membership and duties; and requiring submission of a report. [Relates to compliance by Department of Corrections with federal guidelines for management of prison facilities.]

1st Reading	462
2d Reading	470
CR	516
Considered, passed, referred	533
Engrossed — To House	547
Referred for enrollment	693
Enrolled — 4th reading	710
To Governor	717
Vetoed May 24, 1977	779
Motion to override; withdrawn ..	780; 781
Communication from Governor Boren to Senator Howard re, printed in Journal	811

SJR 30 — By Grantham of the Senate and Conaghan, Holt, Kennedy and Johnson (Don) of the House — A Joint Resolution designating the Deer Creek Mound Archeological Site on the Arkansas River a state and regional cultural site ... emergency.

1st Reading	492
2d Reading	502
CR	542
Considered, passed, referred	555
Engrossed — To House	566
Referred for enrollment	620
Enrolled — 4th Reading	630
To Governor	631
Approved May 10, 1977	660

SJR 31 — By Howell — A Joint Resolution ... proposed amendment to the

Oklahoma Constitution; amending Article VI thereof by adding a new Section to be designated Section 3A; providing for joint election of Governor and Lieutenant Governor ... directing filing.

1st Reading	523
2d Reading	532

SJR 32 — By Wolfe and Keating — A Joint Resolution ... amendment of Section 4 of Article XXVII of the Oklahoma Constitution; modifying provisions for sale of alcoholic beverages ... directing filing.

1st Reading	542
2d Reading	554

SJR 33 — By Howard of the Senate and Murphy of the House — A Joint Resolution relating to motor vehicles ... motor vehicle load overweight violations shall not be recorded as traffic offenses on the driving record of the operator of the vehicle ... distribution.

1st Reading	554
2d Reading	564
CR	617
Considered, passed, referred	629
Engrossed — To House	637
HAs read, consideration deferred ...	745
HAs adopted, passed, referred	836
Enrolled — 4th Reading	849
To Governor	850
Approved June 3, 1977	941

SJR 34 — By Murphy — A Joint Resolution creating a special committee to assess the need for capital improvements in this state and the feasibility of a statewide bond issue for such improvements ... emergency.

1st Reading	582
2d Reading	590
Exception to cutoff date	665
CR	666
Considered, passed, referred	720
Engrossed — To House	749

SJR 35 — By Keller — A Joint Resolution waiving the immunity of Yukon High School; authorizing the bringing of

suit of Kathryn Ann Hilmer, a minor, against Independent School District No. 27 of Canadian County, Oklahoma, for damages ... payment of any judgment rendered in said suit out of the appropriate fund of said school ... emergency.

1st Reading 618
2d Reading 628

SJR 36 — By Murphy — A Joint Resolution creating a special interim committee to study specified areas of vocational-technical education ... written report of findings ... to be submitted to the State Senate and the House of Representatives ... emergency.

1st Reading 652
2d Reading 666
Exception to cutoff date 676
CR 676
Considered, passed, referred 720
Engrossed — To House 749

SJR 37 — By Murphy — A Joint Resolution waiving the statute of limitations and authorizing James E. Edwards, Jr., to bring suit against Oklahoma State University to determine the amount of damages ... from personal injuries due to an explosion while in employment with Oklahoma State University ... payment of any judgment rendered in said suit out of the Oklahoma State University general fund.

1st Reading 666
2d Reading — Direct to Calendar 676

Considered, passed, referred 721
Engrossed — To House 749

SJR 38 — By Dawson and Porter — A Joint Resolution ... directing the Executive Committee to create a special committee to study needs of Langston University and to make recommendations ... emergency.

1st reading 688
2d Reading — Direct to Calendar 698
Considered, passed, referred 721
Engrossed — To House 749

SJR 39 — By Tinsley, Field, Dahl, Taliaferro, Wadley, Stipe, Rozell, Johnson and Luton of the Senate and Converse of the House — A Joint Resolution creating a special committee; providing for membership and duties; providing for reimbursement of travel expenses, requiring submission of a report; and declaring an emergency. [Relates to Wildlife Conservation Department.]

1st Reading 852
2d Reading — Direct to Calendar 878
Considered, passed, referred 900
Engrossed — To House 931

SJR 40 — By Terrill — A Joint Resolution relating to unemployment compensation; directing the refund of certain monies to certain employers under certain circumstances ... distribution.

1st Reading 923
2d Reading — Direct to Calendar 949

SENATE CONCURRENT RESOLUTIONS

SCR 1 — By Watson of the Senate and Craighead of the House — A Concurrent Resolution recommending that members of the Legislature participate in "Find Your Doctor Day" on February 3, 1977, at the Health Sciences Center campus.

Introduced	66
Adopted, referred	66
Engrossed — To House	70
Referred for enrollment	87
Enrolled — To House	91
To Secretary of State	92

SCR 2 — By Dahl of the Senate and Johnson (Don) of the House — A Concurrent Resolution praising the outstanding success of Ross Case High School in football and track ... distribution.

Introduced	94
Adopted, referred	94
Engrossed — To House	103
Referred for enrollment	115
Enrolled — To House	120
To Secretary of State	126

SCR 3 — By Birdsong, York, Lambert, Howell and Kilpatrick — A Concurrent Resolution commending and honoring Bob Turner for his great accomplishments, numerous honors and outstanding career as sheriff for Oklahoma County ... distribution.

Introduced	95
Adopted, referred	95
Engrossed — To House	103
Referred for enrollment	115
Enrolled — To House	120
To Secretary of State	126

SCR 4 — By Boatner, Lane, Cate and Dahl — A Concurrent Resolution relating to game and fish; expressing legislative intent by requesting the Wildlife Conservation Commission to rescind a certain educational requirement for rangers ... distribution.

Introduced	95
Adopted, referred	95
Engrossed — To House	103
HAs read, consideration deferred	203
HAs adopted, resolution adopted, referred	239
Enrolled — To House	254
To Secretary of State	256

SCR 5 — By Stipe of the Senate and Sparkman of the House — A Concurrent Resolution directing the Department of Institutions, Social and Rehabilitative Services to pay ... an additional Fifteen Dollars to persons receiving Old Age Assistance ... for increases in their utility bills ... distribution.

Introduced	145
Referred to Committee	152

SCR 6 — By Dahl — A Concurrent Resolution recognizing National Future Farmers of America Week, February 19 to 26, 1977, in Oklahoma ... distribution.

Introduced	243
Adopted, referred	243
Engrossed — To House	254
Referred for enrollment	323
Enrolled — To House	334
To Secretary of State	339

SCR 7 — By Lamb of the Senate and Duckett of the House — A Concurrent Resolution designating Sunday, March 6, 1977, as a state day of prayer for moisture.	
Introduced	252
Adopted, referred	252
Engrossed — To House	264
Referred for enrollment	268
Enrolled — To House	272
To Secretary of State	278

SCR 8 — By Wadley of the Senate and Crutcher of the House — A Concurrent Resolution directing George Nigh ... to coordinate with the Oklahoma Tourism and Recreation Department, Claremore Junior College, Claremore Chamber of Commerce and other individuals, public bodies or associations in preparing ... 100th Anniversary Celebration of the birth of Will Rogers ... distribution.	
Introduced	311
Adopted, referred	316
Engrossed — To House	324
Referred for enrollment	371
Enrolled — To House	380
To Secretary of State	383

SCR 9 — By Terrill, Lane and Watson of the Senate and Matheson of the House — A Concurrent Resolution directing the Board of Trustees of the University Hospital to establish a tax-exempt foundation to exist for the benefit of the University Hospital ... emergency.	
Introduced	339
Stricken	343

SCR 10 — By Grantham of the Senate and Elder of the House — A Concurrent Resolution setting procedure for drafting a Uniform Class Actions Act for adoption by the Legislature.	
Introduced	369
Adopted, referred	369
Engrossed — To House	380
HAs read, consideration deferred	957
HAs adopted, resolution adopted, referred	980
Enrolled — To House	987
To Secretary of State	991

SCR 11 — By Grantham of the Senate and Elder of the House — A Concurrent Resolution setting procedure for establishing a uniform system of recordkeeping in the court clerks' offices and standardizing forms for judicial proceedings in the district courts.	
Introduced	369
Adopted, referred	369
Engrossed — To House	380
Referred for enrollment	954
Enrolled — To House	963
To Secretary of State	965

SCR 12 — By Dahl of the Senate and Weichel of the House — A Concurrent Resolution relating to agriculture; making March 27 through April 2, 1977, Agriculture Week in Oklahoma ... distribution.	
Introduced	379
Adopted, referred	379
Engrossed — To House	390
Referred for enrollment	401
Enrolled — To House	421
To Secretary of State	422

SCR 13 — By Stipe, Taliaferro, Watson, Shatwell, Smith, Giles, Grantham and McCune of the Senate and Peterson, et al, of the House — A Concurrent Resolution relating to the 1977 Oklahoma State "Ability Counts" Contest sponsored by the Governor's Committee on Employment of the Handicapped; congratulating and commending those students who have achieved top recognition for essays on the subject of "A Profile of Achievement: How a Handicapped Person Approaches Life"	
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Introduced	383
Adopted, referred	388
Engrossed — To House	390
Referred for enrollment	395
Enrolled — To House	395
To Secretary of State	395
Presented	398

SCR 14 — By Field and Dahl of the Senate and Bradshaw of the House — A Concurrent Resolution memorializing the	
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Oklahoma Congressional Delegation to initiate efforts in the Congress to investigate the administration of Public Law 93-205 ... the designation of certain areas as critical habitats ... distribution.

Introduced	388
Adopted, referred	388
Engrossed — To House	401

SCR 15 — By Boatner — A Concurrent Resolution designating the week of October 16 through October 22 as National Business Women's Week in Oklahoma ... distribution.

Introduced	401
Adopted, referred	401
Engrossed — To House	421
Referred for enrollment	446
Enrolled — To House	456
To Secretary of State	459

SCR 16 — By Cate — A Concurrent Resolution designating the mental health facilities within the City of Norman as the "Hayden H. Donahue Mental Health Institute" ... distribution.

Introduced	516
Adopted, referred	516
Engrossed — To House	529
Referred for enrollment	993
Enrolled — To House	996
To Secretary of State	998

SCR 17 — By Helm, Howell, Stipe, Lamb, Schuelein, Wadley, Martin, Vann, Smith, Funston, Rozell, Watson, McCune and Green of the Senate and Vaughn of the House — A Concurrent Resolution commending and thanking Anita Bryant for her contributions to our American way of life ... distribution.

Introduced, to Rules Committee	519
CR	542
Adopted, referred	559
Engrossed — To House	566
Referred for enrollment	690
Enrolled — To House	710
To Secretary of State	717

SCR 18 — By Tinsley — A Concurrent

Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 144 passed by the First Session of the Thirty-sixth Oklahoma Legislature.

Introduced	593
Adopted, referred	593
Engrossed — To House	595
Referred for enrollment	601
Enrolled — To House	603
To Secretary of State	604

SCR 19 — By Howard of the Senate and Willis of the House — A Concurrent Resolution expressing appreciation to Mr. John Dean for his outstanding service to the State of Oklahoma ... distribution.

Introduced	629
Adopted, referred	628
Engrossed — To House	637
Referred for enrollment	993
Enrolled — To House	996
To Secretary of State	998

SCR 20 — By Porter — A Concurrent Resolution creating a special interim Langston University Study Committee; specifying composition of Committee ... specifying duties of Committee.

Introduced	628
Adopted, referred	629
Engrossed — To House	637

SCR 21 — By Wadley and Stipe of the Senate and Fitzgibbon of the House — A Concurrent Resolution designating Congressman Jim Wright as an adopted Oklahoman and Honorary Member of the Oklahoma Congressional Delegation ... distribution.

Introduced	636
Adopted, referred	636
Engrossed — To House	647
Referred for enrollment	690
Enrolled — To House	710
To Secretary of State	717

SCR 22 — By York — A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 200 passed by the First Session of the Thirty-sixth Oklahoma Legislature.

Introduced	647
Adopted, referred	647
Engrossed — To House	647

SCR 23 — By Lambert — A Concurrent Resolution expressing legislative approval of both the Oklahoma Natural Heritage Development Trust and the acceptance of beneficial interest therein on behalf of this state by the Governor ... distribution.

Introduced	663
Adopted, referred	663
Engrossed — To House	670
Referred for enrollment	745
Enrolled — To House	765
To Secretary of State	768

SCR 24 — By Tinsley, Field, Grantham and Stipe — A Concurrent Resolution recalling the distinguished career of James A. Rinehart, the former Dean of the Senate; extending the sympathy and condolences of the Oklahoma Legislature to the family of Mr. Rinehart ... distribution.

Introduced	671
Adopted, referred	676
Engrossed — To House	689
Referred for enrollment	699
Enrolled — To House	722
To Secretary of State	727

SCR 25 — By Randle and Green of the Senate and Arnold of the House — A Concurrent Resolution criticizing conduct of certain personnel within the State Department of Transportation with regard to removal of a property owner from her premises pursuant to condemnation proceedings ... distribution.

Introduced	695
Adopted, referred	698
Engrossed — To House	722

SCR 26 — By Howard — A Concurrent Resolution commending the outstanding accomplishments of James Hugh Arrington during his life; and directing distribution.

Introduced	742
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Adopted, referred	785
Engrossed — To House	794
Referred for enrollment	908
Enrolled — To House	931
To Secretary of State	940

SCR 27 — By Capps of the Senate and Bradshaw of the House — A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 7 passed by the First Session of the Thirty-sixth Oklahoma Legislature.

Introduced	745
Adopted, referred	745
Engrossed — To House	748
Referred for enrollment	749
Enrolled — To House	750
To Secretary of State	751

SCR 28 — By Johnson, Rozell, Dahl, Taliaferro, Tinsley and Field of the Senate and Converse, Cullison, Hastings, Sanders, Hardesty and Thompson (Mick) of the House — A Concurrent Resolution requesting the Oklahoma Wildlife Conservation Commission to defer the adoption of new rules and regulations relating to bobcats, raccoons and red foxes ... distribution.

Introduced	839
Adopted, referred	878
Engrossed — To House	899

SCR 29 — By Howell of the Senate and Matheson of the House — A Concurrent Resolution expressing legislative intent that the dependents of slain Oklahoma Highway Patrol Troopers be awarded scholarships ... distribution.

Introduced	873
Adopted, referred	881
Engrossed — To House	899

SCR 30 — By Keating and Terrill — A Concurrent Resolution noting the contributions of M. Murray McCune to the field of architecture during his lifetime ... distribution.

Introduced	924
Adopted, referred	925
Engrossed — To House	931

SCR 31 — By Stipe of the Senate and Townsend of the House — A Concurrent Resolution memorializing the President and the Congress of the United States to endorse, accept and adopt the "El Paso" proposal of natural gas transportation ... distribution.

Introduced	971
Adopted, referred	972
Engrossed — To House	987
Referred for enrollment	991
Enrolled — To House	994
To Secretary of State	996

SCR 32 — By Stipe of the Senate and Ervin of the House — A Concurrent Resolution memorializing the President of the United States and Congress to place the RDX-HMX Manufacturing Facility at McAlester, Oklahoma.

Introduced	989
Adopted, referred	989
Engrossed — To House	990
Referred for enrollment	998
Enrolled — To House	998
To Secretary of State	1002



SENATE RESOLUTIONS

SR 1 — By Lane — A Resolution providing for payment of necessary expenses of certain Senate committees, delegations, employees and members traveling to and from points outside the State of Oklahoma, on trips authorized by the President Pro Tempore of the Senate.

Introduced 62
 Adopted, referred 63
 Enrolled — To Secretary of State 66

SR 2 — By Lane — A Resolution providing for employment of temporary personnel for administrative and technical assistance to the State Senate ... designating positions and emoluments.

Introduced 63
 Adopted, referred 64
 Enrolled — To Secretary of State 66

SR 3 — By Keating, McCune, Lamb, Pierce, Helm, Keller, Watson, Green and Wolfe — A Resolution expressing legislative intent that Senator Dewey F. Bartlett make a speedy and complete recovery from his recent illness ... distribution.

Introduced 153
 Adopted, referred 153
 Enrolled — To Secretary of State 158

SR 4 — By Porter — A Resolution relating to a study and investigation of discriminatory employment practices of state agencies; creating a special committee ... report of findings and recommendations.

Introduced 238

Adopted, referred 251
 Enrolled — To Secretary of State 264
 Committee appointed 268; 280
 Report of Committee 936

SR 5 — By Crow — A Resolution acknowledging Library Legislative Day; welcoming and commending the librarians of the state; and directing distribution.

Introduced 272
 Adopted, referred 272
 Enrolled — To Secretary of State 285

SR 6 — By Luton — A Resolution memorializing the Governor to declare and designate "Oklahoma Azalea Week" ... designate the Muskogee Azalea Festival the state's official festival for observance of said week ... distribution.

Introduced 349
 Adopted, referred 350
 Enrolled — To Secretary of State 358

SR 7 — By Randle and Smith — A Resolution naming former Senator Ed Bradley, of Tulsa, as "Honorary Leprechaun of the Oklahoma State Senate" in observance of St. Patrick's Day, ... distribution.

Introduced 363
 Adopted, referred 368
 Enrolled — To Secretary of State 375

SR 8 — By Murphy and Howard — A Resolution commending the outstanding sports record of Terry Miller; encouraging

his success in football and bid for the Heisman Trophy ... distribution.

Introduced	543
Adopted, referred	543
Enrolled — To Secretary of State	559

SR 9 — By Luton — A Resolution relating to the protection of the property and supplies of the Senate ... employment of necessary personnel ... use of Senate offices and the Senate Chamber ... telephone credit cards ... President Pro Tempore to appoint members of the Senate to interim committees.

Introduced	896
Adopted, referred	897
Enrolled — To Secretary of State	899

SR 10 — By Lane — A Resolution commending the Southwestern Bell Telephone Company operators who assisted the Senate ... distribution.

Introduced	924
Adopted, referred	924
Enrolled — To Secretary of State	931

SR 11 — By Porter — A Resolution commemorating the contributions of The Black Dispatch to Oklahoma society and the noteworthy efforts of the late Roscoe Dunjee in establishing the newspaper; and directing distribution.

Introduced	956
Adopted, referred	956
Enrolled — To Secretary of State	963
Presented by Senator Porter	977

HOUSE BILLS

HB 1006 — By Cunningham, et al, of the House and Johnson, Butler, McDaniel and Young of the Senate — An Act relating to cemeteries; amending 8 O.S. 1971, Sections 143 and 144 ... providing for the opening and closing of graves by county employees using county equipment in certain cemeteries ... emergency.

1st Reading	118
2d Reading	129
CR	314
Considered, passed	732
Withheld under Rule 19(f)	732
Signed — To House	742
4th Reading — To House	745
Approved by Governor, May 23, 1977	

HB 1009 — By Nance of the House and Smith of the Senate — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 1310; providing for personal liability in the payment of sales taxes; and providing an effective date.

1st Reading	144
2d Reading	150
CR	542
Considered, passed, referred	647
Engrossed — To House	654
SAs adopted, passed	837
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1011 — By Dunn of the House and Vann of the Senate — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 4-105 ... expanding the duties of certain peace officers by requiring them to

make immediate report of certain stolen or recovered vehicles ... expanding the duties of the Department of Public Safety by requiring the Department to furnish to peace officers certain information regarding stolen, converted, recovered and unclaimed vehicles.

1st Reading	299
2d Reading	308

HB 1012 — By Parris — An Act relating to state officers and employees; amending 74 O.S. 1971, Section 452 ... expanding duties of Legal Services Division to include preparation of procedural manuals for certain professions and occupations; prohibiting certain reproduction of statutes ... emergency.

1st Reading	369
2d Reading	379

HB 1015 — By Parris, Sanders and Sparkman of the House and Rozell of the Senate — An Act relating to waters and water rights; amending 82 O.S. 1971, Section 1452, as amended ... designating certain scenic river areas; adding Little Lee Creek in Adair and Sequoyah counties as such an area ... emergency.

1st Reading	119
2d Reading	129
CR	205
Considered, passed	255
Withheld under Rule 19(f)	256
Signed — To House	256
4th Reading — To House	263
Approved by Governor, February 25, 1977	

HB 1017 — By Cleveland — An Act relating to the public health and safety; defining terms; creating an Emergency Telephone Communication System; providing for a single emergency telephone number ... emergency.

1st Reading 224
2d Reading 230

HB 1019 — By Cleveland of the House and Funston of the Senate — An Act relating to children; amending 10 O.S. 1971, Sections 1101, as amended ... and 1130, as amended ... providing for termination of parental rights; directing termination under certain circumstances of parental neglect of sheltered children previously adjudicated dependent and neglected ... emergency.

1st Reading 508
2d Reading 516
CR 563
Wd, rereferred 974

HB 1022 — By Cleveland and Atkins — An Act relating to public health and safety ... requiring certain hospitals to provide specified services to rape victims; designating costs to be paid by counties ... and requiring certain physicians to provide services to rape victims.

1st Reading 150
2d Reading 157

HB 1047 — By Poulos, Hood, Denman and Duckett — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 7-201, as amended ... 10-108 and 40-102; requiring proof of financial responsibility; requiring written reports on certain accidents ... providing for a penalty ... repealing 47 O.S. 1971, Section 10-117 ... codification.

1st Reading 130
2d Reading 137
CR 328; 761
Considered 854; 857
Considered, passed, referred 860
Engrossed — To House 880
SAs rejected, Conference requested;
HCs named 903

Conference granted, SCs appointed ... 903
Died in Conference

HB 1048 — By Matheson, et al, of the House and Smith of the Senate — An Act relating to counties and county officers; amending 19 O.S. 1971, Section 180.64 A, Section 180.65, as amended ... providing for county officers' deputies and other help; setting restrictions on salaries ... emergency.

1st Reading 208
2d Reading 218
CR 216
Considered, passed, referred 232
Engrossed — To House 239
SAs adopted, passed 256
4th Reading — To House 263
Approved by Governor, February 25, 1977

HB 1049 — By Matheson — An Act relating to environmental control; requiring the screening of junkyards under certain conditions; providing penalty; repealing 69 O.S. 1971, Section 1256; and directing codification.

1st Reading 249
2d Reading 258
CR 628
WD, rereferred 974

HB 1051 — By Peterson — (Jurors' Fees — Amending 28 O.S. 1971, Section 86 — Effective date).

1st Reading 315
2d Reading 322
CR 354
Considered, passed, referred 854
Engrossed — To House 880
SAs rejected, Conference requested .. 890
HCs named 891
Conference granted, SCs appointed .. 921
CCR read, consideration deferred ... 953
CCR adopted, passed — To House ... 959
4th Reading — To House 969
Approved by Governor, June 14, 1977

HB 1053 — By Draper — (Cities and Towns — Emergency).

1st Reading 470
2d Reading 484

HB 1055 — By Cleveland, Monks and Fitzgibbon of the House and Stipe of the Senate — An Act relating to labor; amending 40 O.S. 1971, Sections 215, as last amended ... 216, as amended ... and 217; providing for disqualification for unemployment compensation benefits in certain circumstances ... changing contribution rates for employers ... providing for payment of additional sum by employer after appeal ... emergency.

1st Reading	102
2d Reading	106
CR	618
Considered, passed, referred	660
Engrossed — To House	670
SAs adopted, passed	762
4th Reading — To House	787
Approved by Governor, May 30, 1977	

HB 1056 — By Johnston of the House and Kilpatrick of the Senate — An Act relating to state officers and employees; providing that a state employee shall have a right to see his own work record as kept by the appropriate state agency ... emergency.

1st Reading	194
2d Reading	200

HB 1061 — By Dunn, et al, of the House and Taliaferro of the Senate — An Act relating to public lands; amending 64 O.S. 1971, Section 52, as amended ... raising the limits of farm loans; and prohibiting any requirement that a loan applicant make certain assertions regarding crop values.

1st Reading	170
2d Reading	181
CR	248

HB 1062 — By Conaghan of the House and Grantham of the Senate — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 22.5b, as amended ... and 22.5m ... entitling religious corporations and societies, teachers of vocational agriculture and nonprofit organizations owning certain types of motor vehicles

used for specified purposes to receive license tags for fees of One Dollar; entitling religious corporations and societies to receive license tags for a fee of One Dollar for wheeled house trailers and mobile homes used for religious purposes ... effective date.

1st Reading	157
2d Reading	165
CR	542; 687
Considered, passed, referred	925
Engrossed — To House	940
SAs adopted, passed	963
4th Reading — To House	983
Approved by Governor, June 14, 1977	

HB 1064 — By Parris of the House and Clifton of the Senate — An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 74, 76, 77, 78, 83 and 89.1; providing for application, registration, rules, regulations and fees relating to the Board of Barber Examiners; deleting certain physical examination requirements ... providing for enforcement of sanitary conditions by State Commissioner of Health and raising fees for such ... emergency.

1st Reading	330
2d Reading	343
CR	563
Considered, passed, referred	735
Engrossed — To House	752
SAs adopted, passed	837
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1065 — By Kane, et al — An Act relating to criminal procedure; amending Section 1, Chapter 141, O.S.L. 1976 (22 O.S. Supp. 1976, Section 1327); modifying disposition of exhibits used in criminal proceedings; providing for mandatory return to the owner of exhibits which are stolen or embezzled property ... repealing 22 O.S. 1971, Sections 1321 through 1324.

1st Reading	258
2d Reading	267

HB 1067 — By Miskelly, Campbell,

Cleveland and Monks of the House and Funston of the Senate — An Act relating to taxation; amending 47 O.S. 1971, Sections 22, 22.1, as amended and others ... modifying provisions for issuance of certain certificates of registration and license plates ... repealing 47 O.S. 1971, Sections 22.41, and others ... emergency.

1st Reading 344

2d Reading 356

HB 1071 — By Abbott and Parris —
An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Sections 1705, as amended ... and 1709; modifying powers of the Oklahoma Turnpike Authority by changing the descriptions of certain turnpikes ... emergency.

1st Reading 130

2d Reading 137

CR 188

Considered, passed, referred 286

Engrossed — To House 293

SAs rejected, Conference requested; HCs named 299

Conference granted, SCs appointed .. 299

CCR rejected, further Conference requested 318

Further Conference granted 325

2d CCR rejected, further Conference requested 339

Further Conference granted 351

3rd CCR read, consideration deferred 433

3rd CCR rejected, further Conference requested and Senate Conferees instructed 448

ML; adopted 456

House requested to return bill and CCR 456

Bill and CCR returned 457

Vote reconsidered; instructions rescinded 457

3rd CCR adopted, passed — To House 457

4th Reading — To House 464

Approved by Governor, April 7, 1977

HB 1072 — By Abbott and Wilson —
An Act relating to schools; amending 70 O.S. 1971, Section 13-106; providing for the apportionment of funds for educational fa-

cilities for exceptional children by the Board of Education ... emergency.

1st Reading 106

2d Reading 114

CR 484

Considered, passed 842

Withheld under Rule 19(f) 842

Signed — To House 850

4th Reading — To House 856

Approved by Governor, June 3, 1977

HB 1077 — By Monks and Bradley —
An Act relating to game and fish; amending Section 5-202, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 5-202); requiring certain permission before a person may hunt or ride upon the land of another ... modifying penalty.

1st Reading 299

2d Reading 308

CR 442

Considered, passed 667

Withheld under Rule 19(f) 668

Signed — To House 673

4th Reading — To House 680

Approved by Governor, May 16, 1977

HB 1087 — By Hammons and Johnston
of the House and Capps of the Senate —
An Act relating to public health and safety; providing for the Oklahoma Radiation Protection Act ... designating authority to State Department of Health ... establishing the Radiation Advisory Committee ... repealing 63 O.S. 1971, Sections 1-1502 through 1-1505; and directing codification.

1st Reading 249

2d Reading 258

CR 314

HB 1088 — By Sanders — An Act relating to torts; amending Section 1, Chapter 66, O.S.L. 1975 (76 O.S. Supp. 1976, Section 16); providing protection to certain committees while performing peer review; expanding scope of protection to include certain chiropractic, osteopathic, veterinary and optometric societies ... emergency.

1st Reading	138
2d Reading	144
CR	484
Considered, passed	667
Withheld under Rule 19(f)	667
Signed — To House	673
4th Reading — To House	680
Approved by Governor, May 16, 1977	

HB 1090 — By Hammons and Frates of the House and Randle of the Senate — An Act relating to workmen's compensation; amending 85 O.S. 1971, Section 138; establishing a deposit formula for assets of the State Insurance Fund; vesting the Board of Managers with certain powers and duties relating to deposit of assets; limiting investment or loan of such assets ... emergency.

1st Reading	356
2d Reading	368

HB 1091 — By Hammons of the House and Wadley of the Senate — An Act relating to county officers; amending 19 O.S. 1971, Sections 542, 545 and 547, and 28 O.S. 1971, Sections 40 and 41; modifying the appointment, number, designation, compensation and travel expenses of certain personnel ... providing for the service of process and other work out of the sheriff's office; repealing 19 O.S. 1971, Section 541, and 28 O.S. 1971, Section 39.4 ... emergency.

1st Reading	369
2d Reading	379

HB 1093 — By Nance — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 231; providing for warrants for the sale of property to pay delinquent taxes, penalties and interest; providing for the filing of warrants by duly appointed agents of the Oklahoma Tax Commission and sheriffs in the court clerk's office ... emergency.

1st Reading	144
2d Reading	150

HB 1100 — By Poulos, et al, of the

House and York, Grantham, Dahl, Dawson, Holden and McDaniel of the Senate — (Cities and Towns — Repealing Title 11 — Operative Date).

Engrossed HAs and introduced bill accepted as Engrossed House Bill ..	472
1st Reading	484
2d Reading	492
CR	698
Considered, passed	881
ML; tabled, referred	881; 888
Engrossed — To House	899
SAs adopted, passed	930
4th Reading — To House	996
Approved by Governor, June 17, 1977	

HB 1101 — By Hammons, et al, of the House and Schuelein and Randle of the Senate — An Act relating to prisons and reformatories; amending Section 24, Chapter 325, O.S.L. 1975, as amended ... providing for an Industries Revolving Fund for the Department of Corrections ... modifying procedure for expenditure of the fund; providing for costs and prices of certain items ... effective date.

1st Reading	189
2d Reading	193
CR	266
Considered, passed	748
Withheld under Rule 19(f)	749
Signed — To House	760
4th Reading — To House	766
Approved by Governor, May 30, 1977	

HB 1102 — By Hammons, et al, of the House and Schuelein and Randle of the Senate — An Act relating to prisons and reformatories; amending Section 4, Chapter 163, O.S.L. 1976 (57 O.S. Supp. 1976, Section 542); providing for depositing income from prisoner employment contracts ... effective date.

1st Reading	190
2d Reading	193
CR	266
Considered, passed, referred	747
Engrossed — to House	765
SAs rejected, Conference requested; HCs named	837

Conference granted, SCs appointed ..	837
CCR read, consideration deferred ...	903
CCR adopted, passed — To House	935
4th Reading — To House	951
Approved by Governor, June 14, 1977	

HB 1103 — By Hammons, et al, of the House and Schuelein and Randle of the Senate — An Act relating to prisons and reformatories; authorizing employment of certain prison inmates; establishing regulations of such employment; prohibiting certain acts by employed inmates; making certain provisions for earnings of employed inmates ... effective date.

1st Reading	194
2d Reading	201
CR	424
Considered, passed, referred	748
Engrossed — To House	765
SAs adopted, passed	837
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1104 — By Hammons, et al, of the House and Schuelein and Randle of the Senate — An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 510, as last amended ... delegating certain authority over prison industries to the State Board of Corrections ... effective date.

1st Reading	194
2d Reading	201
CR	423
Considered, passed, referred	746
Engrossed — To House	765
SAs rejected, Conference requested; HCs named	837
Conference granted, SCs appointed ..	837
CCR read, consideration deferred ...	903
CCR adopted, passed — To House	935
4th Reading — To House	951
Approved by Governor, June 17, 1977	

HB 1105 — By Hammons, et al, of the House and Schuelein and Randle of the Senate — An Act relating to state government; amending 74 O.S. 1971, Section 123f; placing restrictions on the sale or

distribution of convict-made goods; creating a State Prison Industries Board ... effective date.

1st Reading	194
2d Reading	201
CR	644
Considered, passed, referred	749
Engrossed — To House	765
SAs rejected, Conference requested ..	806
Conference granted, SCs appointed ..	806
HCs named	825
CCR read, consideration deferred ...	904
CCR rejected, further Conference requested	936
Further Conference granted	950
2d CCR read, consideration deferred ..	951
2d CCR adopted, passed — To House ..	981
4th Reading — To House	996
Approved by Governor, June 17, 1977	

HB 1110 — By Sanders — An Act relating to professions and occupations; amending 59 O.S. 1971, Sections 1367, as amended ... and 1368, as amended ... providing for licenses and fees for psychologists; and providing for an increase in such fees.

1st Reading	356
2d Reading	368
CR	676
Considered, passed	716
Withheld under Rule 19(f)	717
Signed — To House	718
4th Reading — To House	722
Approved by Governor, May 23, 1977	

HB 1111 — By Matheson — An Act relating to elections; amending Section 5-112, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 5-112); and increasing filing fees for candidates for certain offices.

1st Reading	130
2d Reading	138
CR	258
Considered	915
Considered, passed, referred	969
Engrossed — To House	987

HB 1113 — By Bengtson — An Act relating to police officers; providing that a

uniformed law enforcement officer in attendance at a public event shall have law enforcement officer powers although "off-duty" ... codification.

1st Reading 165
2d Reading 170

HB 1115 — By Bengtson and Duckett — (Schools — Amending 70 O.S. 1971, Section 509.2 — Emergency).

1st Reading 379
2d Reading 387

HB 1118 — By Hopkins — An Act relating to roads, bridges and ferries; amending 69 O.S. 1971, Section 1503; providing for County Highway Fund; and allowing certain expenditures from the fund by the Board of County Commissioners including lighting of state highways.

1st Reading 119
2d Reading 130
CR 412
Considered, passed 471
Withheld under Rule 19(f) 472
Signed — To House 481
4th Reading — To House 495
Approved by Governor, April 12, 1977

HB 1119 — By Willis and Nance — An Act relating to state government; amending 74 O.S. 1971, Section 291, as amended ... specifying amount of mileage reimbursement for legislators during legislative sessions ... emergency.

1st Reading 144
2d Reading 150

HB 1120 — By Townsend, Monks and Miskelly — An Act relating to state officers and employees; amending 74 O.S. 1971, Section 292.1, as last amended ... salaries of temporary and permanent employees of the House ... emergency.

1st Reading 171
2d Reading 181
CR 618
Considered, passed, referred 885
Engrossed — To House 899
SAs adopted, passed 930

4th Reading — To House 934
Approved by Governor, June 14, 1977

HB 1121 — By Hood, Craig and Hammons — An Act relating to children; amending 10 O.S. 1971, Sections 1102, as amended and others ... granting district court jurisdiction in specified cases; providing for transfer or consolidation of proceedings involving juveniles ... effective date.

1st Reading 330
2d Reading 343
CR 590
Considered, passed 766
ML; time extended 766; 811; 849
Motion tabled, bill referred 856
Engrossed — To House 880
SAs adopted, passed 920
4th Reading — To House 930
Approved by Governor, June 17, 1977

HB 1122 — By Willis of the House and Howard of the Senate — An Act relating to the Oklahoma State Regents for Higher Education ... prescribing the maximum amount of fees and tuition that may be collected at institutions in the Oklahoma State System of Higher Education ... repealing 70 O.S. 1971, Section 3207 ... emergency.

1st Reading 72
2d Reading — Direct to Calendar 78
Considered, passed, referred 82
Engrossed — To House 82
SAs adopted, passed 87
4th Reading — To House 87
Approved by Governor, January 13, 1977

HB 1124 — By Townsend — An Act relating to motor vehicles; amending 47 O.S. 1971, Sections 11-202, as last amended ... 11-205, 11-301, 11-306, 11-311 and 11-501; limiting colors used on traffic control signals to green, red and yellow and providing an exception for special pedestrian signals; prescribing permissible traffic and pedestrian movements ... emergency.

1st Reading 208
2d Reading 218

CR	328
Considered, passed	497
Withheld under Rule 19(f)	498
Signed — To House	500
4th Reading — To House	502
Approved by Governor, April 15, 1977	

HB 1125 — By Hood, et al, of the House and Cate of the Senate — An Act relating to children; amending 10 O.S. 1971, Sections 1101, as amended and others ... defining terms and modifying the definition of "child in need of supervision"; providing for certification of certain children to be prosecuted as adults ... time limits for submission of record and perfection of appeal.

1st Reading	399
2d Reading	412
CR	492; 542
Considered, passed, referred	616
Engrossed — To House	620
SAs adopted, passed	773
4th Reading — To House	784
Approved by Governor, May 30, 1977	

HB 1126 — By Rogers, et al, of the House and Crow, Johnson, McDaniel and Vann of the Senate — An Act relating to labor; amending 40 O.S. 1971, Sections 213, as amended ... 214, 215, as last amended ... and 226 ... providing criteria and procedures for determining eligibility for benefits and training ... limiting eligibility for certain students ... increasing certain penalties.

1st Reading	102
2d Reading	106
CR	453
Considered, passed	465
ML; tabled, referred	467; 476
Engrossed — To House	481
SAs rejected, Conference requested;	
HCs named	493
Conference granted, SCs appointed ..	493
CCR read, adopted, passed	499
ML; tabled — To House	499; 505
4th Reading — To House	513
Approved by Governor, April 12, 1977	

HB 1127 — By Miskelly and Davis

(Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the Attorney General and making an appropriation thereto ... emergency.

1st Reading	399
2d Reading	412
CR	532
Considered, passed, referred	703
Engrossed — To House	722
SAs rejected, Conference requested;	
HCs named	773
Conference granted, SCs appointed ..	784
CCR read, consideration deferred ...	821
CCR adopted, passed — To House ...	843
4th Reading — To House	856
Approved by Governor, June 3, 1977	

HB 1128 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the Court of Criminal Appeals and making an appropriation thereto ... emergency.

1st Reading	237
2d Reading	249
CR	532
Considered, passed, referred	575
Engrossed — To House	588
SAs rejected, Conference requested;	
HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ...	705
CCR rejected, further Conference	
requested	709
Further Conference granted	717
2d CCR read, consideration deferred ..	869
2d CCR adopted, passed — To House ..	909
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1129 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Court of Tax Review and making an appropriation thereto ... emergency.

1st Reading	86
2d Reading	91
CR	398
Considered, passed	429
Withheld under Rule 19(f)	430

Signed — To House	434
4th Reading — To House	439
Approved by Governor, March 31, 1977	

HB 1130 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the Attorney General and offices of district attorneys, and the district attorneys training coordination council, and making an appropriation thereto ... emergency.

1st Reading	542
2d Reading	554
CR	635
Considered, passed, referred	680
Engrossed — To House	689
SAs rejected, Conference requested; HCs named	699
Conference granted, SCs appointed ..	699
CCR read, consideration deferred ...	869
CCR adopted, passed — To House	910
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1131 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to courts; making appropriations to the Office of District Courts and stating the purposes ... amending Section 1, Chapter 299, O.S.L. 1974, as last amended ... (20 O.S. Supp. 1976, Section 106.9), pertaining to salaries of court reporters ... emergency.

1st Reading	238
2d Reading	249
CR	532
Considered, passed, referred	576
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
Died in Conference (See HB 1002, First Extraordinary Session, 1977)	

HB 1132 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the State Industrial Court and making appropriations thereto ... emergency.

1st Reading	688
2d Reading	698
CR	744
Considered, passed, referred	825
Engrossed — To House	844
SAs rejected, Conference requested; HCs named	902
Conference granted, SCs appointed ..	902
CCR read, consideration deferred ...	986
CCR adopted, passed — To House	991
4th Reading — To House	996
Approved by Governor, June 14, 1977	

HB 1133 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the State Supreme Court and the Court of Appeals and making appropriations thereto ... making appropriations for the expenses of the Court on the Judiciary and the Judicial Nominating Commission ... emergency.

1st Reading	238
2d Reading	249
CR	532
Considered, passed, referred	576
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ...	706
CCR rejected, further Conference requested	709
Further Conference granted	717
2d CCR read, consideration deferred ..	870
2d CCR adopted, passed — To House ..	910
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1134 — By Miskelly, Davis (Don), Deatherage and Draper of the House and Crow and Randle of the Senate — (Oklahoma State Regents for Higher Education — Emergency).

1st Reading	425
2d Reading	436
CR	612
Considered, passed, referred	681
Engrossed — To House	689
SAs rejected, Conference requested; HCs named	699

Conference granted, SCs appointed .. 699
 CCR read, consideration deferred ... 987
 CCR adopted, passed — To House 991
 4th Reading — To House 996
 Approved by Governor, June 13, 1977

HB 1135 — By Miskelly, Davis (Don) and Wilson of the House and Crow and Randle of the Senate — (Board of Trustees of the University Hospital — Amending 70 O.S. Supp. 1976, Section 3306.6 — Emergency).

1st Reading 618
 2d Reading 628
 CR 687
 Considered, passed, referred 755
 Engrossed — To House 765
 SAs rejected, Conference requested;
 HCs named 837
 Conference granted, SCs appointed .. 837
 CCR read, consideration deferred ... 958
 CCR adopted, passed — To House 983
 4th Reading — To House 996
 Approved by Governor, June 15, 1977

HB 1136 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Physician Manpower Training Commission; making appropriations to the Commission and certain specified funds administered by the Commission ... emergency.

1st Reading 194
 2d Reading 201
 CR 612
 Considered, passed, referred 682
 Engrossed — To House 689
 SAs rejected, Conference requested;
 HCs named 699
 Conference granted, SCs appointed .. 699
 CCR read, consideration deferred ... 822
 CCR adopted, passed — To House 844
 4th Reading — To House 856
 Approved by Governor, June 3, 1977

HB 1137 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — (State Board of Education — Emergency).

1st Reading 443
 2d Reading 454
 CR 612
 Considered, passed, referred 704
 Engrossed — To House 722
 SAs rejected, Conference requested;
 HCs named 773
 Conference granted, SCs appointed .. 784
 CCR rejected, further Conference
 requested 862
 Further Conference granted 862
 2d CCR read, consideration deferred . 905
 2d CCR adopted, passed — To House . 933
 4th Reading — To House 951
 Approved by Governor, June 14, 1977

HB 1138 — By Miskelly, et al, of the House and Crow and Randle of the Senate — An Act relating to schools; making appropriations to the State Board of Education ... providing schedule of support of certain public school activities; amending 70 O.S. 1971, Sections 18-109 and 18-114, as last amended ... modifying the calculation of state aid; modifying compensation of certain teachers ... providing for allocation of funds for teachers' and support personnel's salary increases ... emergency.

1st Reading 600
 2d Reading 612
 CR 744
 Considered, passed, referred 807
 Engrossed — To House 830
 SAs rejected, Conference requested;
 HCs named 862
 Conference granted, SCs appointed .. 862
 Died in Conference (See HB 1001,
 First Extraordinary Session, 1977)

HB 1139 — By Miskelly, Davis (Don), Draper and Johnson (Don) of the House and Crow and Randle of the Senate — An Act relating to public education; making appropriations to the State Board of Vocational and Technical Education ... specified capital expenditures; directing the Board to assume control of vocational training programs in correctional institutions ... emergency.

1st Reading	554
2d Reading	564
CR	666
Considered, passed, referred	703
Engrossed — To House	722
SAs rejected, Conference requested; HCs named	773
Conference granted, SCs appointed ..	784
CCR rejected, further Conference requested	862
Further Conference granted	862
2d CCR read, consideration deferred ..	958
2d CCR adopted, passed — To House ..	983
4th Reading — To House	996
Approved by Governor, June 15, 1977	

HB 1140 — By Miskelly, et al, of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Educational Television Authority and making appropriations thereto ... emergency.

1st Reading	436
2d Reading	442
CR	532
Considered, passed, referred	574
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ...	871
CCR adopted, passed — To House	911
4th Reading — To House	930
Approved by Governor, June 15, 1977	

HB 1141 — By Miskelly, Davis (Don) and Wickersham of the House and Crow and Randle of the Senate — (Oklahoma Arts and Humanities Council — Appropriation — Emergency).

1st Reading	356
2d Reading	368
CR	532
Considered	575
Considered, passed, referred	578
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ...	872
CCR adopted, passed — To House	911

4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1142 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Commissioners of the Land Office and making an appropriation thereto ... emergency.

1st Reading	138
2d Reading	144
CR	436
Considered, passed, referred	472
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	872
CCR adopted, passed — To House	912
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1143 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Commission on Fire Protection Personnel Standards and Education; making an appropriation thereto ... emergency.

1st Reading	86
2d Reading	91
CR	436
Considered, passed, referred	472
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	707
CCR adopted, passed, — To House ...	835
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1144 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Education Council and making an appropriation thereto ... amending Section 4, Chapter 22, O.S.L. 1976 (74 O.S. Supp. 1976, Section 3804), pertaining to the financing of the Oklahoma Education Council ... emergency.

1st Reading	688
2d Reading	698
CR	744
Considered, passed, referred	826
Engrossed — To House	844
SAs rejected, Conference requested; HCs named	862
Conference granted, SCs appointed ..	862
CCR read, consideration deferred ...	887
CCR adopted, passed — To House	912
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1145 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the Department of Charities and Corrections and making an appropriation thereto ... prohibiting use of certain funds for professional and technical fees; prohibiting utilization of federal funds ... emergency.

1st Reading	165
2d Reading	170
CR	492
Considered, passed, referred	577
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ...	797
CCR adopted, passed — To House	836
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1146 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Governor's Committee on Employment of the Handicapped and making an appropriation thereto ... emergency.

1st Reading	106
2d Reading	114
CR	436
Considered, passed, referred	473
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	707

CCR adopted, passed — To House	834
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1147 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to public employees retirement system; making appropriations thereto ... emergency.

1st Reading	308
2d Reading	315
CR	436
Considered, passed, referred	474
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR rejected, further Conference requested	727
Further Conference granted	727
2d CCR read, consideration deferred .	823
2d CCR adopted, passed — To House .	844
4th Reading — To House	856
Approved by Governor, June 6, 1977	

HB 1148 — By Miskelly, et al, of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Human Rights Commission and making an appropriation thereto ... emergency.

1st Reading	331
2d Reading	343
CR	600
Considered, passed, referred	682
Engrossed — To House	689
SAs rejected, Conference requested, HCs named	699
Conference granted, SCs appointed ..	699
CCR read, consideration deferred ...	798
CCR adopted, passed — To House	835
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1149 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Indian Affairs Commission; making an appropriation thereto ... limiting amount of funds for expenses of commission meetings ... emergency.

1st Reading	331
2d Reading	343
CR	398
Considered, passed, referred	430
Engrossed — To House	438
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ..	799
CCR adopted, passed — To House	835
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1150 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Cerebral Palsy Center; making an appropriation thereto ... emergency.	
1st Reading	387
2d Reading	399
CR	644
Considered, passed, referred	683
Engrossed — To House	689
SAs rejected, Conference requested; HCs named	699
Conference granted, SCs appointed ..	699
CCR read, consideration deferred	728
CCR adopted, passed — To House	845
4th Reading — To House	856
Approved by Governor, June 3, 1977	

HB 1151 — By Miskelly, Davis (Don) and Thompson (Mick) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Department of Veterans Affairs, the Oklahoma Veterans Center, Ardmore ... Sulphur ... Clinton ... Talihina ... and the Oklahoma War Veterans Commission and making appro- priations thereto ... appropriating funds for contracting with the Department of Mental Health for services rendered vet- erans ... prescribing methods of aiding destitute minor dependents ... emer- gency.	
1st Reading	238
2d Reading	249
CR	462
Considered, passed, referred	475
Engrossed — To House	486

SAs rejected, Conference requested; HCs named	
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	800
CCR adopted, passed — To House	845
4th Reading — To House	856
Approved by Governor, June 3, 1977	

HB 1152 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Western Plains Indians Arts and Crafts Commission and making an appropriation thereto ... emergency.	
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1st Reading	87
2d Reading	91
CR	462
Considered, passed, referred	473
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred	708
CCR adopted, passed — To House	846
4th Reading — To House	856
Approved by Governor, June 3, 1977	

HB 1154 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma Alcoholic Beverage Control Board and making an appropriation there- to ... authorizing purchase of insurance on motor vehicles; authorizing purchase of passenger automobiles ... emergency.	
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1st Reading	165
2d Reading	170
CR	462
Considered, passed, referred	474
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR rejected, further Conference requested	709
Further Conference granted	709
2d CCR read, consideration deferred ..	873
2d CCR adopted, passed — To House ..	889
4th Reading — To House	898

Approved by Governor, June 8, 1977,
except Line Item Veto in Section 6

HB 1155 — By Miskelly and Davis
(Don) of the House and Crow and Randle
of the Senate — An Act relating to the Of-
fice of the Banking Department and mak-
ing an appropriation thereto ... amending
6 O.S. 1971, Section 201, as last amended
... providing for per diem of Banking
Board members and Savings and Loan
Board members ... repealing Section 3,
Chapter 262, O.S.L. 1974 (6 O.S. Supp. 1976,
Section 223) ... emergency.

1st Reading	119
2d Reading	130
CR	492
Considered, passed, referred	577
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR rejected, further Conference requested	692
Further Conference granted	692
2d CCR read, consideration deferred ..	731
2d CCR adopted, passed — To House ..	738
4th Reading — To House	745

HB 1156 — By Miskelly and Davis
(Don) of the House and Crow and Randle
of the Senate — An Act relating to the
Commission on Consumer Affairs and
making an appropriation thereto ...
emergency.

1st Reading	508
2d Reading	516
CR	635
Considered, passed, referred	683
Engrossed — To House	689
SAs rejected, Conference requested; HCs named	699
Conference granted, SCs appointed ..	699
CCR rejected, further Conference requested	727
Further Conference granted	727
2d CCR read, consideration deferred ..	823
2d CCR adopted, passed — To House ..	863
4th Reading — To House	882

Approved by Governor, June 3, 1977

HB 1157 — By Miskelly and Davis
(Don) of the House and Crow and Randle
of the Senate — (Corporation Commis-
sion — Appropriation — Emergency)

1st Reading	157
2d Reading	165
CR	522
Considered, passed, referred	582
Engrossed — To House	595
SAs rejected, Conference requested; HCs named	699
Conference granted, SCs appointed ..	699
CCR rejected, further Conference requested with instructions	868
Further Conference granted	868
2d CCR read, consideration deferred ..	905
2d CCR adopted, passed — To House ..	933
4th Reading — To House	951

Approved by Governor, June 14, 1977

HB 1158 — By Miskelly and Davis
(Don) of the House and Crow and Randle
of the Senate — An Act relating to the of-
fice of the Insurance Commissioner and
making an appropriation thereto ...
amending 36 O.S. 1971, Section 321, which
relates to fees and licenses collected by the
Insurance Commissioner, modifying cer-
tain fees ... emergency.

1st Reading	259
2d Reading	267
CR	676
Considered, passed, referred	704
Engrossed — To House	722
SAs rejected, Conference requested; HCs named	773
Conference granted, SCs appointed ..	784
CCR rejected, further Conference requested with instructions	868
Further Conference granted	868
2d CCR read, consideration deferred ..	907
2d CCR adopted, passed — To House ..	933
4th Reading — To House	951

Approved by Governor, June 14, 1977

HB 1159 — By Miskelly and Davis
(Don) of the House and Crow and Randle
of the Senate — An Act relating to the Of-
fice of the Department of Labor and mak-
ing appropriations thereto ... providing

additional nongermane duties and compensation for the performance thereof for the Commissioner of Labor ... amending 74 O.S. 1971, Section 803, as last amended ... which relates to the unclassified service of the state, specifying that employees of the Department of Labor shall be in the classified service of the state ... severability.

1st Reading	224
2d Reading	230
CR	542
Considered, passed, referred	583
Engrossed — To House	595
SAs rejected, Conference requested; HCs named	699
Conference granted, SCs appointed ..	699
CCR read, consideration deferred ...	874
CCR adopted, passed — To House	912
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1160 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the Liquefied Petroleum Gas Board and making an appropriation thereto ... emergency.

1st Reading	145
2d Reading	150
CR	462
Considered, passed, referred	474
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	708
CCR adopted, passed — To House	864
4th Reading — To House	882
Approved by Governor, June 3, 1977	

HB 1161 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the State Mining Board and making an appropriation thereto ... emergency.

1st Reading	165
2d Reading	170
CR	462
Considered, passed, referred	475

Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	709
CCR adopted, passed — To House	864
4th Reading — To House	882
Approved by Governor, June 3, 1977	

HB 1162 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Office of the Chief Mine Inspector and making an appropriation thereto ... emergency.

1st Reading	165
2d Reading	170
CR	462
Considered, passed, referred	476
Engrossed — To House	486
SAs rejected, Conference requested; HCs named	579
Conference granted, SCs appointed ..	579
CCR read, consideration deferred ...	728
CCR adopted, passed — To House	864
4th Reading — To House	882
Approved by Governor, June 3, 1977	

HB 1163 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the State Board for Property and Casualty Rates and making an appropriation thereto ... providing for a continuous study of insurance rates ... emergency.

1st Reading	688
2d Reading	698
CR	744
Considered, passed, referred	826
Engrossed — To House	844
SAs rejected, Conference requested; HCs named	862
Conference granted, SCs appointed ..	862
CCR read, consideration deferred ...	907
CCR adopted, passed — To House	934
4th Reading — To House	951
Approved by Governor, June 14, 1977	

HB 1164 — By Miskelly and Davis (Don) of the House and Crow and Randle

of the Senate — An Act relating to the Office of the Securities Commission and making an appropriation thereto ... designating an unclassified position ... prohibiting other employment by full-time professional employees; defining professional employees ... emergency.

1st Reading	299
2d Reading	308
CR	532
Considered, passed, referred	578
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ..	887
CCR adopted, passed — To House ...	913
4th Reading — To House	930
Approved by Governor, June 15, 1977	

HB 1165 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Department of Energy and making an appropriation thereto ... emergency.

1st Reading	259
2d Reading	267
CR	532
Considered, passed, referred	579
Engrossed — To House	588
SAs rejected, Conference requested; HCs named	595
Conference granted, SCs appointed ..	595
CCR read, consideration deferred ...	729
CCR adopted, passed — To House ...	865
4th Reading — To House	882
Approved by Governor, June 3, 1977	

HB 1166 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act making appropriations to various state agencies and stating the purposes; granting legislative authority for expenditures to be made ... emergency.

1st Reading	270
2d Reading	284
CR	366
Rule 7(p) suspended	370
Considered, passed	370

Withheld under Rule 19(f)	371
Signed — To House	375
4th Reading — To House	376
Approved by Governor, March 18, 1977	

HB 1167 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma State Regents for Higher Education and State Department of Health; providing for the continuation and reappropriation of certain appropriations previously made to same ... emergency.

1st Reading	171
2d Reading	181
CR	398
Considered, passed	430
Withheld under Rule 19(f)	431
Signed — To House	434
4th Reading — To House	439
Approved by Governor, March 31, 1977	

HB 1168 — By Miskelly and Davis (Don) of the House and Crow and Randle of the Senate — An Act relating to the Oklahoma State Regents for Higher Education and the State Department of Mental Health; providing continuation and reappropriation of unexpended balances of appropriations previously made ... emergency.

1st Reading	509
2d Reading	516
CR	643
Considered, passed	705
Withheld under Rule 19(f)	705
Signed — To House	718
4th Reading — To House	722
Approved by Governor, May 23, 1977	

HB 1170 — By Lawter — (Schools — Allowing principals bargaining procedures).

1st Reading	308
2d Reading	315
CR	484; 744
WD, rereferred	974

HB 1171 — By Lawter — An Act relating to criminal procedure; providing for

the payment of costs of extradition by a witness under certain conditions; and directing codification.

1st Reading 271
2d Reading 284

HB 1182 — By Johnston — An Act relating to corporations; amending 18 O.S. 1971, Section 1.19; stating general powers of domestic corporations; allowing domestic corporation to become general or limited partner ... codification.

1st Reading 238
2d Reading 249

HB 1184 — By Draper and Wilson of the House and Kilpatrick of the Senate — An Act relating to state officers and employees; repealing 74 O.S. 1971, Sections 351b, 351c, 351h, and others ... which provide powers and duties of the Oklahoma Planning and Resources Board.

1st Reading 399
2d Reading 412
CR 687
Considered, passed 763
Withheld under Rule 19(f) 763
Signed — To House 773
4th Reading — To House 784
Approved by Governor, May 24, 1977

HB 1186 — By Willis of the House and Howard of the Senate — An Act relating to state officers and employees; amending Section 1, Chapter 126, O.S.L. 1975, as amended ... (74 O.S. Supp. 1976, Section 3601); limiting number of employees for certain agencies and defining employee; limiting expenditures for salaries and wages ... emergency.

1st Reading 896
2d Reading — Direct to Calendar 923
Considered, passed, referred 966
Engrossed — To House 987
SAs adopted, passed 996
4th Reading — To House 996
Approved by Governor, June 14, 1977

HB 1187 — By Cotner — An Act relating to crimes and punishments; prohibiting theft of cable television services; pre-

scribing penalties; and directing codification.

1st Reading 119
2d Reading 130

HB 1188 — By Hammons — An Act relating to professions and occupations; amending 59 O.S. 1971, Section 199.4, which provides for an Executive Secretary of the State Board of Cosmetology; increasing the salary of the Executive Secretary ... emergency.

1st Reading 470
2d Reading 484
CR 666; 761
Considered, passed, referred 812
Engrossed — To House 839

HB 1192 — By Smith — An Act relating to revenue and taxation; repealing 68 O.S. 1971, Sections 2481.1 through 2481.11, which relate to revaluation of taxable property.

1st Reading 181
2d Reading 189
CR 744
Considered, passed 931
Withheld under Rule 19(f) 931
Signed — To House 947
4th Reading — To House 951
Vetoed by Governor, June 21, 1977

HB 1194 — By Draper of the House and Kilpatrick of the Senate — An Act relating to townships and township officers; repealing 77 O.S. 1971, Sections 1 through 3, 11, 12, 53, 54 and 68, relating to township government.

1st Reading 399
2d Reading 413
CR 687
Considered, passed 762
Withheld under Rule 19 (f) 763
Signed — To House 773
4th Reading — To House 784
Approved by Governor, May 30, 1977

HB 1195 — By Craig, et al, of the House and Martin of the Senate — An Act relating to schools; prohibiting residency re-

quirements for school district employees;
and directing codification.

1st Reading	130
2d Reading	138
CR	516
Considered, passed	630
Withheld under Rule 19(f)	630
Signed — To House	633
4th Reading — To House	637
Approved by Governor, May 6, 1977	

HB 1198 — By Henry, et al — An Act
relating to civil procedure; amending 12
O.S. 1971, Section 385; describing persons
who are incompetent to testify; and ex-
panding the clergyman-penitent privilege.

1st Reading	509
2d Reading	516
CR	618
Considered, failed	763
ML; adopted, passed, referred	764; 811
Engrossed — To House	830
SAs rejected, Conference requested; HCs named	914
Conference granted, SCs appointed ..	914
CCR read, consideration deferred ...	964
CCR adopted, passed — To House	988
4th Reading — To House	996
Approved by Governor, June 21, 1977	

HB 1199 — By Atkins, et al —
(Department of Health — cervical cancer
screening — Emergency)

1st Reading	564
2d Reading	572
CR	851

HB 1202 — By Miskelly, et al, of the
House and Dahl of the Senate —
(Pawnee Indian Veterans Historical Com-
mission — Appropriation — Emergency).

1st Reading	181
2d Reading	189

HB 1205 — By Hopkins — An Act re-
lating to transportation; amending Section
9, Chapter 218, O.S.L. 1976 (69 O.S. Supp.
1976, Section 4009); adding a proviso that
nothing contained in said section shall be

construed to prevent the Department from
applying for, accepting, receiving or ad-
ministering federal transportation grants
... emergency.

1st Reading	119
2d Reading	130
CR	522
Considered, passed, referred	764
Engrossed — To House	779
SAs adopted, passed	837
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1206 — By Frates, et al — An Act
relating to statutes and reports; amending
75 O.S. 1971, Sections 301, 309, 310, 315, 316,
317, 319, 320 and 322; defining terms, in-
cluding hearing examiners .. repealing
75 O.S. 1971, Sections 311 and 313 ...
effective date.

1st Reading	259
2d Reading	267

HB 1211 — By Floyd — An Act relat-
ing to cities and towns; amending Section
1, Chapter 27, O.S.L. 1975 (11 O.S. Supp.
1976, Section 20.7), relating to ambulance
and emergency services; providing for li-
ability insurance coverage for certain em-
ployees; and limiting accrual of pension
fund benefits.

1st Reading	271
2d Reading	285
CR	366; 532
Considered, passed, referred	615
Engrossed — To House	620
SAs adopted, passed	664
4th Reading — To House	669
Approved by Governor, May 16, 1977	

HB 1216 — By Fried — An Act relat-
ing to holidays; amending 25 O.S. 1971,
Section 82.2, as amended by Section 1,
Chapter 170, O.S.L. 1972 (25 O.S. Supp.
1976, Section 82.2); providing for certain
holidays; and declaring an emergency.

1st Reading	181
2d Reading	189
CR	453
Considered, passed	785

Withheld under Rule 19(f)	785
Signed — To House	787
4th Reading — To House	795
Became law without Governor's signature, June 1, 1977	

HB 1217 — By Fried, et al, of the House and York of the Senate — An Act relating to labor; amending 40 O.S. 1971, Sections 214, 218, 221, 229, as amended ... 234, 235, as amended ... 236 and 237 ... providing eligibility and certain criteria for unem- ployment benefits ... repealing 40 O.S. 1971, Section 238 ... emergency.	
1st Reading	493
2d Reading	502

HB 1218 — By Ford — An Act relat- ing to professions and occupations; amending Section 301, Chapter 121, O.S.L. 1974 (59 O.S. Supp. 1976, Section 858-301); and requiring license to engage in certain real estate activities with exceptions.	
1st Reading	145
2d Reading	150
CR	314
Considered, passed	739
Withheld under Rule 19(f)	739
Signed — To House	742
4th Reading — To House	745
Approved by Governor, May 23, 1977	

HB 1220 — By Converse of the House and Martin of the Senate — An Act relat- ing to schools; making an appropriation to the State Board of Vocational and Techni- cal Education; providing a supplemental appropriation for the Southern Oklahoma Rural Skills Center at Sulphur ... emer- gency.	
1st Reading	271
2d Reading	285
CR	314
Considered, passed, referred	323
Engrossed — To House	334
SAs adopted, passed	351
4th Reading — To House	358
Approved by Governor, March 18, 1977	

HB 1221 — By Cotner — An Act relat- ing to conveyances; amending 16 O.S. 1971,	
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Section 20; providing for the recordation of power of attorney under certain circum- stances ... criteria for recordation ... emergency.	
1st Reading	331
2d Reading	343
CR	386
Considered, passed	738
Withheld under Rule 19(f)	739
Signed — To House	742
4th Reading — To House	745
Approved by Governor, May 23, 1977	

HB 1227 — By Hooper, et al — An Act relating to crimes and punishments; amending 21 O.S. 1971, Section 1287, as amended ... increasing penalties for crimes where certain weapons are used; prohibiting eligibility for parole contingent upon certain occurrences ... effective date.	
1st Reading	190
2d Reading	194

HB 1228 — By Floyd, et al, of the House and Funston of the Senate — (An Act Re- lating to Workers' Compensation; Amend- ing Titles 20 and 85).	
1st Reading	470
2d Reading	484
CR	628
Considered, passed, referred	656
Engrossed — To House	670
SAs rejected, Conference requested ..	705
Conference granted, SCs appointed ..	705
HCS named	712
Motion to instruct conferees	795
Motion set for Special Order	797
Motions withdrawn	818
CCR read, consideration deferred ...	941
CCR adopted, passed — To House ...	964
4th Reading — To House	987
Approved by Governor, June 15, 1977	

HB 1229 — By Matheson, et al, of the House and Dawson of the Senate — An Act relating to state government; regulat- ing lobbying practices in Oklahoma ... providing penalties; providing for en- forcement; imposing certain duties on the Joint Legislative Ethics Committee; re-	
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pealing 21 O.S. 1971, Sections 313 and 314
... effective date.

1st Reading	666
2d Reading	676
CR	776
Considered	826
Considered, passed	941
ML; adopted	946
Passed, referred	962
Engrossed — To House	965
SAs rejected, Conference requested; HCs named	987
Conference granted, SCs appointed ..	995
CCR read, rejected, further Conference requested	997
Further Conference granted with instructions	1002
2d CCR read, conferees unable to reach agreement; bill returned to Calendar under "Consideration of SAs" (Joint Rule 10c)	1002

HB 1230 — By Cleveland — An Act relating to state officers and employees; amending 74 O.S. 1971, Section 324.11, as amended ... requiring that smoke detectors be installed in dwelling units designed for human habitation ...

1st Reading	190
2d Reading	194
CR	266; 453
Considered, failed	632

HB 1231 — By Cleveland — An Act relating to labor; amending 40 O.S. 1971, Sections 165.9, 197.2, as last amended ... and 197.4; specifying rights and procedures in actions to recover unpaid wages and increasing maximum wage claims; increasing established minimum wage ... effective date.

1st Reading	387
2d Reading	399
CR	818
Considered, passed, referred	928
Engrossed — To House	934
SAs adopted, passed	960
4th Reading — To House	969
Approved by Governor, June 21, 1977	

HB 1233 — By Ford — An Act relat-

ing to revenue and taxation; amending 68 O.S. 1971, Section 2460, fixing duties and procedures for county assessor in increasing valuation of certain property ... effective date.

1st Reading	190
2d Reading	194
CR	644
Considered, passed, referred	752
Engrossed — To House	765
SAs adopted, passed	837
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1245 — By Abbott and Duke — An Act relating to schools; amending 70 O.S. 1971, Section 14-108, as amended ... providing for area vocational-technical school districts ... limitations on nondistrict areas.

1st Reading	209
2d Reading	218

HB 1247 — By Ford — An Act relating to counties and county officers; amending 19 O.S. 1971, Section 131, as last amended ... providing for election of county officers and terms of office; removing office of county surveyor from these provisions ... codification.

1st Reading	190
2d Reading	194

HB 1248 — By Wiseman and Matheson — An Act relating to schools; amending 70 O.S. 1971, Section 10-105, as amended ... requiring school attendance and compliance with school rules unless other means of education are provided ... including Jewish children on certain religious holidays ... emergency.

1st Reading	509
2d Reading	516
CR	744
Considered, passed, referred	810
Engrossed — To House	830
SAs adopted, passed	898
4th Reading — To House	898
Approved by Governor, June 3, 1977	

HB 1250 — By Lancaster of the House

and Rozell of the Senate — An Act relating to banks and trust companies; amending 6 O.S. 1971, Section 1404 as amended ... prohibiting loans to managing officers of banks ... emergency.

1st Reading	436
2d Reading	442
CR	698
Considered, passed, referred	776
Engrossed — To House	794
SAs adopted, passed	920
4th Reading — To House	921
Approved by Governor, June 7, 1977	

HB 1251 — By Monks, et al, of the House and Rozell of the Senate — An Act relating to motor vehicles; providing for special license plates for former prisoners of war ... codification.

1st Reading	523
2d Reading	532
CR	878; 896
Considered, passed	931
Withheld under Rule 19(f)	932
Signed — To House	947
4th Reading — To House	951
Approved by Governor, June 14, 1977	

HB 1252 — By Camp — An Act relating to crimes and punishments; repealing 21 O.S. 1971, Section 63; providing that prison sentences for over one year expire between certain months ... emergency.

1st Reading	190
2d Reading	194

HB 1255 — By Converse and Nance — An Act relating to game and fish; amending Section 6-501, Chapter 17, O.S.L. 1974 (29 O.S. Supp. 1976, Section 6-501); prohibiting and restricting the use of certain devices on certain water courses ... emergency.

1st Reading	523
2d Reading	532

HB 1258 — By Joiner of the House and Smith of the Senate — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 953; providing for wrecker duties

... adding requirements concerning the filing of certain maximum tariffs ... emergency.

1st Reading	285
2d Reading	292
CR	508
Considered, passed	622
ML; referred	624; 649
Engrossed — To House	654
SAs adopted, passed	718
4th Reading — To House	722
Became law without Governor's signature, May 18, 1977	

HB 1261 — By Weichel, et al — An Act relating to schools; creating a continuing education program for public school teachers; establishing procedures for implementation of program; and directing codification.

1st Reading	379
2d Reading	387

HB 1262 — By Ford and Lancaster — An Act relating to elections; amending Section 13-103, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Section 13-103); providing for conduct of municipal elections and composition of precinct election board ... emergency.

1st Reading	225
2d Reading	230
CR	366; 775
Considered, passed	832
Withheld under Rule 19(f)	832
Signed — To House	839
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1263 — By Holaday, et al, of the House and Dahl of the Senate — An Act relating to waters and water rights; amending Section 10, Chapter 248, O.S.L. 1972 (82 O.S. Supp. 1976, Section 1020.10); providing for temporary or special permits ... emergency.

1st Reading	271
2d Reading	285
CR	298
Considered, passed	504

ML; time lapsed	505
Signed — To House	529
4th Reading — To House	533
Approved by Governor, April 22, 1977	

HB 1267 — By Caldwell, et al, of the House and Johnson of the Senate — An Act relating to the reclamation of orphan strip mine lands ... prescribing guidelines for statewide plan and for priority of reclamation ... codification.

1st Reading	250
2d Reading	258
CR	314

HB 1269 — By Nance and Camp — An Act relating to securities; amending 71 O.S. 1971, Section 401, as last amended ... and exempting certain securities and materials from registration and approval procedures.

1st Reading	436
2d Reading	442
CR	590
Considered, passed	776
Withheld under Rule 19(f)	777
Signed — To House	787
4th Reading — To House	795
Approved by Governor, May 25, 1977	

HB 1270 — By Ford, et al, of the House and Watson of the Senate — An Act relating to schools; amending 70 O.S. 1971, Section 628.13 ... providing for establishment of program to allow certain high school students to attend certain institutions of higher education ...

1st Reading	209
2d Reading	218
CR	314
Considered, passed, referred	762
Engrossed — To House	779
SAs adopted, passed	837
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1271 — By Anderson of the House and Howell of the Senate — An Act relating to state officers and employees; amending 74 O.S. 1971, Section 110.1; relat-

ing to inventories taken by the State Board of Public Affairs; and providing for value limits on the types of items inventoried.

1st Reading	292
2d Reading	299
CR	462
Considered, passed	676
Withheld under Rule 19(f)	677
Signed — To House	686
4th Reading — To House	689
Approved by Governor, May 20, 1977	

HB 1275 — By Rogers of the House and Wadley of the Senate — An Act relating to motor vehicles; amending Section 1, Chapter 56, O.S.L. 1972 (47 O.S. Supp. 1976, Section 14-118) ... modifying provisions for towing of certain vehicles; and specifying certain exemptions.

1st Reading	250
2d Reading	258

HB 1276 — By Lancaster of the House and Smith of the Senate — An Act relating to revenue and taxation; amending 68 O.S. 1971, Section 515; requiring persons to make application for a permit to operate vehicles transporting certain material ... prescribing penalty.

1st Reading	259
2d Reading	267
CR	643
Considered, passed	716
Withheld under Rule 19(f)	716
Signed — To House	718
4th Reading — To House	722
Approved by Governor, May 23, 1977	

HB 1278 — By Floyd, et al, of the House and Kilpatrick and Funston of the Senate — An Act relating to property; providing procedures for subjecting specified public trust property to ad valorem taxation ... effective date.

1st Reading	315
2d Reading	322
CR	687
Considered, passed, referred	792
Engrossed — To House	830
SAs rejected, Conference requested;	
HCs named	898

Conference granted, SCs appointed . . .	898
CCR read, consideration deferred . . .	991
CCR adopted, passed — To House . . .	992
4th Reading — To House . . .	996
Approved by Governor — June 15, 1977	

HB 1279 — By Hammons and Hood of the House and Funston of the Senate — An Act relating to landlord and tenant; amending Section 2, Chapter 269, O.S.L. 1973 (41 O.S. Supp. 1976, Section 42) and 12 O.S. 1971, Sections 1148.1 and 1148.14 . . . effective date.	
1st Reading . . .	400
2d Reading . . .	413
CR . . .	618
Considered . . .	931
WD, rereferred . . .	974

HB 1280 — By Parris — An Act relating to public health and safety; amending 63 O.S. 1971, Section 1-321; providing for amendment of vital statistics records; adding procedures for correction of birth certificate errors; and setting an operative date.	
1st Reading . . .	259
2d Reading . . .	267

HB 1281 — By Riggs of the House and Schuelein of the Senate — An Act relating to state government; amending Section 8, Chapter 259, O.S.L. 1976 (74 O.S. Supp. 1976, Section 150.8); specifying employee requirements for state Bureau of Investigation . . . emergency.	
1st Reading . . .	259
2d Reading . . .	267
CR . . .	424
Considered, passed, referred . . .	646
Engrossed — To House . . .	654
SAs adopted, passed . . .	837
4th Reading — To House . . .	847
Approved by Governor, June 3, 1977	

HB 1283 — By Nance — (Revenue and Taxation — Effective Date).	
1st Reading . . .	523
2d Reading . . .	532
CR . . .	852

Considered, passed, referred . . .	960
Engrossed — To House . . .	963
SAs adopted, passed . . .	987
4th Reading — To House . . .	996
Approved by Governor, June 17, 1977	

HB 1284 — By Nance — An Act relating to motor vehicles; amending 47 O.S. 1971, Section 22.2, as last amended . . . providing for apportionment of certain monies received by the Oklahoma Tax Commission . . . emergency.	
1st Reading . . .	523
2d Reading . . .	532

HB 1285 — By Hooper, et al — An Act relating to criminal procedure; amending 22 O.S. 1971, Section 991a, as amended . . . providing for restitution and for administration of restitution program; modifying court's sentencing powers to prohibit suspended sentences for second and subsequent felonies . . . effective date.	
1st Reading . . .	400
2d Reading . . .	413

HB 1286 — By Davis (Don) of the House and Howell of the Senate — An Act relating to insurance; amending 36 O.S. 1971, Section 1703; providing for deposit of cash funds by insurers in certain types of institutions; defining assets eligible for deposit . . . repealing 36 O.S. 1971, Section 1620 . . . emergency.	
1st Reading . . .	225
2d Reading . . .	230

HB 1287 — By Lawter — An Act relating to insurance; amending 36 O.S. 1971, Section 3629 . . . adding requirement that insurer submit written settlement offer . . . allowing costs to prevailing party and defining prevailing party . . . effective date.	
1st Reading . . .	356
2d Reading . . .	368
CR . . .	522
Considered, passed, referred . . .	685
Engrossed — To House . . .	689
SAs adopted, passed . . .	837
4th Reading — To House . . .	847
Approved by Governor, June 3, 1977	

HB 1293 — By Peterson, Cowan and Frates of the House and Lambert of the Senate — An Act relating to land titles; amending 12 O.S. 1971, Sections 180, 180.1 and 181, 28 O.S. 1971, Sections 31, as amended ... and 32, as amended ... 42 O.S. 1971, Sections 141, 142, 143, 147, 150, 171, 172, 173 and 177 ... effective date.

1st Reading	463
2d Reading	470
CR	628
Considered	751
WD, rereferred	752
CR	776
Considered, passed, referred	829
Engrossed — To House	844
SAs adopted, passed	920
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1296 — By McCaleb, et al, of the House and Dawson of the Senate — An Act relating to the Corporation Commission; declaring policy; amending 17 O.S. 1971, Section 152 ... requiring rate determinations to include activities of subsidiaries ... emergency.

1st Reading	437
2d Reading	442
CR	775
WD, rereferred	974

HB 1300 — By Whorton — An Act relating to prisons and reformatories; amending 57 O.S. 1971, Section 52; prescribing sheriff's duties toward prisoners; and providing for sheriff's compensation.

1st Reading	379
2d Reading	387

HB 1304 — By Abbott, Draper and Duckett — An Act relating to schools; amending 70 O.S. 1971, Section 16-102, as amended ... providing for meetings of the State Textbook Committee; requiring the selection of certain textbooks; increasing the number of books to be selected ... emergency.

1st Reading	356
2d Reading	368
CR	590

HB 1305 — By Milacek, et al — An Act relating to mortgages; amending 46 O.S. 1971, Sections 14 through 16 ... imposing duty to execute and file with county clerk mortgage releases ... making mortgage holders responsible for mortgage release filing costs ... effective date.

1st Reading	260
2d Reading	267
CR	342
Considered, passed	868
Withheld under Rule 19(f)	869
Signed — To House	875
4th Reading — To House	882
Approved by Governor, June 3, 1977	

HB 1307 — By Lancaster, et al, of the House and Lane and Terrill of the Senate — An Act relating to revenue and taxation amending 68 O.S. 1971, Section 2358, as last amended ... gradually deleting provision that certain dividends or earnings distributed to members, shareholders or certificate holders are included in taxable income of certain savings and loan associations; repealing duplicate section, 68 O.S. 1971, Section 2358, as amended ... emergency.

1st Reading	315
2d Reading	322
CR	542
Considered, passed	624
Withheld under Rule 19(f)	624
Signed — To House	625
4th Reading — To House	628
Approved by Governor, May 6, 1977	

HB 1308 — By Monks of the House and Stipe of the Senate — An Act relating to employer-employee relations; providing uniform methods for negotiations between certain employers and employees ... creating the Public Employee Relations Commission ... effective date.

1st Reading	463
2d Reading	470
CR	818
WD, rereferred	974

HB 1311 — By Draper, et al — An Act

relating to banks and trust companies; amending 6 O.S. 1971, Sections 209, 211, as amended ... 306, as amended ... 410, 416, 706, 707, 711, 712, 803, as amended ... and 1202 ... providing for banks and trust companies to make application to become members of F.D.I.C. or federal reserve system ...

1st Reading	400
2d Reading	413
CR	553
Considered, passed, referred	757
Engrossed — To House	765
SAs adopted, passed	920
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1312 — By Harper of the House and Boatner of the Senate — An Act relating to revenue and taxation; amending Section 1, Chapter 360, O.S.L. 1975 (68 O.S. Supp. 1976, Section 723); providing for certain fees for vehicles using liquefied petroleum gas ... establishing new procedures for obtaining special decals and providing for transfer of decal; exempting certain vehicles from special fuel use tax ... emergency.

1st Reading	292
2d Reading	299

HB 1313 — By Cotner, et al — An Act relating to motor vehicles; amending Sections 1 and 2, Chapter 176, O.S.L. 1976 (47 O.S. Supp. 1976, Sections 7-601 and 7-602); providing for compulsory automobile liability insurance ...

1st Reading	484
2d Reading	492

HB 1314 — By Draper, et al, of the House and Smith of the Senate — An Act relating to revenue and taxation; amending 68 O.S. 1971, Sections 1402 and 1403; providing for additional state excise tax and apportionment of additional revenues to cities, towns and counties ... emergency.

1st Reading	523
2d Reading	533

CR	652
Considered	724
Considered, passed, referred	726
Engrossed — To House	749
SAs rejected, Conference requested; HCs named	773
Conference granted, SCs appointed ..	784
CCR read, consideration deferred ...	856
CCR adopted, passed	862
ML; Tabled — To House	862
4th Reading — To House	874
Approved by Governor, May 31, 1977	

HB 1316 — By Morgan, et al, of the House and Berrong of the Senate — (Professions and Occupations — Amending 59 O.S. 1971, Sections 581, 584 and 588 — Effective date).

1st Reading	322
2d Reading	330

HB 1320 — By Floyd, et al — (Professions and Occupations — Amending 59 O.S. 1971, Sections 199.1 and 199.7 — Effective Date).

1st Reading	523
2d Reading	533

HB 1321 — By Rogers and Hammons of the House and Cate of the Senate — An Act relating to contracts; amending 15 O.S. 1971, Sections 598.2, 598.3, 598.5 and 598.7 ... providing that certain practices are unfair competition and against public policy ... repealing 15 O.S. 1971, Sections 598.4 and 598.10 ... emergency.

1st Reading	356
2d Reading	368
CR	818
Considered, failed	935

HB 1322 — By Craighead, et al, of the House and Crow of the Senate — An Act relating to revenue and taxation; defining solar energy device; providing for a tax credit therefor ... effective date.

1st Reading	357
2d Reading	368
CR	542
Considered, passed, referred	619

Engrossed — To House	630
SAs rejected, Conference requested; HCs named	659
Conference granted, SCs appointed ..	659
CCR read, consideration deferred	891
CCR adopted, passed — To House	929
4th Reading — To House	951
Approved by Governor, June 14, 1977	

HB 1324 — By Stephenson, et al — An Act relating to public health; limiting restrictions on use of laetrile; prohibiting disciplinary action against physicians prescribing laetrile ... operative date.	
1st Reading	292
2d Reading	299; 338
CR	516; 688
Considered, passed, referred	809
Engrossed — To House	833
SAs adopted, passed	920
4th Reading — To House	930
Approved by Governor, June 15, 1977	

HB 1328 — By Matheson, et al, of the House and Dawson of the Senate — An Act relating to the practice of optometry and the sale and advertising of optical goods; amending 59 O.S. 1971, Sections 585, 589, 593 and 942 through 944 ... repealing 59 O.S. 1971, Sections 594 and 596; providing effective date ...	
1st Reading	413
2d Reading	425
CR	676
Special Order	888; 901
Considered, passed, referred	901
Engrossed — To House	915
SAs rejected, Conference requested; HCs named	932
Conference granted, SCs appointed ..	932
CCR rejected, further Conference requested	996
Further Conference granted	996
2d CCR read; conferees unable to reach agreement; bill returned to Calendar under "consideration of SAs" (Joint Rule 10c)	998

HB 1330 — By Henry — An Act relating to property; providing for a common

law of powers . . . repealing 60 O.S. 1971, Sections 181 through 198, 221 through 241, 261 through 274, and 291 through 299.	
1st Reading	509
2d Reading	516
CR	590
Considered, passed, referred	813
Engrossed — To House	830
SAs adopted, passed	920
4th Reading — To House	930
Approved by Governor, June 14, 1977	

HB 1332 — By Duckett, Draper and Matheson of the House and Lamb of the Senate — An Act relating to elections; amending Sections 1-101, 1-102 and 1-103, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Sections 1-101, 1-102 and 1-103); providing for time and election of certain offices at general elections ... adding prohibition to certain elections within certain time span of certain elections.	
1st Reading	271
2d Reading	285
CR	366
Considered, passed	831
Withheld under Rule 19(f)	831
Signed — To House	839
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1335 — By Matheson and Hood of the House and Smith of the Senate — An Act relating to crimes and punishments; amending Section 5, Chapter 243, O.S.L. 1975 (21 O.S. Supp. 1976, Section 1869); exempting certain persons from prohibitions on the reproduction of certain sound recordings ... emergency.	
1st Reading	345
2d Reading	356
CR	590
Considered, passed	646
Withheld under Rule 19(f)	647
Signed — To House	649
4th Reading — To House	660
Approved by Governor, May 16, 1977	

HB 1338 — By Peterson, et al — (Public Health and Safety — Appropriation — Emergency)
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1st Reading	379
2d Reading	387
CR	789; 852
Considered, passed, referred	890
Engrossed — To House	899
SAs rejected, Conference requested; HCs named	932
Conference granted, SCs appointed ..	932
CCR read, consideration deferred ..	955
CCR adopted, passed — To House ..	960
4th Reading — To House	969
Approved by Governor, June 15, 1977	

HB 1341 — By Lancaster and Henry —
— An Act relating to game and fish;
amending Section 1, Chapter 172, O.S.L.
1975 (29 O.S. Supp. 1976, Section 5-209); al-
lowing Director of the Department of
Wildlife Conservation to issue crossbow
permits to certain disabled persons ... ef-
fective date.

1st Reading	484
2d Reading	492

**HB 1342 — By Elder of the House and
Smith of the Senate —** An Act relating to
the Consumer Credit Code; providing that
certain discounts shall not constitute a
credit service charge under certain cir-
cumstances; prohibiting the imposition of
surcharges for the use of credit cards ...
emergency.

1st Reading	437
2d Reading	442
CR	775
Considered, passed	830
Withheld under Rule 19(f)	830
Signed — To House	839
4th Reading — To House	847
Approved by Governor, June 3, 1977	

**HB 1343 — By Elder, et al, of the House
and Grantham of the Senate —** An Act
relating to probate procedure; amending
Section 1, Chapter 240, O.S.L. 1974, as
amended ... establishing procedures for
termination of joint tenancy by surviving
spouse; deleting requirement of Tax Com-
mission release ... effective date.

1st Reading	400
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2d Reading	413
CR	896
WD, rereferred	974

HB 1345 — By Davis (Don), et al —
(Schools — Amending 70 O.S. 1971, Sec-
tions 17-101, 17-103, and others — Emer-
gency).

1st Reading	509
2d Reading	516
CR	666; 852
Considered	898
Considered, passed, referred	899
Engrossed — To House	931

**HB 1347 — By Hooper, Glover and
Wickersham —** An Act relating to state
officers and employees; amending 74 O.S.
1971, Section 1315; providing for a county,
city, town or county hospital employee to
join the State Employees Group Health
and Life Insurance Act at the same pre-
mium rates in certain circumstances ...
emergency.

1st Reading	345
2d Reading	356
CR	522; 582
WD, rereferred	974

HB 1348 — By Matheson — An Act
relating to law enforcement education
training and coordination; amending 70
O.S. 1971, Section 3311, as last amended ...
and Section 2, Chapter 73, O.S.L. 1976 (70
O.S. Supp. 1976, Sections 3311 and 3311.1)
... changing makeup of Council and allow-
ing Council to approve training curriculum
... District Attorneys Training Coordina-
tion Council ... allowing the executive
coordinator to assist as special prosecutor
in certain circumstances ... emergency.

1st Reading	308
2d Reading	315
CR	470
Considered, passed	867
Withheld under Rule 19(f)	868
Signed — To House	875
Senate requested to reconsider vote and to consider bill further	889
Senate rescinds signing and returning	889

Vote reconsidered, passed, referred . . .	889
Engrossed — To House	899
SAs adopted, passed	930
4th Reading — To House	934
Approved by Governor, June 14, 1977	

HB 1351 — By Davis (Guy) — An Act relating to cemeteries; amending 8 O.S. 1971, Section 203; providing for creation of State Burial Board . . . providing certain rules regarding meetings and seal; and providing for surety bond.

1st Reading	370
2d Reading	379

HB 1356 — By Campbell of the House and Terrill of the Senate — An Act relating to the inspection of certain institutions; amending 19 O.S. 1971, Section 741, 63 O.S. 1971, Section 474, and 74 O.S. 1971, Sections 179 and 180 . . . granting subpoena and investigatory powers to State Commissioner of Health . . . effective date.

1st Reading	370
2d Reading	379

HB 1357 — By Duckett and Draper of the House and Lamb of the Senate — An Act relating to elections; amending Sections 10-101, 10-102 and 10-105, Chapter 153, O.S.L. 1974 (26 O.S. Supp. 1976, Sections 10-101, 10-102 and 10-105); providing for nomination of presidential electors . . . providing new guidelines for uncommitted presidential electors . . . adding provisions for independent nominees; providing a system to qualify independent presidential candidates to appear on ballots . . . codification.

1st Reading	271
2d Reading	285
CR	366
Considered, passed	837
Withheld under Rule 19(f)	837
Signed — To House	839
4th Reading — To House	847
Approved by Governor, June 3, 1977	

HB 1360 — By Rogers — An Act relating to labor; amending 40 O.S. 1971, Sec-

tion 213, as amended . . . modifying criteria and procedures for determining eligibility for certain benefits and training . . . emergency.

1st Reading	370
2d Reading	379

HB 1363 — By Denman and Duckett — An Act relating to criminal procedure; amending 22 O.S. 1971, Section 980; providing for delivery of defendant with copy of judgment and sentence to Department of Corrections' facilities; adding requirement that sheriff attach defendant's fingerprints and description to copy of judgment and sentence; repealing 57 O.S. 1971, Section 95 . . . codification.

1st Reading	509
2d Reading	516

HB 1368 — By Manning, Glover and Johnson (Don) — An Act relating to public lands; amending 64 O.S. 1971, Section 253, as amended . . . providing for subleasing and transferring of certain leasehold rights . . . modifying provisions for the charging of certain fees . . .

1st Reading	454
2d Reading	462
CR	687
Considered, passed	753
Withheld under Rule 19(f)	753
Signed — To House	760
4th Reading — To House	766
Approved by Governor, May 30, 1977	

HB 1379 — By Cowan and Wiseman of the House and Funston of the Senate — An Act relating to public health and safety; amending Sections 2 through 13, 15 and 16, Chapter 251, O.S.L. 1976 (63 O.S. Supp. 1976, Sections 2752 through 2765) . . . renaming the Controlled Industrial Waste Management Section the Controlled Industrial Waste Management Division . . . codification.

1st Reading	523
2d Reading	533
CR	563

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Approved by Governor, June 14, 1977

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Approved by Governor, June 14, 1977

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HCR 1008 — By Converse of the House and Field of the Senate — A Concurrent Resolution designating the week of March 20 through March 26, 1977, as National Wildlife Week; urging a rededication to the principle that we all need clean water; expressing renewed determination to achieve the clean water goal as quickly as possible ... directing distribution.

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BERRONG, SENATOR ED, District 27, Democrat

Author: SBs 122, 146, 162; SJR 28; HB 1316

Coauthor: SBs 7, 19, 113, 150, 159, 160, 248; SJRs 18, 20; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1126, 1127, 1134, 1137, 1139, 1151, 1228, 1278; HCRs 1009, 1010, 1012, 1013

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Years of service: Senate, 1959-1977

BIRDSONG, SENATOR JIMMY, District 45, Democrat

Author: SBs 24, 58, 71, 383; SCR 3

Coauthor: SBs 1, 55, 56, 73, 100, 118, 122, 200, 212, 264, 273, 309, 351, 359, 374, 375, 382, 386; SJRs 1, 12; SCR 1, 2, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1195, 1229, 1278, 1296, 1348; HJR 1006, 1020; HCRs 1009, 1010, 1012, 1013

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BOATNER, SENATOR ROY A., District 6, Democrat

Author: SBs 29, 30, 31, 32, 33, 126, 127, 161, 195, 196, 199, 224, 352, 403; SJRs 8, 16, 27; SCRs 4, 15; HBs 1311, 1312; HJR 1006; HCR 1001

Coauthor: SBs 36, 109, 111, 150, 155, 164, 271; SJRs 1, 12; SCRs 1, 2, 3, 5, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1006, 1051, 1145, 1322, 1345; HCRs 1009, 1010, 1012, 1013, 1017

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Years of service: Senate, 1975-1977 House, 1971-1974

BUTLER, SENATOR KENNETH, District 8, Democrat

Author: SB 57; HB 1051

Coauthor: SB 374; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1006; HCRs 1009, 1010, 1012, 1013

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Author: SBs 7, 130, 134, 142, 213, 234, 235, 313, 344, 362, 395; SJR 7; SCR 27; HB 1087
Coauthor: SBs 113, 144, 150, 160, 190, 258, 271, 351, 359, 403; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1048, 1061, 1072, 1126, 1140, 1304, 1322, 1345; HCRs 1009, 1010, 1012, 1013

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CATE, SENATOR LEE, District 16, Democrat

Author: SBs 6, 158, 207, 228, 241, 242, 266, 301, 302, 353; SJR 25; SCR 16; HBs 1121, 1125, 1321, 1348, 1403; HJR 1032; HCR 1010

Coauthor: SBs 10, 19, 231, 265, 273, 280, 359, 374; SCRs 1, 2, 3, 4, 6, 7, 8, 12, 13, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1164, 1188, 1229, 1307, 1314; HCRs 1009, 1012, 1013

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Author: SBs 288, 376, 377, 406, 407; HBs 1064, 1198, 1269, 1283, 1330	
Coauthor: SBs 22, 289, 318, 351, 374; SJRs 1, 21; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1307; HCRs 1009, 1010, 1012, 1013	
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Author: SBs 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 129, 147, 187, 355, 364, 411; SR 5; HBs 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1322; HJR 1013	
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D**DAHL, SENATOR JOHN L., District 10, Democrat**

Author: SBs 8, 9, 40, 41, 188, 189, 190, 214, 277, 398, 404; SJR 11; SCR 2, 6, 12; HBs 1077, 1202, 1230, 1263

Coauthor: SBs 144, 150, 166, 209, 234, 306; SJR 39; SCR 1, 3, 4, 7, 8, 13, 14, 16, 19, 21, 24, 26, 28, 29; SRs 3, 5, 7, 8, 11; HBs 1061, 1100, 1101, 1102, 1103, 1104, 1105, 1324, 1397; HJR 1020; HCRs 1009, 1010, 1012, 1013, 1017

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Years of service: Senate, 1971-1977

DAWSON, SENATOR BILL, District 50, Democrat

Author: SBs 10, 11, 12, 13, 22, 27, 28, 66, 125, 143, 212, 273, 337; SJRs 9, 38; HBs 1229, 1296, 1328

Coauthor: SBs 39, 43, 138, 181, 351, 356, 374, 375, 382, 386; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1048, 1100, 1314, 1368, 1381; HCRs 1009, 1010, 1012, 1013, 1017

Interim Committees:

Executive Committee — Legislative Council	653
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Special Committees:

To notify the Governor the Senate is organized	7
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Standing Committees:

Education, Common	75
Education, Higher	75
Professions and Occupations, Chairman	76
Revenue and Taxation	76

Conferee:

SB 10	574
SB 159	263
SB 309	935
HB 1229	995
HB 1328	932
HB 1416	659

Declaration of vote

HB 1134	992
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Mileage Allowance	28
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Years of service: Senate, 1975-1977

F**FIELD, SENATOR LEON B., District 49, Democrat**

Author: SBs 156, 160, 222, 223, 233, 360; SCR 14; HJR 1023; HCRs 1008, 1016

Coauthor: SBs 7, 19, 43, 113, 129, 144, 150, 234, 265, 403; SJRs 7, 39; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 28, 29; SRs 3, 5, 7, 8, 11; HBs 1061, 1126, 1134, 1139, 1140, 1278, 1345; HCRs 1009, 1010, 1012, 1013

Special Committees:

To draft legislation relating to motor vehicle tags and tag agents	145
To escort President Pro Tempore Howard to President's desk	5

Standing Committees:

Agriculture	74
Education, Common	75
Oil and Gas	76
Rules	7
Wildlife, Chairman; resigned, appointed Vice Chairman	76; 288

Conferee:

SB 265	596
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Declaration of vote

HB 1126	476
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Mileage Allowance	28
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Oath of Office	3
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Years of service: Senate, 1951-1977 House, 1947-1950

FUNSTON, SENATOR BOB, District 54, Democrat

Author: SBs 1, 46, 154, 206, 226, 240, 248, 293, 336, 366, 367, 368, 369, 396, 397, 402; SJRs 17, 23; HBs 1019, 1067, 1188, 1192, 1228, 1279, 1379, 1381, 1392

Coauthor: SBs 34, 64, 65, 135, 186, 187, 217, 249, 271, 280, 308, 316, 350, 359, 374, 375; SJRs 1, 7; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1101, 1102, 1103, 1104, 1105, 1164, 1248, 1262, 1278, 1307, 1332, 1345, 1357; HCRs 1009, 1010, 1012, 1013

Interim Committees:

Executive Committee — Legislative Council	653
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Standing Committees:

Appropriations and Budget	74
Education, Common, Vice Chairman	75
Oil and Gas, Chairman	76
Public and Mental Health	76

Conferee:

GCCA, Alternate	653
GCCA Subcommittee on Public Safety and Highways, Alternate	718
SB 1	973
SB 7	644
SB 214	767
SB 249	930
HB 1228	705

Mileage Allowance	28
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Years of service: Senate, 1973-1977

G**GILES, SENATOR RAY A., District 23, Democrat**

Coauthor: SBs 7, 19, 144, 150, 190, 234; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1061, 1324, 1368, 1397; HCRs 1009, 1010, 1012, 1013

Interim Committees:

Executive Committee — Legislative Council, Alternate	653
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Standing Committees:

Agriculture	74
Oil and Gas	76
Professions and Occupations, Vice Chairman	76
Roads and Highways	76

Declaration of vote

SB 163	884
SB 175	884

Mileage Allowance	28
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Oath of Office	3
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Years of service: Senate, 1977

GRANTHAM, SENATOR ROY E., District 20, Democrat

Author: SBs 3, 25, 26, 42, 43, 48, 49, 54, 61, 120, 121, 148, 152, 157, 208, 250, 275, 276, 294, 329, 347, 348; SJR 30; SCR 10, 11; HBs 1062, 1343, 1410, 1411, 1425

Coauthor: SBs 102, 112, 119, 122, 150, 155, 159, 231, 249; SJR 19; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1048, 1100, 1322, 1330; HJR 1003; HCRs 1009, 1010, 1012, 1013

Special Committees:

Employment of Women and Members of Minority Groups (SR 4), Chairman	268
Joint Government Employees Retirement Study Committee	333

Standing Committees:

Criminal Jurisprudence	75
Judiciary, Chairman	75
Municipal Government	75

Roads and Highways	76
Rules	7
Conferee:	
GCCA	653
GCCA Subcommittee on General Government — Judiciary, Chairman	717
SB 10	574
SB 25	833
SB 249	930
SB 289	720
HB 1051	921
HB 1198	914
Mileage Allowance	28
Years of service: Senate, 1951-1977	
 GREEN, SENATOR WARREN E., District 35, Republican	
Elected Minority Caucus Secretary	7
Author: SBs 131, 132, 384	
Coauthor: SBs 19, 46, 159, 243, 289, 318, 350; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 25, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1192, 1233, 1276, 1307, 1410, 1436; HCRs 1009, 1010, 1012, 1013	
Interim Committees:	
Executive Committee — Legislative Council, Alternate	653
Standing Committees:	
Banks and Banking	74
Insurance, Vice Chairman	75
Judiciary	75
Revenue and Taxation	76
Conferee:	
SB 350	784
HB 1126	493
Declaration of vote	
SJR 29	534
Declaration of not voting	
HB 1258	624
Mileage Allowance	28
Oath of Office	3
Years of service: Senate, 1977 House, 1965-1976	

H

HELM, SENATOR MARY, District 46, Republican	
Author: SBs 128, 244, 278; SCR 17	
Coauthor: SBs 171, 194, 266, 318; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1151; HCRs 1009, 1010, 1012, 1013	
Special Committees:	
Employment of Women and Members of Minority Groups (SR 4)	280
Standing Committees:	
Business, Industry and Labor Relations	74
Engrossed and Enrolled Bills, Chairman	75
Environmental and Natural Resources	75

Public and Mental Health	76
Revenue and Taxation	76
Announcement re SB 103	909
Communication from Anita Bryant Green	863
Declaration of vote	
HB 1126	486
Mileage Allowance	28
Years of service: Senate, 1975-1977	
HOLDEN, SENATOR WAYNE M., District 24, Democrat	
Elected Majority Whip	6
Author: SBs 138, 255, 315; HCR 1017	
Coauthor: SBs 29, 73, 129, 144, 159, 164, 187, 190; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1100, 1139, 1251, 1307, 1314; HCRs 1009, 1010, 1012, 1013	
Special Committees:	
To escort Carl Albert to Joint Session	726
Standing Committees:	
Agriculture	74
Employment and Administration	75
Oil and Gas	76
Revenue and Taxation	76
Roads and Highways	76
Rules	7
Conferee:	
GCCA	653
GCCA Subcommittee on Regulatory and Natural Resources	717
SB 138	220
SB 159	263
SB 190	619
HB 1071	299
HB 1155	595
HB 1278	898
HB 1413	898
Declaration of vote	
SB 96	941
SB 234	855
HB 1051	855
HB 1104	750
Mileage Allowance	28
Years of service: Senate, 1965-1977 House, 1963-1964	
HOWARD, SENATOR GENE C., District 36, Democrat	
Elected President Pro Tempore	5
Author: SBs 65, 136, 184, 191, 373; SJRs 6, 33; SCRs 19, 26; HBs 1122, 1186, 1248, 1441; HCR 1006	
Coauthor: SBs 60, 64, 73, 167, 232, 255, 264; SJR 29; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 21, 24, 29; SRs 3, 5, 7, 8, 11; HB 1436; HCRs 1009, 1010, 1012, 1013	
Interim Committees:	
Chairman, Legislative Council (74 O.S. § 451)	1009
Special Committees:	
To escort Carl Albert to Joint Session	726

Mileage Allowance	28
Years of service: Senate, 1965-1977 House, 1959-1962	
HOWELL, SENATOR JAMES F., District 42, Democrat	
Author: SBs 21, 34, 44, 174, 175, 202, 220, 249, 274, 316, 317, 339, 340, 341, 342, 343, 385, 390, 391, 392, 393; SJRs 18, 20, 31; SCR 29; HBs 1088, 1271, 1286	
Coauthor: SBs 1, 19, 237, 329; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26; SRs 3, 5, 7, 8, 11; HBs 1150, 1278, 1311; HJR 1019; HCRs 1009, 1010, 1012, 1013	
Special Committees:	
Federal Surplus Property (SJR 27)	615
To escort the Governor to Joint Session	20
Standing Committees:	
Banks and Banking	74
Constitutional Revision and Regulatory Services	74
Education, Common, Chairman	75
Judiciary	75
Conferee:	
GCCA	653
GCCA Subcommittee on Education	717
SB 1	973
SB 249	930
Mileage Allowance	28
Years of service: Senate, 1971-1977	

J

JOHNSON, SENATOR JOE, District 4, Democrat	
Elected to fill unexpired term of Senator Hamilton	2
Author: SB 254; SCR 28; HBs 1006, 1267	
Coauthor: SBs 60, 111, 150, 166, 213, 250, 265, 273, 318, 327, 336, 348, 374, 388; SJRs 29, 39; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1104, 1126, 1138, 1228; HJRs 1006, 1020; HCRs 1009, 1010, 1012, 1013	
Interim Committees:	
Executive Committee — Legislative Council	653
Special Committees:	
Employment of Women and Members of Minority Groups (SR 4)	268
To escort guests of Senator Porter	977
To notify the House the Senate is organized	7
Standing Committees:	
Professions and Occupations	76
Public Safety and Penal Affairs, Vice Chairman	76
Roads and Highways	76
Wildlife	76
Mileage Allowance	28
Oath of Office	2
Years of service: Senate, 1977 House, 1973-1976	

K

KEATING, SENATOR FRANK, District 38, Republican

Author: SBs 14, 15, 16, 18, 38, 47, 59, 60, 67, 68, 69, 123, 133, 145, 153, 176, 193, 280, 351, 380, 405, 408, 409; SJR 22; SCR 30; SR 3; HBs 1221, 1233, 1382

Coauthor: SBs 22, 148, 155, 194, 240, 265; SJR 32; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 5, 7, 8, 11; HBs 1136, 1165, 1198; HCRs 1009, 1010, 1012, 1013

Standing Committees:

Appropriations and Budget	74
Criminal Jurisprudence, Vice Chairman	75
Judiciary	75
Public and Mental Health	76

Conferee:

SB 16	909
SB 67	614
SB 69	909
HB 1198	914

Mileage Allowance 28

Years of service: Senate, 1975-1977 House, 1973-1974

KELLER, SENATOR E. W., District 52, Republican

Author: SBs 139, 140, 141, 151, 165, 171, 177, 185, 259, 279, 318, 359, 378; SJRs 13, 35

Coauthor: SBs 315, 374; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1307, 1332; HCRs 1009, 1010, 1012, 1013

Special Committees:

To notify the Governor the Senate is organized	7
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Standing Committees:

Banks and Banking	74
Education, Common	75
Municipal Government, Vice Chairman	75
Revenue and Taxation	76

Declaration of vote

HB 1126	476
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Mileage Allowance 28

Years of service: Senate, 1973-1977

KILPATRICK, SENATOR DON, District 43, Democrat

Author: SBs 192, 227, 283; HBs 1056, 1184, 1194, 1211, 1278, 1384, 1414

Coauthor: SBs 118, 350, 374, 375; SJR 1; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1229, 1296, 1314; HCRs 1009, 1010, 1012, 1013

Standing Committees:

Business, Industry and Labor Relations, Vice Chairman	74
Elections and Privileges	75
Judiciary	75
Revenue and Taxation	76

Conferee:

SB 192	842
HB 1278	898

Mileage Allowance 28

Oath of Office 3

Years of service: Senate, 1977 House, 1971-1976

L

LAMB, SENATOR NORMAN A., District 19, Republican

Elected Assistant Minority Floor Leader	7
Author: SBs 238, 314, 363; SJR 19; SCR 7; HBs 1072, 1305, 1332, 1357; HCR 1005	
Coauthor: SBs 7, 19, 34, 155, 187, 194, 316, 318, 321, 351, 359; SCRs 1, 2, 3, 6, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1307; HCRs 1009, 1010, 1012, 1013	
Special Committees:	
To escort the Governor to Joint Session	20
Standing Committees:	
Education, Common	75
Judiciary	75
Revenue and Taxation	76
Social Welfare	76
Conferee:	
GCCA	653
GCCA Subcommittee on Regulatory and Natural Resources, Alternate	717
SB 231	596
Mileage Allowance	28
Oath of Office	3
Years of service: Senate, 1971-1977	

LAMBERT, SENATOR PHILLIP E., District 40, Democrat

Author: SBs 55, 56, 245, 320, 321, 322, 323, 324, 325, 327, 328, 333, 334, 349, 381; SJR 1; SCR 23; HBs 1110, 1293, 1416; HJR 1003	
Coauthor: SBs 1, 19, 36, 118, 138, 167, 179, 200, 220, 231, 264, 273, 275, 276, 279, 318, 336, 340, 341, 365; SJRs 13, 17; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1055, 1100, 1126, 1159, 1229, 1279, 1305, 1345, 1397; HJR 1020; HCRs 1009, 1010, 1012, 1013	
Interim Committees:	
Executive Committee — Legislative Council	653
Standing Committees:	
Appropriations and Budget	74
Environmental and Natural Resources	75
Judiciary, Vice Chairman	75
Municipal Government	75
Rules, Vice Chairman	7
Conferee:	
SB 138	220
HB 1416	659
Declaration of vote	
SB 192	855
SB 336	499
HB 1145	584
Mileage Allowance	28
Years of service: Senate, 1975-1977	

LANE, SENATOR JIM E., District 5, Democrat

Elected Majority Floor Leader	6
Author: SBs 124, 225, 326, 346, 354, 410; SJR 14; SRs 1, 2, 10; HB 1307; HCRs 1003, 1018	
Coauthor: SBs 138, 144, 159, 232, 350, 374; SJRs 24, 26; SCRs 1, 2, 3, 4, 6, 7, 8, 9, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1120, 1436; HCRs 1006, 1009, 1010, 1012, 1013	

Standing Committees:

Agriculture	74
Education, Higher	75
Elections and Privileges	75
Employment and Administration	75
Rules	7
Social Welfare	76

Conferee:

GCCA, Alternate	653
GCCA Subcommittee on Regulatory and Natural Resources, Vice Chairman	717
SB 7	644
SB 144	614
HB 1322	659

Mileage Allowance	28
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Oath of Office	3
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Years of service: Senate, 1969-1977 House, 1967-1968

LUTON, SENATOR JOHN D., District 9, Democrat

Elected Assistant Majority Floor Leader	6
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Author: SBs 149, 163, 167, 210, 231, 232, 243, 264, 303, 304, 305, 319, 350; SJRs 2, 21; SRs 6, 9; HB 1120

Coauthor: SBs 29, 73, 155, 212, 265, 273; SJRs 33, 39; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1051, 1055, 1307, 1322, 1345, 1348, 1441; HJR 1006; HCRs 1009, 1010, 1012, 1013

Special Committees:

To draft legislation relating to motor vehicle tags and tag agents, Chairman	145
To meet with Wildlife Committee	463

Standing Committees:

County, State and Federal Government	75
Education, Common	75
Employment and Administration, Vice Chairman	75
Insurance	75
Judiciary	75
Rules	7

Conferee:

GCCA, Alternate	653
GCCA, Subcommittee on General Government-Judiciary	717
SB 231	596
SB 265	596
SB 350	784
HB 1047	903
HB 1228	705
HB 1229	995

Declaration of vote

SB 36	116
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Mileage Allowance	28
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Oath of Office	3
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Years of service: Senate, 1965-1977

Mc**McCUNE, SENATOR JOHN R., District 47, Republican**

Elected Minority Floor Leader	7
Author: SBs 137, 168, 209, 263, 286	
Coauthor: SB 159; SJR 29; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1103, 1104, 1263, 1397; HCRs 1009, 1010, 1012, 1013	
Standing Committees:	
Constitutional Revision and Regulatory Services	74
Engrossed and Enrolled Bills, Vice Chairman	75
Environmental and Natural Resources	75
Public Safety and Penal Affairs	76
Rules	7
Conferee:	
GCCA Alternate	653
GCCA Subcommittee on Social Services-Public and Mental Health, Alternate	717
Mileage Allowance	28
Oath of Office	3
Years of service: Senate, 1969-1977	

McDANIEL, SENATOR JAMES W., District 13, Democrat

Author: SBs 205, 289, 401; HBs 1047, 1071	
Coauthor: SBs 22, 113, 144, 190, 258, 359; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1006, 1061, 1100, 1126; HCRs 1009, 1010, 1012, 1013	
Interim Committees:	
Executive Committee — Legislative Council, Alternate	653
Standing Committees:	
Agriculture	74
Environmental and Natural Resources, Vice Chairman	75
Oil and Gas	76
Roads and Highways	76
Conferee:	
SB 289	720
HB 1047	903
HB 1071	299
Declaration of vote	
SB 311	458
SB 357	458
HB 1439	636
Mileage Allowance	28
Oath of Office	3
Years of service: Senate, 1977	

M**MARTIN, SENATOR ERNEST D., District 14, Democrat**

Author: SBs 215, 221, 239, 331; SJR 15; HBs 1195, 1220	
Coauthor: SBs 171, 194; SJR 27; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1006; HCRs 1009, 1010, 1012, 1013	
Interim Committees:	
Executive Committee — Legislative Council	653

Special Committees:	
Employment of Women and Members of Minority Groups (SR 4)	268
Federal Surplus Property (SJR 27)	615
To escort Carl Albert to Joint Session	726
Standing Committees:	
Agriculture	74
Education, Common	75
Professions and Occupations	76
Public and Mental Health, Chairman	76
Conferee:	
HB 1071	299
Declaration of vote	
HJR 1023	953
Mileage Allowance	28
Years of service: Senate, 1965-1977	

MURPHY, SENATOR ROBERT M., District 21, Democrat

Author: SBs 4, 5, 17, 62, 70, 216, 236, 237, 271, 295, 306; SJRs 34, 36, 37; SR 8; HBs 1124, 1368; HJR 1021; HCR 1012

Coauthor: SBs 1, 36, 264, 265, 350, 374; SJR 26; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 11; HBs 1131, 1133, 1307, 1314, 1345, 1439; HCRs 1009, 1010, 1013

Special Committees:	
To draft legislation relating to motor vehicle tags and tag agents	145
To escort OSU Regents, coaches and players to Chamber	572

Standing Committees:	
Appropriations and Budget	74
Education, Higher, Chairman	75
Revenue and Taxation	76
Roads and Highways	76
Rules	7

Conferee:	
GCCA	653
GCCA Subcommittee on Social Services-Public and Mental Health, Chairman	717
SB 265	596
SB 350	784
HB 1229	995

Declaration of vote	
SB 144	712
SB 190	712
HB 1127	712
HB 1137	712; 965
HB 1139	712
HB 1158	712
HB 1168	712
HB 1228	965

Mileage Allowance	28
Oath of Office	3
Years of service: Senate, 1963-1977	

P

- PIERCE, SENATOR JERRY T., District 29, Republican**
 Elected Minority Caucus Chairman 7
 Author: SBs 45, 50, 52, 194, 201, 412
 Coauthor: SBs 96, 134; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1322; HCRs 1006, 1009, 1010, 1012, 1013
 Special Committees:
 To escort Terry Miller and OSU Regents, coaches and players to Chamber 573
 Standing Committees:
 Appropriations and Budget 74
 Constitutional Revision and Regulatory Services 74
 Elections and Privileges, Vice Chairman 75
 Oil and Gas 76
 Conferee:
 SB 191 686
 Mileage Allowance 28
 Oath of Office 3
 Years of service: Senate, 1973-1977 House, 1971-1972
- PORTER, SENATOR E. MELVIN, District 48, Democrat**
 Author: SBs 169, 256, 257, 282, 358; SJR 12; SCR 20; SRs 4, 11
 Coauthor: SBs 264, 374, 375, 399; SJRs 18, 20, 29, 38; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8; HJR 1006; HCRs 1009, 1010, 1012, 1013
 Interim Committees:
 Executive Committee — Legislative Council 653
 Special Committees:
 Employment of Women and Members of Minority Groups (SR 4) 268
 Seating arrangements 7
 To escort his guests from *The Black Dispatch* 977
 Standing Committees:
 Banks and Banking 74
 Insurance 75
 Public Safety and Penal Affairs 76
 Social Welfare, Chairman 76
 Mileage Allowance 28
 Years of service: Senate, 1965-1977

R

- RANDLE, SENATOR RODGER A., District 33, Democrat**
 Author: SBs 268, 269, 270, 365, 394; SJR 3; SCR 25; SR 7; HBs 1049, 1090, 1111, 1135, 1199; HJR 1018
 Coauthor: SBs 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 138, 264, 273, 374, 375, 382; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 8, 11; HBs 1101, 1102, 1103, 1104, 1105, 1118, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1296, 1307; HCRs 1009, 1010, 1012, 1013

Special Committees:

Employment of Women and Members of Minority Groups (SR 4); replaced . . .	268; 280
To escort Carl Albert to Joint Session	726

Standing Committees:

Appropriations and Budget, Vice Chairman	74
Banks and Banking, Vice Chairman	74
Revenue and Taxation	76
Social Welfare	76

Conferee:

GCCA, Vice Chairman	653
GCCA Subcommittee on Education, Vice Chairman	717
SB 1	973
SB 192	842
SB 284	974
HB 1102	837
HB 1104	837
HB 1105	806
HB 1278	898
HB 1314	784
HB 1322	659
HB 1416	659

Mileage Allowance	28
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Oath of Office	3
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Years of service: Senate, 1973-1977	House, 1971-1972
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ROZELL, SENATOR HERBERT, District 3, Democrat

Author: SBs 166, 219, 246, 272, 285; HBs 1015, 1250, 1251

Coauthor: SBs 273, 359, 374, 375, 391; SJR 39; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 28, 29; SRs 3, 5, 7, 8, 11; HBs 1296, 1307; HCRs 1009, 1010, 1012, 1013

Interim Committees:

Executive Committee — Legislative Council, Alternate	653
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Standing Committees:

Education, Common	75
Professions and Occupations	76
Social Welfare, Vice Chairman	76
Wildlife	76

Conferee:

SB 192	842
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Mileage Allowance	28
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Oath of Office	3
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Years of service: Senate, 1977

S**SCHUELEIN, SENATOR WILLIAM M., District 1, Democrat**

Author: SBs 229, 284, 399; HBs 1101, 1102, 1103, 1104, 1105, 1281

Coauthor: SBs 5, 64, 144, 219, 230, 315, 351, 374, 388, 391; SJRs 23, 26, 29; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1048, 1270, 1283, 1307, 1397; HJR 1006, 1020; HCRs 1009, 1010, 1012, 1013

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GCCA Subcommittee on Social Services-Public and Mental Health 717

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HB 1047 903

HB 1102 837

HB 1104 837

HB 1105 806

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Years of service: Senate, 1973-1977

SHATWELL, SENATOR BOB R., District 34, Democrat

Author: SB 370; HBs 1118, 1231; HJR 1036

Coauthor: SBs 64, 87, 93, 103, 138, 164, 231, 264, 276, 335, 350, 374; SJR 1; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1139, 1165, 1248; HJR 1018; HCRs 1008, 1009, 1010, 1012, 1013

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Mileage Allowance 28

Years of service: Senate, 1975-1977

SMITH, SENATOR FINIS W., District 37, Democrat

Author: SBs 2, 19, 23, 35, 36, 39, 155, 262, 267, 312; HBs 1009, 1048, 1258, 1276, 1314, 1335, 1342, 1398, 1401, 1439; HCR 1013

Coauthor: SBs 159, 247, 264, 350, 358; SJR 1; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1140, 1248; HCRs 1009, 1010, 1012

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Years of service: Senate, 1965-1977	

STIPE, SENATOR GENE, District 7, Democrat

Author: SBs 119, 150, 178, 247, 251, 253, 258, 260, 261, 308, 332; SCR 5, 13, 31 32; HBs 1055, 1308, 1338, 1430; HJR 1019

Coauthor: SBs 73, 159, 172, 173, 187; SJR 39; SCR 1, 2, 3, 6, 7, 8, 12, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1051, 1148, 1307; HJR 1006, 1020; HCR 1009, 1010, 1012, 1013

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Years of service: Senate, 1957-1977 House, 1949-1954

T**TALIAFERRO, SENATOR PAUL, District 31, Democrat**

Appointed by Governor Boren to fill unexpired term of Jim Taliaferro

Author: SB 292; HBs 1061, 1347

Coauthor: SBs 29, 160, 164, 166, 190, 234, 294, 350, 387, 400; SJRs 7, 39; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 28, 29; SRs 3 5, 7, 8, 11; HBs 1006, 1229, 1324, 1368, 1397; HCRs 1009, 1010, 1012, 1013

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TERRILL, SENATOR AL, District 32, Democrat	
Author: SBs 20, 159, 180, 181, 309, 310, 311, 335, 361, 382, 386, 400; SJRs 24, 26, 40; SCR 9; HBs 1345, 1356, 1397	
Coauthor: SBs 36, 135, 155, 179, 187, 273, 336, 374, 375; SJRs 6, 7, 29, 34; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29, 30; SRs 3, 5, 7, 8, 11; HBs 1055, 1126, 1188, 1283, 1296, 1307, 1322; HCRs 1009, 1010, 1012, 1013	
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TINSLEY, SENATOR GIDEON, District 22, Democrat	
Author: SBs 144, 164, 217, 218, 296, 389; SJR 39; SCRs 18, 24; HBs 1205, 1324, 1413	
Coauthor: SBs 150, 374, 375; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 26, 28, 29; SRs 3, 5, 7, 8, 11; HB 1439; HCRs 1009, 1010, 1012, 1013	
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Years of service: Senate, 1975-1977	

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VANN, SENATOR CHARLES W., District 15, Democrat

Author: SBs 172, 173, 387; HB 1011

Coauthor: SBs 29, 144, 190, 234, 310; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1061, 1126, 1229; HCRs 1009, 1010, 1012, 1013

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WADLEY, SENATOR ROBERT L., District 2, Democrat

Author: SBs 63, 64, 230, 281, 287; SCR 8, 21; HBs 1091, 1275

Coauthor: SBs 150, 350; SJR 39; SCR 1, 2, 3, 6, 7, 12, 13, 16, 17, 19, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1205, 1216, 1229, 1251, 1278, 1413; HCRs 1009, 1010, 1012, 1013

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Years of service: Senate, 1973-1977 House, 1953-1956

WATSON, SENATOR PHIL, District 41, Republican

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Author: SBs 51, 53, 135, 179, 291, 298, 299, 300; SJRs 4, 5, 10; SCR 1; HBs 1262, 1270, 1304; HCR 1009

Coauthor: SBs 22, 34, 159, 161, 175, 180, 194, 226, 293, 309, 316, 359, 374; SJRs 17, 24, 25, 26; SCR 2, 3, 6, 7, 8, 9, 12, 13, 16, 17, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1101, 1102, 1103, 1104, 1105, 1126, 1397; HCRs 1010, 1012, 1013

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WOLFE, SENATOR STEPHEN C., District 39, Republican	
Author: SBs 37, 203, 204, 297, 307, 330, 371, 372; SJR 32; HBs 1218, 1436	
Coauthor: SBs 155, 240, 280; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HB 1233; HCRs 1009, 1010, 1012, 1013	
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YORK, SENATOR MARVIN, District 44, Democrat	
Author: SBs 118, 170, 197, 198, 200, 252, 265, 338, 345, 357, 374, 375; SCR 22; HBs 1100, 1170, 1216, 1217, 1287	
Coauthor: SBs 161, 273, 350, 382, 386; SJR 1; SCR 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1211, 1229, 1278, 1296; HCRs 1009, 1010, 1012, 1013	
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 YOUNG, SENATOR JOHN W., District 12, Democrat	
Author: SBs 72, 73, 182, 183, 186, 211, 290, 356, 379, 388; SJR 29; HJR 1020	
Coauthor: SBs 107, 114, 127, 374; SCRs 1, 2, 3, 6, 7, 8, 12, 13, 16, 19, 21, 24, 26, 29; SRs 3, 5, 7, 8, 11; HBs 1006, 1139, 1158; HCRs 1009, 1010, 1012, 1013	
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Barrett, Dorman D., Southwestern Bell Telephone Company	128	450	608
Bastow, Edward C., Jr., Oklahoma Education Association	354	450	608
Burns, Jack G., Oklahoma Trial Lawyers Association	112	450	608
Cain, Bernest H., Jr., Oklahoma Common Cause	112	450	608
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Cole, Ken W., Standard Oil (Indiana)	112	450	608
Connor, John, Oklahoma Automobile Dealers Association and Oklahoma City Motor Car Dealers Association	117	450	608
Cravens, Leo W., Oklahoma State Home Builders Association	112	450	608
Crumpler, G. R., Oklahoma Municipal League	112	450	608
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JOURNAL

of the

SENATE

FIRST EXTRAORDINARY SESSION

OF THE

THIRTY-SIXTH LEGISLATURE

OF OKLAHOMA

1977



Convened June 13, 1977

Adjourned June 17, 1977

Senate Journal

First Extraordinary Session of the Thirty-sixth Legislature
of the State of Oklahoma

First Legislative Day, Monday, June 13, 1977

Pursuant to the Executive Order issued by the Governor of the State of Oklahoma, the Honorable David L. Boren, executed on the 9th day of June, 1977, and the hour of 12:00 noon having arrived, President Nigh declared the Senate of the First Extraordinary Session of the Thirty-sixth Legislature of the State of Oklahoma called to order.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Keller, Kilpatrick, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Vann, Wadley, Watson, York and Young—37.

Excused: Dawson, Grantham, Johnson, Keating, Lamb, Lambert, Lane, Luton, Pierce, Tinsley and Wolfe.—11.

President Nigh declared a quorum present.

The following prayer was offered by Reverend Richard Hogue, Pastor, The Metrochurch, Edmond, Oklahoma, and incorporated into the Journal upon request of Senator Young and Senator Watson.

Dear Father, thank You so very much for blessing us and allowing us to have the privilege of getting to make the strategic

decisions which will affect so many lives.

Thank You that in Your great design for this world that You allow us to have a part in running it.

Bless these men, give them wisdom and understanding and I pray that every decision that is made will be totally in Your will. I pray for Senator Grantham who is in the hospital in Ponca City, that You will bless him, help him, and restore him to us once again. Thank You in advance for all You are going to allow us to accomplish. In Jesus' name, Amen.

The following Executive Order and Message from the Governor were read at length:

To The Honorable George Nigh,
Lieutenant Governor and President of
The Senate of Oklahoma; and

To The Honorable Gene C. Howard,
State Senator and President Pro Tempore
of The Senate of Oklahoma; and

To The Honorable William P. Willis,
State Representative and Speaker of The
House of Representatives of Oklahoma.

By virtue of the authority vested in me as Governor of the State of Oklahoma by Article 6, Section 7 of the Constitution of Oklahoma, I do hereby as evidenced by this instrument convoke an Extraordinary

Session of the Legislature of the State of Oklahoma to be held at the State Capitol, Oklahoma City, Oklahoma, beginning on the Thirteenth day of June, 1977, the Senate and House of Representatives to convene in their respective Chambers at 12:00 noon on said Thirteenth day of June, 1977.

No subject is to be considered or acted upon at said Extraordinary Session except such subjects as shall be recommended for consideration by the Governor of the State of Oklahoma, by message to the Legislature.

IN WITNESS WHEREOF, I have hereunto affixed my official name and signature on this 9th day of June, 1977.

By The Governor Of The State Of Oklahoma

s / David L. Boren
(Seal)

Attest:

Esta M. Phipps
Assistant Secretary of State

To the House of Representatives
and the Senate of the
First Extraordinary Session of
the Thirty-sixth Legislature of
the State of Oklahoma.

Pursuant to Article 6, Section 7 of the Constitution of Oklahoma, I recommend for consideration during the First Extraordinary Session of the Thirty-Sixth Legislature of the State of Oklahoma, the following subjects:

(1) Appropriation of funds to the Department of Tourism and Recreation.

(2) Appropriation of funds to the State Board of Education.

(3) Appropriation of funds to the Department of Corrections.

(4) Appropriation of funds to the Office of the Oklahoma Historical Society.

(5) Appropriation of funds to the Oklahoma Tax Commission.

(6) Appropriation of funds to the Office of District Courts.

(7) Appropriation of funds to the State Department of Transportation.

(8) Adoption of Resolutions honoring the late John Miskelly, Jr., State Representative, including the naming of a Park in Choctaw, Oklahoma, in his honor.

(9) Adoption of a Joint Resolution referring to a vote of the people a proposed amendment to Article V, Section 26 of the Constitution of Oklahoma, stating time limits on the length of regular legislative sessions and stating matters which may be considered at regular legislative sessions.

By The Governor Of The State Of Oklahoma

s / David L. Boren
(Seal)

Attest:

Jerome W. Byrd
Secretary of State

SENATE OFFICERS — SENATE ORGANIZATION

The President announced that the organization and selection of Officers of the First Regular Session of the Thirty-sixth Legislature would continue as the organization and selection of Officers for the 36th Legislature in Extraordinary Session.

Senator Holden moved that the Rules of the Senate of the 36th Legislature in Regular Session be adopted as the Rules of the Senate in Extraordinary Session, which motion was declared adopted.

COMMITTEE REPORT

Senator Young, on behalf of the Com-

mittee on Employment and Administration, submitted the following report, which was adopted upon his motion.

Mr. President:

We, your Committee on Employment and Administration for members of the Senate, submit the following report, showing distance of each from his place of residence to the State Capitol, via reasonable passenger routes, and the amount of mileage due each at the rate of twelve cents (\$0.12) per mile each way:

Name	Address	Total Miles Round Trip	Amount Round Trip
Berrong, Ed	Weatherford	146	\$17.52
Birdsong, Jimmy	Oklahoma City	None	None
Boatner, Roy A.	Calera	332	39.84
Butler, Kenneth	Okmulgee	220	26.40
Capps, Gilmer N.	Snyder	278	33.36
Cate, Lee	Norman	52	6.24
Clifton, John L.	Shawnee	72	8.64
Crow, Herschal H.	Olustee	342	41.04
Dahl, John L.	Barnsdall	302	36.24
Dawson, Bill	Seminole	130	15.60
Field, Leon B.	Texhoma	574	68.88
Funston, Bob	Broken Arrow	228	27.36
Giles, Ray A.	Pocassett	90	10.80
Grantham, Roy E.	Ponca City	206	24.72
Green, Warren E.	Tulsa	240	28.80
Helm, Mary	Oklahoma City	None	None
Holden, Wayne M.	Duncan	200	24.00
Howard, Gene C.	Tulsa	240	28.80
Howell, James F.	Midwest City	None	None
Johnson, Joe	Heavener	420	50.40
Keating, Frank	Tulsa	240	28.80
Keller, E. W.	Oklahoma City	None	None
Kilpatrick, Don	Del City	None	None
Lamb, Norman A.	Enid	176	21.12
Lambert, Phil	Oklahoma City	None	None
Lane, Jim E.	Idabel	470	56.40
Luton, John D.	Muskogee	284	34.08
McCune, John R.	Oklahoma City	None	None
McDaniel, James W.	Fitzhugh	200	24.00
Martin, Ernest D.	Ardmore	210	25.20
Murphy, Robert M.	Stillwater	134	16.08
Pierce, Jerry T.	Bartlesville	330	39.60
Porter, E. Melvin	Oklahoma City	None	None
Randle, Rodger A.	Tulsa	240	28.80
Rozell, Herbert	Tahlequah	400	48.00

Name	Address	Total Miles Round Trip	Amount Round Trip
Schuelein, William M.	Miami	400	48.00
Shatwell, Bob R.	Tulsa	250	30.00
Smith, Finis W.	Tulsa	240	28.80
Stipe, Gene	McAlester	260	31.20
Taliaferro, Paul	Lawton	196	23.52
Terrill, Al	Lawton	204	24.48
Tinsley, Gideon	El Reno	80	9.60
Vann, Charles W.	Pauls Valley	124	14.88
Wadley, Robert L.	Claremore	254	30.48
Watson, Phil	Edmond	None	None
Wolfe, Stephen C.	Tulsa	240	28.80
York, Marvin	Oklahoma City	None	None
Young, John W.	Sapulpa	204	24.48

Respectfully submitted,
John Young, Chairman

FIRST READING

The following bills and resolution were introduced and read the first time:

SB 1 — By Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House.

An Act relating to the Oklahoma Tax Commission and making appropriations thereto; stating the purposes; prohibiting payments for prior years' obligations; re-appropriating certain funds; authorizing payments for services of state examiners and inspectors and limiting amount to be paid; providing for the appointment, duties and compensation of necessary personnel; limiting number of employees; limiting expenditures for salary and wages; allowing for the transfer of funds; creating the Motor Vehicle Registration Mailing Fund; directing that a statewide inventory of all tax-exempt industrial and commercial real property be made; amending 47 O.S. 1971, Section 22.22, as amended by Section 42 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature, which relates to the appointment of motor license agents and collection of certain fees; modifying certain provisions relating to certain fees; amending 47 O.S. 1971, Section 22.30h, as

amended by Section 49 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature, which relates to agents' motor vehicle tax accounts and the liability of agents; modifying the types of accounts, deposits made and reporting thereof; amending 47 O.S. 1971, Section 22.30n, as amended by Section 55 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature, which relates to annual financial statement and audits; modifying requirement that agents purchase or lease through the facilities of central purchasing; amending 47 O.S. 1971, Section 6-101, as last amended by Section 60 of Enrolled Senate Bill No. 265 of the 1st Session of the 36th Oklahoma Legislature, which relates to operators, commercial chauffeurs and chauffeurs licensing, fees, agents and renewals; modifying certain provisions relating to such license fees agents and renewals; providing lapse dates; directing codification; directing noncodification; providing severability; and declaring an emergency.

SB 2 — By Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House.

An Act relating to the Office of the Oklahoma Historical Society and making appropriations thereto; stating the purposes;

providing for the appointment and compensation of employees and designating the maximum salary for the Executive Director and limiting the number of employees; limiting expenditures for salaries and wages; redesignating the use of certain funds; transferring and reappropriating funds to the Oklahoma Historical Society from the Oklahoma Tourism and Recreation Department; reappropriating certain funds and stating purposes; directing compliance with federal expenditure laws; repealing 53 O.S. 1971, Section 15; providing lapse date; providing severability; and declaring an emergency.

SB 3 — By Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House.

An Act relating to the Department of Corrections and making appropriations thereto; stating the purposes; authorizing the appointment, duties and compensation of employees; limiting the number of full-time-equivalent employees; exempting certain positions and setting the compensation for such positions; placing other employees under the Merit System of Personnel Administration; providing for hazardous conditions positions; providing for grades and salaries of wardens; providing for the appointment of an industries sales organization; limiting the amount of funds that may be expended for salaries and wages; providing for transfer of personnel spaces and funds; providing authority to refer inmates to Pardon and Parole Board; providing for employee civil liability insurance or bond; setting maximum amounts for Petty Cash Funds; establishing special fund; reappropriating and redesignating certain funds; making appropriations for utilities and dormitory construction; making reappropriations; making appropriations; granting legislative authority for expenditures to be made; authorizing the acquisition of a facility in Sulphur; authorizing purchase of utility easements; authorizing leasing of residences for wardens; creating Joint

Legislative Commission and stating the purpose; amending 74 O.S. 1971, Section 85.12, as last amended by Section 1, Chapter 114, O.S.L. 1976 (74 O.S. Supp. 1976, Section 85.12), and Section 4, Chapter 211, O.S.L. 1975 (57 O.S. Supp. 1976, Section 218); authorizing establishment of two new community treatment facilities; making funds available for federal matching funds; authorizing agreements with agencies of the federal government; providing for kinds of inmates to be housed in certain institutions; providing lapse dates; setting effective date; repealing Section 4, Chapter 366, O.S.L. 1975, and 57 O.S. 1971, Section 526, as amended by Section 6, Chapter 221, O.S.L. 1973, Section 6, Chapter 244, O.S.L. 1976, and Section 23, Chapter 325, O.S.L. 1975 (57 O.S. Supp. 1976, Sections 504.1, 526, 534.1 and 540); providing severability; and declaring an emergency.

SB 4 — By Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House.

An Act relating to the State Department of Transportation; making an appropriation thereto; providing for transfer of funds and stating purpose; appropriating funds to match federal transportation planning grants; appropriating funds for the construction of a State Department of Libraries parking lot; specifying purposes for which dedicated funds shall be used; allocating funds for bridge replacement and construction programs; authorizing the appointment, number and compensation of personnel; limiting the expenditures for salaries and wages; making appropriations for the Oklahoma Aeronautics Commission; stating the purposes; providing for appointment, duties and compensation of Aeronautics Commission employees; designating the Aeronautics Commission Director's maximum salary; limiting the number of employees; limiting expenditures for salaries and wages; providing for the mowing of Goldsby Airport; specifying payment for audit-

ing accounts; providing for special maintenance projects; requiring allocation of certain funds by commissioners' districts; providing for obligation of funds; subjecting obligation of funds to certain provisions; providing for transfers and expenditures of Anti-Recession Fiscal Assistance Fund; providing for audit of expenditures from the Anti-Recession Fiscal Assistance Fund; providing lapse dates; making provisions of this act severable; and declaring an emergency.

SB 5 — By Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House.

An Act relating to the Oklahoma Tourism and Recreation Department and making appropriations thereto; stating the purposes; providing for the appointment, duties and compensation of officials and employees; specifying the salary of the Director of the Department of Tourism and Recreation; specifying the salaries of certain division directors; limiting number of full-time-equivalent employees with exception; limiting expenditures for salaries and wages; making reappropriations of certain funds; granting authority for continued negotiations for acquisition and/or the lease of the Turner Falls Recreation Area; providing for entrance and user fees; creating a revolving fund; prohibiting expenditures in leased state-owned lodges for certain purposes; providing for agreements with the federal government; authorizing the use of certain revolving funds; providing lapse dates; directing codification; providing severability; and declaring an emergency.

SJR 1 — By Crow, Holden, Stipe, Dawson, Helm and Watson of the Senate and Morgan, Camp, Twidwell, Parris and Cummings 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 26 of Article V of the Oklahoma Constitution; specifying when the Legislature shall convene; designating first and second regular sessions of the Legislature; limiting scope and length of second regular session of each Legislature; providing a ballot title; and directing filing.

SPECIAL COMMITTEE APPOINTED

President Pro Tempore Howard appointed the following as the official Senate Committee to attend the Legislative Memorial Service for the Honorable John Miskelly in the House Chamber at 2:00 p.m., Monday, June 13, 1977: Senators Howard, Birdsong, Boatner, Clifton, Crow, Dahl, Funston, Green, Helm, Holden, Howell, Keller, Kilpatrick, Lambert, McCune, Martin, Porter, Rozell, Shatwell, Stipe, Terrill, Watson, York and Young.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Tuesday, June 14, 1977, at 1:30 p.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 12:20 p.m. to meet Tuesday, June 14, 1977, at 1:30 p.m.

Second Legislative Day

Tuesday, June 14, 1977

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

Roll Call:

Present: Berrong, Birdsong, Boatner, Cate, Clifton, Crow, Dahl, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, York and Young.—35.

Excused: Butler, Capps, Dawson, Grantham, Johnson, Keating, Lamb, McDaniel, Porter, Stipe, Terrill, Watson and Wolfe.—13.

President Pro Tempore Howard declared a quorum present.

The following prayer was offered by Reverend Hogue and incorporated in the Journal upon request of Senator Young.

Thank You Father for our State and the tremendous heritage You have given us as Oklahomans. We appreciate so very much the unique way in which You have blessed us — and the way in which You show such care for every need of our lives.

Father as these men are considering so many things which will affect the lives of all our people, I pray for the special needs in their lives and the lives of all those who are part of the Senate.

Father I pray You will bless them, motivate them, fill them with Your presence. Give them an open and receptive heart to Your will. Help them to be in every way all You want them to be. In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

UNANIMOUS CONSENT REQUEST

Senator Lane asked unanimous consent, which was granted, that when SBs 1, 2, 3, 4 and 5 were read the second time they be referred direct to the Calendar.

SECOND READING

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

SB 1 — Direct to Calendar.

SB 2 — Direct to Calendar.

SB 3 — Direct to Calendar.

SB 4 — Direct to Calendar.

SB 5 — Direct to Calendar.

SJR 1 — Rules and then to County, State and Federal Government.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCRs 1001 and 1002.

HCR 1001 — By Willis, et al, of the House and Howard of the Senate.

A Concurrent Resolution designating Monday, June 13, 1977, as a day of tribute for Representative John Miskelly; ordering a special memorial service; and directing distribution.

HCR 1002 — By Willis, et al, of the House and Howard of the Senate.

A Concurrent Resolution renaming the Choctaw Creek Park in Choctaw, Oklahoma, as the John Miskelly, Jr., Park; expressing legislative sorrow on the recent death of Representative Miskelly; extending sympathy and condolences to his next of kin; requiring inclusion of this resolution in the permanent journals of both houses of the Legislature; and directing distribution.

WHEREAS, on June 9, 1977, the Honorable John Miskelly, Jr., lost his life due to a tragic accident; and

WHEREAS, he was a respected and beloved member of the Oklahoma House of Representatives for 13 years and served with honor and dedication as the Chairman of the House Appropriations and Budget Committee; and

WHEREAS, his sudden passing has left a conspicuous void in the deliberations and fellowship of the Legislature and particularly has meant the loss of a dear friend and colleague to the members of the House of Representatives; and

WHEREAS, the death of John Miskelly has meant the loss to the people of Oklahoma of one of their most compassionate and dedicated public servants; and

WHEREAS, the children of Oklahoma have lost a legislator devoted to quality education for every child in our state; and

WHEREAS, John Miskelly's innumerable public and private services and activities on behalf of the citizens of his district and people throughout Oklahoma were such that he won the well-deserved

admiration, respect and warm personal regard of all who were privileged to know him; and

WHEREAS, through his life, Representative Miskelly endeared himself to his colleagues and associates as a hard working, honest and conscientious man, devoted to the progress of his district and the entire State of Oklahoma; and

WHEREAS, mere words cannot express the true measure of our loss and bereavement yet it is fitting and proper that this legislative body, whose primary duty is the enactment of laws providing for the governance and welfare of the people of this state, pay homage and tribute to the memory of a pioneer public servant, friend and colleague, who gave unselfishly in the service of his fellow citizens and who served as a conscience for the members of the Oklahoma Legislature.

Now, therefore, be it resolved by the House of Representatives of the 1st Extraordinary Session of the 36th Oklahoma Legislature, the Senate concurring therein:

SECTION 1. In honor of the Honorable John Miskelly, Jr. the Legislature of the State of Oklahoma hereby renames and redesignates Choctaw Creek Park in Choctaw, Oklahoma, as the John Miskelly, Jr., Park because of Representative Miskelly's dedicated efforts to secure the park for the people of his community and as an ongoing tribute to the life of this great man.

SECTION 2. In the passing of the Honorable John Miskelly, Jr., the Legislature of the State of Oklahoma on its own behalf and on behalf of the people of the State of Oklahoma expresses its profound sorrow and extends its sympathy and condolences to his wife, Betty, and his children, John David and Jamie Lynn, his mother, Mrs. John Miskelly, Sr., and his three sisters

and to other members of the bereaved family.

SECTION 3. This Resolution shall be included in the permanent journals of the House of Representatives and the Senate of the 1st Extraordinary Session of the 36th Oklahoma Legislature as a memorial to a departed friend and fellow public servant.

SECTION 4. Duly authenticated copies of this Resolution shall be presented to his wife, Betty, and his children, John David and Jamie Lynn, and his mother, Mrs. John Miskelly, Sr., as a token of the sincere respect and admiration which the members of the Oklahoma Legislature hold for the Honorable John Miskelly, Jr.

PENDING SENATE ACTION — RESOLUTIONS

HCR 1001 by Willis, et al, of the House and Howard of the Senate was read and considered.

Senator Lane asked unanimous consent that all members of the Senate be made coauthors of HCR 1001, which was the order.

HCR 1001, as coauthored, was read at length, adopted upon motion of Senator Lane, properly signed and ordered returned to the Honorable House.

HCR 1002 by Willis, et al, of the House and Howard of the Senate was read and considered.

Senator Lane asked unanimous consent that all members of the Senate be made coauthors of HCR 1002, which was the order.

HCR 1002, as coauthored, was read at length, adopted upon motion of Senator Lane, properly signed and ordered returned to the Honorable House.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Wednesday, June 15, 1977, at 10:00 a.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 1:45 p.m. to meet Wednesday, June 15, 1977, at 10:00 a.m.



Third Legislative Day

Wednesday, June 15, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Vann, Wadley, York and Young.—39.

Excused: Crow, Grantham, Helm, Porter, Stipe, Terrill, Tinsley, Watson and Wolfe.—9.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Hogue and incorporated into the Journal upon request of Senator Young.

Father, there are so many things for which we are grateful and thankful, but most of all for You . . . and in the midst of all that is going on about us, Father, I pray You will cause us all to realize Your rightful position in our lives — understanding that our lives — the world — our State — every resource is Yours. Because of that fact, Father, we pray that every decision

that is made will be made with wills and minds and lives that are totally yielded to You.

Bless the Senate today — thank You for all You are going to allow them to accomplish. In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

INTRODUCTIONS

Senator Lane introduced his nephew, Chet Orr, to the Senate.

GENERAL ORDER

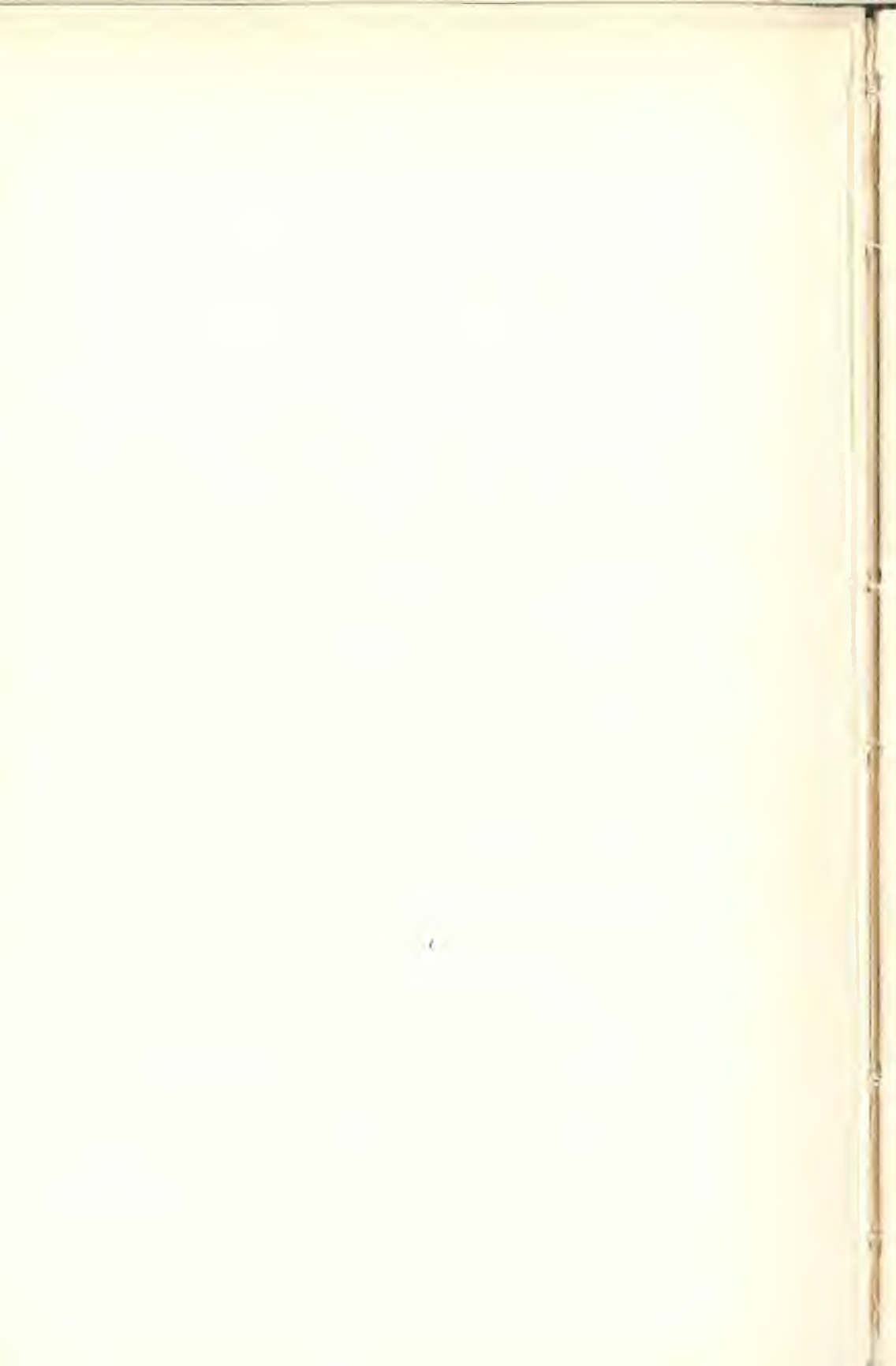
SB 1 by Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House was read and considered.

Senator Murphy moved to amend SB 1, Page 7, Line 24, by inserting after the word "Commission" and before the word "Fund" the word "Revolving", which amendment was declared adopted.

Senator Randle asked unanimous consent, which was granted, that further consideration of SB 1 be deferred temporarily.

GENERAL ORDER

SB 4 by Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House was read and considered.



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

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Giles, Green, Holden, Howard, Johnson, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Rozell, Schuelein, Shatwell, Smith, Taliaferro and Wadley.—26.

Nay: Birdsong, Funston, Helm, Howell, Keating, Keller, Kilpatrick, Lambert, McCune, Pierce, Randle, Vann, York and Young.—14.

Excused: Crow, Grantham, Porter, Stipe, Terrill, Tinsley, Watson and Wolfe.—8.

The bill passed.

Senators Randle, Howell, Vann, Keating, Keller and Young desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 8. Excused: 8.

The emergency passed.

SB 5 was referred for engrossment.

GENERAL ORDER

SB 2 by Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House was read and considered.

Senators Crow and Randle moved to amend SB 2, Page 8, Line 17, by adding after the figure "5," and before the figure "8," the figures "6, 7," which amendment was declared adopted.

Upon motion of Senator Randle, SB 2, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 2, as amended, was

considered engrossed and placed on third reading and final passage.

THIRD READING

SB 2 was read for the third time at length.

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

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Green, Helm, Holden, Howard, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Vann, Wadley and Young.—30.

Nay: Birdsong, Funston, Giles, Howell, Keating, Kilpatrick, Lambert, McCune, Randle and York.—10.

Excused: Crow, Grantham, Porter, Stipe, Terrill, Tinsley, Watson and Wolfe.—8.

The bill passed.

Senators Howell and Randle desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32. Nay: 8. Excused: 8.

The emergency passed.

SB 2 was referred for engrossment.

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

GENERAL ORDER

SB 1 was considered further.

Upon motion of Senator Randle, SB 1, as amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 1, as amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 1 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keller, Kilpatrick, Lamb, Lane, Luton, McCune, McDaniel, Martin, Murphy, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Vann, Wadley, York and Young.—38.

Nay: Keating and Pierce.—2.

Excused: Crow, Grantham, Lambert, Stipe, Terrill, Tinsley, Watson and Wolfe.—8.

The bill passed.

Senators Keating and Lambert desired to vote aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 40. Nay: 1. Excused: 7.

The emergency passed.

SB 1 was referred for engrossment.

GENERAL ORDER

SB 3 by Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House was read and considered.

Senator Shatwell asked to be made a co-author of SB 3, which was the order.

Senator Randle moved to amend SB 3, Page 11, Line 11½, by adding a new Section 11 as follows:

“SECTION 11. Because of the promulgation of federal laws which provide for civil liability of state officers and employees for acts occurring during the performance of their official duties, and because of the necessity of promoting employment with the State of Oklahoma and protecting the employees of the state from liability for acts performed in conjunction with their official duties, 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, 1976, not otherwise appropriated, the sum of Ninety Thousand Dollars (\$90,000.00), or so much thereof as may be required for the purposes herein provided. As to any action commenced pursuant to Section 1983 of Title 42 of the United States Code, a judgment rendered against any state officer or employee entitled to and receiving the free defense services of the Attorney General before the effective date of this act, or any such judgment presently on appeal, may be satisfied from sums appropriated herein, and the State of Oklahoma hereby consents to and authorizes indemnification of said state officers or employees for acts within the scope of their official duties to the extent of the sums appropriated in this section.”

Senator Smith presiding.

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

Senator Field moved to table the Randle amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Cate, Clifton, Dahl, Field, Giles, Green, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lambert, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Rozell, Schuelein, Tinsley and Vann.—25.

Nay: Birdsong, Butler, Capps, Dawson, Funston, Johnson, Lane, Porter, Randle, Shatwell, Smith, Taliaferro, Wadley, York and Young.—15.

Excused: Crow, Grantham, Helm, Lamb, Stipe, Terrill, Watson and Wolfe.—8.

Senator Wadley presiding.

Senator Keller moved to amend SB 3, Page 16, Line 17, by adding after the word "findings" a new Section 24 as follows:

"SECTION 24. Prisoners released by authorities other than the State of Oklahoma shall be transported to and released within the District of Columbia. Should any prisoner return to the Sovereign State of Oklahoma, that prisoner must be immediately reincarcerated and serve the remainder of his or her sentence as it existed at the time of release."

which amendment was withdrawn upon request of Senator Keller.

Senators Crow and Randle moved to amend SB 3, Page 19, Line 17, by inserting after the word "1st" and before the word "Session" the word "Extraordinary", which amendment was declared adopted.

Upon motion of Senator Randle, SB 3, as coauthored and amended, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, SB 3, as coauthored and amended, was considered engrossed and placed on third reading and final passage.

THIRD READING

SB 3 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Tinsley, Vann, Wadley, York and Young.—40.

Excused: Crow, Grantham, Helm, Lamb, Stipe, Terrill, Watson and Wolfe.—8.

The bill and emergency passed.

SB 3 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED BILLS

SBs 1, 2, 3, 4 and 5 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator Lane moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Thursday, June 16, 1977, at 10:00 a.m., which motion prevailed.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed HBs 1001 and 1002 and HJR 1002.

HB 1001 — By Davis (Don), et al, of the House and Crow, Randle and Howard of the Senate.

An Act relating to schools; making appropriations to the State Board of Education; stating the purposes of appropriations made; providing schedule of support of certain public school activities; amending 70 O.S. 1971, Sections 4-101, as amended by Section 1, Chapter 155, O.S.L. 1972, 18-114 and 18-109, as last amended by Sections 17 and 23, Chapter 273, O.S.L. 1976 (70 O.S. Supp. 1976, Sections 4-101, 18-114 and 18-

109); modifying length of term and qualifications for office of county superintendents of schools; providing for abolishment of office under certain conditions; providing a schedule of minimum salaries for certain teachers; modifying the calculation of state aid; stating legislative intent for use of previously appropriated funds; providing funds for artists-in-schools programs; providing for apportionment of funds for school lunch matching; providing funds for special education for certain physically impaired students; providing for disbursement of funds allocated for reimbursement for cost of educating homebound children; providing for apportionment and disbursement of funds allocated for minimum revenue guarantee; providing for apportionment of funds for textbooks; stating legislative intent on use of funds allocated for special education and gifted and talented programs; providing for allocation of funds for teachers' and support personnel's salary increases; providing for payment of funds allocated for elementary counseling; providing for expenditure of funds allocated for prescriptive teaching centers; authorizing expenditure of certain surplus funds; authorizing school districts to make certain payroll deductions; providing for sewage disposal systems; providing for expenditure of federal funds by local boards of education; providing for audit of federal revenue sharing funds; providing for proportionate reduction or withholding of funds to districts under certain conditions; providing lapse date; directing codification; providing severability; and declaring an emergency.

HB 1002 — By Davis (Don) and Willis of the House and Crow, Randle and Howard of the Senate.

An Act relating to courts; making appropriations to the Office of District Courts and stating the purposes; prescribing limits on numbers of employees within certain categories and salary limits; authorizing use of all funds appropriated for federal matching purposes; establishing status of certain court reporters; providing lapse date; directing codification; providing severability; and declaring an emergency.

HJR 1002 — By Willis, et al, of the House and Howard of the Senate.

A Joint Resolution to rename and redesignate the Choctaw Creek Park in Choctaw, Oklahoma, as the John Miskelly, Jr. State Park; and directing placing of suitable markers.

The above numbered HBs and HJR were read for the first time.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCRs 1001 and 1002.

The above numbered Enrolled Resolutions were properly signed and ordered returned to the Honorable House.

Upon motion of Senator Lane, the Senate adjourned at 2:15 p.m. to meet Thursday, June 16, 1977, at 10:00 a.m.

Fourth Legislative Day

Thursday, June 16, 1977

Pursuant to adjournment, the Senate was called to order by Senator Wadley, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Clifton, Dahl, Dawson, Field, Funston, Green, Helm, Holden, Howell, Johnson, Kilpatrick, Lamb, Lambert, McCune, McDaniel, Martin, Pierce, Randle, Rozell, Schuelein, Shatwell, Stipe, Taliaferro, Tinsley, Vann, Wadley, York and Young.—30.

Excused: Boatner, Butler, Capps, Cate, Crow, Giles, Grantham, Howard, Keating, Keller, Lane, Luton, Murphy, Porter, Smith, Terrill, Watson and Wolfe.—18.

Senator Wadley declared a quorum present.

The following prayer was offered by Reverend Hogue and incorporated into the Journal upon request of Senator Young.

Father, we pause to praise You this morning and thank You for loving us and being so deeply concerned about every minute detail of our lives.

Father, I want to thank You for each one of these people who make up the Senate and pray Your fullest blessings upon their lives.

Lord, You tell us in Your word that You hold the heart of the King in Your hand and turn it as a river as You will — and I pray You will do that to each of our lives. Keep us exactly where You want us doing Your exact will.

Thank You once again for loving us — bless the Senate today. In Jesus' name, Amen.

ANNOUNCEMENT

Senator McCune announced to the members of the Senate the birth of Senator and Mrs. Wolfe's son, Stephen Charles Wolfe, II, born June 15, and asked unanimous consent that young Stephen be named honorary President Pro Tempore of the Senate for this legislative day, which was the order.

UNANIMOUS CONSENT REQUEST

Senator Holden asked unanimous consent, which was granted, that HB 1001, HB 1002 and HJR 1002 be referred direct to the Calendar when they are read the second time.

SECOND READING

The following were read the second time and referred to the committees indicated.

HB 1001 — Direct to Calendar.

HB 1002 — Direct to Calendar.

HJR 1002 — Direct to Calendar.

Senator Holden moved that, when the clerk's desk is clear, the Senate stand adjourned to meet Friday, June 17, 1977, at 10:00 a.m., which motion prevailed.

Upon motion of Senator Holden, the Senate adjourned at 10:15 a.m. to meet Friday, June 17, 1977, at 10:00 a.m.

Fifth Legislative Day

Friday, June 17, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—44.

Excused: Crow, Grantham, Watson and Wolfe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Hogue and incorporated into the Journal upon request of Senator Young.

Father, there is no way to say to You how very much we love You and thank You for all the tremendous ways in which You have blessed our lives. I know, of course, that the best way to show our love is to be willing to really commit our lives to You and allow You to have absolute control in every area. And realizing all that You have done to reveal Yourself to us — it is

very simple for us to make that commitment.

So, Father, accept our love and the commitment of our lives to You. Bless this day and fill it with Your presence. In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

Senator Wadley presiding.

INTRODUCTION

Senator Wadley introduced Nathan Shatwell, son of Senator Shatwell, and asked unanimous consent, which was granted, that young Nathan be named Honorary Page for this legislative day and granted privileges of the floor.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1003.

HCR 1003 — By Townsend, et al, of the House and Lane of the Senate.

A Concurrent Resolution fixing the day of the sine die adjournment of the 1st Extraordinary Session of the Thirty-sixth Oklahoma Legislature.

GENERAL ORDER

HB 1001 by Davis (Don), et al, of the

House and Crow, Randle and Howard of the Senate was read and considered.

Senator Murphy asked to be made a co-author of HB 1001, which was the order.

Senators Helm and Pierce moved to amend HB 1001, Page 3, Line 3, by striking the figure "\$175,732,515.00" and substituting therefor the figure "\$174,132,515.00"; and on Line 17, by striking the figure, "\$3,250,000.00", and substituting therefor the figure "\$5,800,000.00"; and on Line 20, by striking the figure "\$1,600,000.00", and substituting therefor the figure "\$1,400,000.00"; and on Line 21, by striking the figure "\$3,050,000.00", and substituting therefor the figure "\$2,300,000.00".

Senator Randle moved to table the Helm-Pierce amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Holden, Howard, Howell, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Martin, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann and Wadley.—30.

Nay: Birdsong, Dawson, Green, Helm, Keating, Kilpatrick, Lambert, McCune, Murphy, Pierce, Porter, Stipe, York and Young.—14.

Excused: Crow, Grantham, Watson and Wolfe.—4.

Upon motion of Senator Randle, HB 1001, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, HB 1001, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1001 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—43.

Excused: Crow, Grantham, Howard, Watson and Wolfe.—5.

The bill and emergency passed.

HB 1001 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1002 by Davis (Don) and Willis of the House and Crow, Randle and Howard of the Senate was read and considered.

Senator Young moved to amend HB 1002, Page 2, Lines 30 and 31, by deleting all words and figures.

Senator Randle moved to table the Young amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley and York.—32.

Fifth Legislative Day

Friday, June 17, 1977

Pursuant to adjournment, the Senate was called to order by Senator Luton, who was designated so to do by the President Pro Tempore.

Roll Call:

Present: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howard, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—44.

Excused: Crow, Grantham, Watson and Wolfe.—4.

Senator Luton declared a quorum present.

The following prayer was offered by Reverend Hogue and incorporated into the Journal upon request of Senator Young.

Father, there is no way to say to You how very much we love You and thank You for all the tremendous ways in which You have blessed our lives. I know, of course, that the best way to show our love is to be willing to really commit our lives to You and allow You to have absolute control in every area. And realizing all that You have done to reveal Yourself to us — it is

very simple for us to make that commitment.

So, Father, accept our love and the commitment of our lives to You. Bless this day and fill it with Your presence. In Jesus' name, Amen.

The Journal for the last legislative day was declared approved.

Senator Wadley presiding.

INTRODUCTION

Senator Wadley introduced Nathan Shatwell, son of Senator Shatwell, and asked unanimous consent, which was granted, that young Nathan be named Honorary Page for this legislative day and granted privileges of the floor.

MESSAGE FROM THE HOUSE

Advising adoption of and transmitting for consideration Engrossed HCR 1003.

HCR 1003 — By Townsend, et al, of the House and Lane of the Senate.

A Concurrent Resolution fixing the day of the sine die adjournment of the 1st Extraordinary Session of the Thirty-sixth Oklahoma Legislature.

GENERAL ORDER

HB 1001 by Davis (Don), et al, of the

House and Crow, Randle and Howard of the Senate was read and considered.

Senator Murphy asked to be made a co-author of HB 1001, which was the order.

Senators Helm and Pierce moved to amend HB 1001, Page 3, Line 3, by striking the figure "\$175,732,515.00" and substituting therefor the figure "\$174,132,515.00"; and on Line 17, by striking the figure, "\$3,250,000.00", and substituting therefor the figure "\$5,800,000.00"; and on Line 20, by striking the figure "\$1,600,000.00", and substituting therefor the figure "\$1,400,000.00"; and on Line 21, by striking the figure "\$3,050,000.00", and substituting therefor the figure "\$2,300,000.00".

Senator Randle moved to table the Helm-Pierce amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Field, Funston, Giles, Holden, Howard, Howell, Johnson, Keller, Lamb, Lane, Luton, McDaniel, Martin, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley, Vann and Wadley.—30.

Nay: Birdsong, Dawson, Green, Helm, Keating, Kilpatrick, Lambert, McCune, Murphy, Pierce, Porter, Stipe, York and Young.—14.

Excused: Crow, Grantham, Watson and Wolfe.—4.

Upon motion of Senator Randle, HB 1001, as coauthored, was advanced to engrossment.

By unanimous consent, upon request of Senator Randle, HB 1001, as coauthored, was considered engrossed and placed on third reading and final passage.

THIRD READING

HB 1001 was read for the third time at length.

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

Aye: Berrong, Birdsong, Boatner, Butler, Capps, Cate, Clifton, Dahl, Dawson, Field, Funston, Giles, Green, Helm, Holden, Howell, Johnson, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McCune, McDaniel, Martin, Murphy, Pierce, Porter, Randle, Rozell, Schuelein, Shatwell, Smith, Stipe, Taliaferro, Terrill, Tinsley, Vann, Wadley, York and Young.—43.

Excused: Crow, Grantham, Howard, Watson and Wolfe.—5.

The bill and emergency passed.

HB 1001 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1002 by Davis (Don) and Willis of the House and Crow, Randle and Howard of the Senate was read and considered.

Senator Young moved to amend HB 1002, Page 2, Lines 30 and 31, by deleting all words and figures.

Senator Randle moved to table the Young amendment, which motion to table was declared adopted upon roll call as follows:

Aye: Berrong, Birdsong, Butler, Capps, Cate, Clifton, Dahl, Dawson, Funston, Giles, Holden, Howard, Howell, Keating, Keller, Kilpatrick, Lamb, Lambert, Lane, Luton, McDaniel, Martin, Murphy, Randle, Rozell, Schuelein, Shatwell, Smith, Taliaferro, Terrill, Tinsley and York.—32.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SB 3.

The above numbered Enrolled Bill was referred to the Governor.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled HCR 1003.

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

The Clerk announced that his desk was clear, whereupon, as provided under the Lane motion and HCR 1003, the Senate of the First Extraordinary Session of the Thirty-sixth Legislature adjourned sine die.

INDEX OF BILLS AND RESOLUTIONS

SENATE BILLS

SB 1 — By Crow, Randle and Howard of the Senate and Davis (Don) and Willis of the House — An Act relating to the Oklahoma Tax Commission and making appropriations thereto ... amending 47 O.S. 1971, Section 22.22, as amended ... Section 22.30h, as amended ... Section 22.30n, as amended ... Section 6-101, as last amended ... emergency.

1st Reading 4
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 Considered, passed, referred 13
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