

# Senate Journal

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

**Twenty-fifth Legislative Day, Monday, March 17, 2008**

The Senate was called to order by Senator Leftwich.

Roll Call:

Present: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sweeden, Sykes, Williamson, Wilson and Wyrick.—45.

Excused: Adelson, Sparks and Wilcoxson.—3.

Senator Leftwich declared a quorum present.

The prayer was offered by Reverend Buddy Hunt, Immanuel Baptist Church, Duncan, the guest of Senator Sykes.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 1150, 1505, 1529, 1669, 1735, 1858, 1910, 1959, 1987, 2093, 2100, 2111** and **2119** and **SCR 61** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SCR 57** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### INTRODUCTIONS

Senator Sweeden introduced his wife, Sheila, and his daughters, Delaney and Andie; and Senator Rabon introduced his children, Jackson and Berrie, to the Senate. Senator Rabon asked unanimous consent, which was granted, that Jackson and Berrie be named Honorary Co-President Pro Tempores for this legislative week.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Burrage asked unanimous consent to suspend Rule 6-4 and refer **SCR 59** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 59** by Burrage of the Senate and Hoskin of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 59**, which was the order.

**SCR 59** was adopted upon motion of Senator Burrage and referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Corn asked unanimous consent to suspend Rule 6-4 and refer **SCR 55** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 55** by Corn and Lerblance of the Senate and Brannon of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 55**, which was the order.

**SCR 55** was adopted upon motion of Senator Corn and referred for engrossment.

**MESSAGE FROM THE HOUSE  
HAs TO SENATE BILLS**

Advising passage of and returning the following engrossed bill as amended:

**SB 706** - coauthored by Lamons of the House

House amendments were read on the above-numbered bill.

**MESSAGES FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 57**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising passage of and returning the following Engrossed resolution:

**SCR 60** - coauthored by all House members

The above-numbered measure was referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HBs 1677, 1789, 1903, 2074, 2199, 2211, 2227, 2232, 2240, 2458, 2462, 2466, 2486, 2513, 2606, 2658, 2674, 2704, 2714, 2715, 2736, 2754, 2763, 2778, 2783, 2793, 2805, 2810, 2813, 2863, 2892, 2953, 2954, 3060, 3068, 3070, 3076, 3099, 3100, 3109, 3110, 3115, 3142, 3145, 3149, 3158, 3159, 3164, 3229, 3236, 3253, 3268, 3273, 3279, 3303, 3333, 3336, 3350, 3391, 3394 and 3395 and HJR 1081, 1084 and 1089 and HCR 1060**.

**HB 1677** – By Hickman and Miller of the House and Mazzei of the Senate.

An Act relating to state government; creating the Administrative Services Agency Task Force; providing for membership; providing for appointment of chair; providing for travel reimbursement; providing for administrative support; providing for duties; requiring report; providing for noncodification; and declaring an emergency.

**HB 1789** – By Trebilcock, Kern and Tibbs of the House and Brown of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-104, which relates to sick leave; updating and clarifying statutory language; authorizing school districts to give teachers payment or carryover for unused sick leave; providing an effective date; and declaring an emergency.

**HB 1903** – By Hamilton of the House and Leftwich of the Senate.

An Act relating to public health and safety; authorizing nursing home facilities to contact certain persons in certain circumstances; prohibiting the State Department of Health from using certain action for inspection or investigation purposes; providing for codification; and providing an effective date.

**HB 2074** – By Sears, Cannaday, Martin (Steve) and Banz of the House and Brown of the Senate.

An Act relating to the Teachers' Retirement System of Oklahoma; amending 70 O.S. 2001, Section 17-116.10, as last amended by Section 4, Chapter 315, O.S.L. 2004 (70 O.S. Supp. 2006, Section 17-116.10), which relates to post-retirement earnings limitations; modifying earnings limitations; providing an effective date; and declaring an emergency.

**HB 2199** – By Carey, Dorman, Jackson, Brannon and Smithson of the House and Gumm of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 238.1, which relates to collection of income taxes from certain persons; modifying notification requirement; amending 68 O.S. 2001, Section 1356, as last amended by Section 5, Chapter 353, O.S.L. 2007 (68 O.S. Supp. 2007, Section 1356), which relates to Oklahoma sales tax; modifying applicability of certain sales tax exemptions; creating a sales tax exemption for certain organizations; providing an effective date; and declaring an emergency.

**HB 2211** – By Kern, Reynolds, Sullivan, Dank, Enns, Johnson (Dennis), Terrill and Tibbs of the House and Williamson and Brogdon of the Senate.

An Act relating to schools; creating the Religious Viewpoints Antidiscrimination Act; requiring school districts to treat student expression in certain manner; directing school districts to adopt a limited public forum for student speakers policy; stating purpose of the policy; listing certain provisions; requiring school district disclaimers to be provided at certain events; prohibiting the exclusion of religious expression from the limited public forum; allowing student religious expression in class assignments; specifying standards for judging homework and classroom assignments; allowing students to organize religious groups and activities; specifying treatment of religious groups; allowing school districts to disclaim school sponsorship of student groups; requiring school districts to adopt and implement a limited public forum and voluntary student expression of religious viewpoints policy; specifying that school districts adopting the model policy are compliant with the act; setting forth the Model Religious Viewpoints Antidiscrimination Policy; defining term; providing for student expression of religious viewpoints; providing for student speakers at nongraduation events; establishing public forum limits; providing for notification of eligible students; specifying subject limitations; requiring distribution of a school district disclaimer; allowing certain student speakers based on special positions of honor; providing for student speakers at graduation ceremonies; establishing limited public forum; specifying student eligibility criteria; specifying topic limitations; allowing certain student speakers based on special positions of honor; specifying subject matter; requiring a written disclaimer on graduation programs; providing for religious expression in class assignments; requiring homework and classroom work to be judged on certain standard; providing for the freedom to organize religious groups and activities; specifying treatment of religious groups; allowing school districts to disclaim sponsorship of groups and events; providing for codification; providing an effective date; and declaring an emergency.

**HB 2227** – By Smithson, Hilliard, Armes, Banz, BigHorse, Brown, Collins, Coody, Glenn, Hamilton, Harrison, Hoskin, Hyman, Inman, Kiesel, Luttrell, McMullen, Proctor, Renegar, Reynolds, Roan, Rousselot, Shoemake, Trebilcock and Wesselhoft of the House and Corn of the Senate.

An Act relating to soldiers and sailors; prohibiting the pretense of veteran status in order to receive benefits; making impersonation a felony; providing for codification; and providing an effective date.

**HB 2232** – By Ellis, Harrison, McMullen, Shannon, Dorman, Smithson and Walker of the House and Gumm of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Sections 1289.19, 1289.20, 1289.21, and 1289.22, which relate to firearms and ammunition; modifying definitions; expanding certain prohibitions pertaining to bullets to include armor-piercing bullets; modifying exceptions; amending 21 O.S. 2001, Sections 1290.6 and 1290.9, as amended by Section 7, Chapter 465, O.S.L. 2003 (21 O.S. Supp. 2007, Section 1290.9), which relate to the Oklahoma Self-Defense Act; expanding prohibited ammunition; modifying eligibility requirements; and providing an effective date.

**HB 2240** – By Schwartz of the House and Branan of the Senate.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 4026, which relates to contracts; modifying existing Department of Transportation contracts requirement to include minimum payment percentage; and providing an effective date.

**HB 2458** – By Schwartz of the House and Laster of the Senate.

An Act relating to The Governmental Tort Claims Act; amending 51 O.S. 2001, Section 152, as last amended by Section 1, Chapter 139, O.S.L. 2007 (51 O.S. Supp. 2007, Section 152), which relates to definitions; modifying definition; and providing an effective date.

**HB 2462** – By Ingmire, Braddock, Shumate and McMullen of the House and Schulz of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Sections 4450 and 4451, as amended by Section 2, Chapter 293, O.S.L. 2002 (70 O.S. Supp. 2007, Section 4451), which relate to the Quartz Mountain Arts and Conference Center and Nature Park; modifying definitions; deleting obsolete language; stating representation of the board of trustees for the Quartz Mountain Arts and Conference Center and Nature Park; changing membership of the board of trustees; providing for selection and appointment of members of the board of trustees; establishing terms for appointed members of the board of trustees; specifying qualifications for certain appointed members of the board of trustees; specifying employment requirements of certain members of the board of trustees; directing the board of trustees to work with the consortium higher education institutions to provide certain programs and courses; providing an effective date; and declaring an emergency.

**HB 2466** – By Wright of the House and Aldridge of the Senate.

An Act relating to sunset; amending 74 O.S. 2001, Section 3903, as amended by Section 1, Chapter 331, O.S.L. 2002 (74 O.S. Supp. 2007, Section 3903), which relates to the termination of certain statutory entities; re-creating certain entities; modifying list of statutory entities subject to re-creation; and modifying termination date.

**HB 2486** – By Cooksey, Kern, Peterson (Pam) and Tibbs of the House and Williamson of the Senate.

An Act relating to the Council on Judicial Complaints; amending 20 O.S. 2001, Sections 1653 and 1654, which relate to membership, appointment, and tenure; increasing number of members; increasing number who shall be attorneys; increasing quorum

requirement; providing for appointment by Governor; modifying tenure; and providing an effective date.

**HB 2513** – By Murphey, Jett and Duncan of the House and Brogdon of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1277, as amended by Section 2, Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2007, Section 1277), which relates to unlawful carry of concealed handguns in certain places; providing exception to certain concealed carry handgun restriction; requiring written notification to certain persons; authorizing the establishment of certain policies or rules for public colleges and universities; and providing an effective date.

**HB 2606** – By Peterson (Pam), Inman, Sherrer, Kern, Reynolds, Terrill and Tibbs of the House and Brogdon of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1171, which relates to loitering; making certain acts unlawful; providing penalty; defining phrase; and providing an effective date.

**HB 2658** – By Jordan, Kern, Lamons, Morrisette, Shumate, Sears, Sherrer and Wesselhoft of the House and Ivester of the Senate.

An Act relating to higher education; providing for refund of tuition and fees for certain students; stating eligibility requirements; providing for refund of tuition fees for students that meet certain criteria; providing notice requirements; providing for grade of incomplete on coursework; providing for academic status upon return; providing for codification; providing an effective date; and declaring an emergency.

**HB 2674** – By Morgan of the House and Ivester of the Senate.

An Act relating to cities and towns; modifying general powers of municipalities; requiring certification training for certain municipal employees; providing for codification; and providing an effective date.

**HB 2704** – By Steele, Dank, Hilliard, McDaniel (Jeannie), Terrill, Hickman, Kern, Tibbs and Denney of the House and Adelson of the Senate.

( request for proposal – long-term care facility – codification - effective date )

**HB 2714** – By Billy, Jett and Collins of the House and Paddack of the Senate.

( revenue and taxation - amending 68 O.S., Section 1356 - Oklahoma sales tax - effective date – emergency )

**HB 2715** – By Auffet and Sullivan of the House and Wilson of the Senate.

An Act relating to costs; amending 11 O.S. 2001, Sections 14-111, as last amended by Section 2, Chapter 61, O.S.L. 2006 and 28-124 (11 O.S. Supp. 2007, Section 14-111), which relate to municipal fines and court costs; increasing per diem rate for satisfaction of certain fines, fees, and costs in certain circumstances; amending 28 O.S. 2001, Section 101, which relates to court costs; increasing per diem rate for satisfaction of certain fines, fees, and costs; amending 57 O.S. 2001, Section 58.3, which relates to fine or cost credits for

prisoner labor; increasing per diem rate for satisfaction of certain fines and court costs; and providing an effective date.

**HB 2736** – By Renegar of the House and Corn of the Senate.  
( professions and occupations – license fees – effective date – emergency )

**HB 2754** – By Dank and Denney of the House and Leftwich of the Senate.

An Act relating to long-term care; amending 63 O.S. 2001, Section 330.58, as last amended by Section 11, Chapter 347, O.S.L. 2007 (63 O.S. Supp. 2007, Section 330.58), which relates to duties of the Oklahoma State Board of Examiners for Long-Term Care Administrators; providing for the generation of complaints by the Board or staff; specifying certain enforcement; amending Sections 4 and 5, Chapter 168, O.S.L. 2005, as amended by Sections 11 and 12, Chapter 291, O.S.L. 2006 (63 O.S. Supp. 2007, Sections 330.64 and 330.65), which relate to long-term care administrators; eliminating requirements for extension of certain time period; modifying complaint procedures; establishing a probable cause committee to review complaints and make recommendations; specifying certain powers of the Director of the Oklahoma State Board of Examiners for Long-Term Care Administrators; providing for confidentiality of records; specifying exceptions; providing for informal resolution process; providing for notice and hearing; providing for certain recusal; and providing an effective date.

**HB 2763** – By Cox of the House and Ford of the Senate.

An Act relating to public health and safety; amending 59 O.S. 2001, Sections 493.2 and 493.4, as last amended by Sections 4 and 5, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2007, Sections 493.2 and 493.4), which relate to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act; modifying foreign application requirements; providing for additional special license; amending 63 O.S. 2001, Section 1-218.1, which relates to travel expenses and reimbursement for employees of city-county health departments; providing for issuance of credit cards to employees of a city-county health department; limiting chargeable expenses; defining term; specifying payment procedures for charges; providing for receipts; providing for certain form developed by the State Auditor and Inspector; providing for procedures for form and recording of certain information; prohibiting reimbursement under certain circumstance; amending 59 O.S. 2001, Section 2306, which relates to the Oklahoma Licensed Pedorthists Act; modifying licensure requirements; providing for codification; and declaring an emergency.

**HB 2778** – By DeWitt and Kiesel of the House and Justice of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 18-245, which relates to the Oklahoma Sorghum Resources Act; providing exemption for the collection of fees; providing an effective date; and declaring an emergency.

**HB 2783** – By Smithson, Cooksey, Kern, Peterson (Pam), Terrill, Tibbs and Brannon of the House and Corn of the Senate.

An Act relating to sex offenders; amending Section 26, Chapter 261, O.S.L. 2007 and 57 O.S. 2001, Section 583, as last amended by Section 27, Chapter 261, O.S.L. 2007 (57 O.S. Supp. 2007, Sections 582.5 and 583), which relate to the Sex Offenders Registration



Act; requiring risk assessment review committee to review and assign numeric risk levels to certain persons; requiring written notification of assignment; requiring local law enforcement to forward registration information of certain persons to the risk assessment review committee; and declaring an emergency.

**HB 2793** – By Bengé of the House and Johnson (Mike) of the Senate.  
( tax-sheltered annuity accounts - amending 70 O.S., Section 6-101.1 - elective deferrals - effective date – emergency )

**HB 2805** – By Brown of the House and Wilson of the Senate.  
( public health and safety - Oklahoma Health Records Efficiency Act – codification - effective date )

**HB 2810** – By Peterson (Pam), BigHorse, Kern, Pittman and Peters of the House and Laster of the Senate.

An Act relating to marriage; creating the Protective Parent Reform Act; prohibiting certain circumstances to act as a cause for the modification of custody; providing for codification; and providing an effective date.

**HB 2813** – By Watson, McMullen, Hoskin and Kiesel of the House and Laughlin of the Senate.

( electric utilities - amending 17 O.S., Section 286 - transmission upgrades - capital expenditures - effective date )

**HB 2863** – By Shelton, BigHorse, Pittman and Sherrer of the House and Leftwich of the Senate.

An Act relating to children; creating Demarion’s Law; providing for mandated liability insurance for child care facilities under the Oklahoma Child Care Facilities Licensing Act; specifying coverage; providing for proof of coverage; directing the Department of Human Services to promulgate rules establishing certain form; providing exception for mandated coverage; providing for certain form; providing for suspension of license; exempting certain persons; providing for codification; and providing an effective date.

**HB 2892** – By Morrissette, Shumate and Jackson of the House and Wilson of the Senate.

An Act relating to schools; allowing certain students to enroll in an aviation maintenance technology program offered by technology center school districts; requiring students to meet eligibility requirements; providing for codification; providing an effective date; and declaring an emergency.

**HB 2953** – By Tibbs of the House and Corn of the Senate.

An Act relating to prisons and reformatories; amending 51 O.S 2001, Section 152, as last amended by Section 1, Chapter 139, O.S.L. 2007 (51 O.S. Supp. 2007, Section 152), which relates to The Governmental Tort Claims Act; modifying definition; amending 57 O.S. 2001, Section 37, as amended by Section 3, Chapter 239, O.S.L. 2004 (57 O.S. Supp. 2007, Section 37), which relates to capacity of correctional facilities; giving Department of



Corrections sole discretion in scheduling receptions; amending 57 O.S. 2001, Section 58.3, which relates to credits for prisoner labor; increasing credit amount; and providing an effective date.

**HB 2954** – By Tibbs of the House and Johnson (Constance) of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Sections 332.8 and 332.18, as amended by Section 18, Chapter 22, O.S.L. 2002 (57 O.S. Supp. 2007, Section 332.18), which relate to conditions for parole; deleting certain condition from consideration by the Pardon and Parole Board; expanding scope of medical parole review process to include certain inmates; and providing an effective date.

**HB 3060** – By Hamilton, Reynolds, Walker, Kern, Peterson (Pam), Terrill and Faught of the House and Gumm of the Senate.

( public health and safety - umbilical cord blood bank – codification - effective date )

**HB 3068** – By Shannon of the House and Barrington of the Senate.

( economic development - public transportation – tax credit – codification – effective date )

**HB 3070** – By Shannon, Joyner, Luttrell and Pittman of the House and Barrington of the Senate.

An Act relating to amusements and sports; amending 3A O.S. 2001, Sections 601, 602, 603, 604.1, as last amended by Section 1, Chapter 26, O.S.L. 2005, 604.2, 605, as last amended by Section 1, Chapter 178, O.S.L. 2007, 606, as amended by Section 2, Chapter 178, O.S.L. 2007, 607, 609, 610, 611, 612, 613, 614, 615, 616, as amended by Section 2, Chapter 462, O.S.L. 2005, 617, as last amended by Section 3, Chapter 462, O.S.L. 2005, 619 and 622, as last amended by Section 3, Chapter 184, O.S.L. 2004 (3A O.S. Supp. 2007, Sections 604.1, 605, 606, 616, 617 and 622), which relate to the Oklahoma Professional Boxing Licensing Act; renaming the Oklahoma Professional Boxing Licensing Act the Oklahoma State Athletic Commission Act; renaming the Oklahoma Professional Boxing Commission the Oklahoma State Athletic Commission; providing the mission of the Commission; updating language of act to reflect the name change; amending 74 O.S. 2001, Section 3906, as amended by Section 1, Chapter 24, O.S.L. 2005 (74 O.S. Supp. 2007, Section 3906), which relates to sunset; renaming the Oklahoma Professional Boxing Commission the Oklahoma State Athletic Commission; providing an effective date; and declaring an emergency.

**HB 3076** – By Dorman of the House and Aldridge of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Sections 4201, as amended by Section 2, Chapter 66, O.S.L. 2002, 4210, as amended by Section 6, Chapter 393, O.S.L. 2003 and 4214 (63 O.S. Supp. 2007, Sections 4201 and 4210), which relate to the Oklahoma Boating Safety Regulation Act; defining term; modifying scope of certain prohibited act; making certain act unlawful; providing an exception; increasing property damage amount; and providing an effective date.

**HB 3099** – By Banz, Tibbs and Johnson (Dennis) of the House and Garrison of the Senate.

An Act relating to marriage; amending 43 O.S. 2001, Section 134, which relates to payments pertaining to support and division of property; providing considerations for a state court to review when determining classification of certain pay; providing for termination of payments upon proof of certain cohabitation or remarriage; providing for statute of limitations; and providing an effective date.

**HB 3100** – By Banz, Collins, Coody, Duncan, Ellis, Inman, Jordan, Kiesel, Proctor, Roan, Sears, Steele, Walker and Wesselhoft of the House and Reynolds and Ivester of the Senate.

An Act relating to soldiers and sailors; establishing the Oklahoma Legislative Medal of Honor; providing for design of medallion and ribbon; providing for codification; and providing an effective date.

**HB 3109** – By Peterson (Ron), Armes and Wright of the House and Mazzei of the Senate.

An Act relating to public retirement systems; authorizing retirement benefit increases for certain members of the Oklahoma Firefighters Pension and Retirement System, the Oklahoma Police Pension and Retirement System; the Uniform Retirement System for Justices and Judges, the Oklahoma Law Enforcement Retirement System, the Teachers' Retirement System of Oklahoma and the Oklahoma Public Employees Retirement System; specifying amount of benefit increase; providing for codification; providing an effective date; and declaring an emergency.

**HB 3110** – By Peterson (Ron) of the House and Anderson of the Senate.

( revenue and taxation - amending 68 O.S., Sections 304, 316, 360.7 and 418 - sale of cigarettes - increasing certain fee - increasing certain penalties - effective date )

**HB 3115** – By Blackwell of the House and Laughlin of the Senate.

( insurance – exclusions from Insurance Code – effective date )

**HB 3142** – By McCullough and Kern of the House and Sykes of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7115, as last amended by Section 5 of Enrolled Senate Bill No. 1830 of the 2nd Session of the 51st Oklahoma Legislature, which relates to child abuse and neglect; defining term; expanding application of child neglect; providing for certain offenses of neglect to receive specific punishment; modifying definition; and providing an effective date.

**HB 3145** – By Derby and Reynolds of the House and Reynolds of the Senate.

( technology – Oklahoma Information Services Act – Office of Information Services – recodification – codification – effective date )

**HB 3149** – By Derby of the House and Crain of the Senate.

( revenue and taxation – amending 68 O.S., Section 1357 – exemption – transfers of certain food or beverage items – effective date )

**HB 3158** – By Blackwell, McCullough and Lamons of the House and Laughlin of the Senate.

( Alcoholic Beverage Laws Enforcement Commission - abolishing - transferring - Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and the Oklahoma Tax Commission – amending various sections in 8 titles - repealing 9 sections in Title 37 - codification – noncodification - effective dates )

**HB 3159** – By Blackwell, Inman, Kiesel, McCullough, Sullivan, Tibbs and Reynolds of the House and Lamb of the Senate.

An Act relating to sex offenders; amending Section 1, Chapter 209, O.S.L. 2003, as last amended by Section 20, Chapter 261, O.S.L. 2007 (21 O.S. Supp. 2007, Section 1125), which relates to zone of safety; expanding scope of certain prohibited act; clarifying language; amending Section 26, Chapter 261, O.S.L. 2007 and Section 1, Chapter 223, O.S.L. 2003, as last amended by Section 29, Chapter 261, O.S.L. 2007 (57 O.S. Supp. 2007, Sections 582.5 and 590), which relate to the Sex Offenders Registration Act; modifying procedures for numeric risk level assessments; providing crimes for numeric risk levels; prohibiting increase in numeric risk level assignment except under certain circumstances; clarifying provisions of certain prohibited act; and providing an effective date.

**HB 3164** – By Blackwell of the House and Myers of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-112, as last amended by Section 1, Chapter 35, O.S.L. 2007 (29 O.S. Supp. 2007, Section 4-112), which relates to hunting licenses; changing five-day nonresident hunting license to include pheasant; changing fee for the five-day nonresident hunting license; and providing an effective date.

**HB 3229** – By Key, Terrill, Banz and Cooksey of the House and Brogdon of the Senate.

( school funding - Disputed Ad Valorem Tax Fund - investment of certain ad valorem taxes - protested funds - effective date – emergency )

**HB 3236** – By Piatt, Dorman and Proctor of the House and Mazzei of the Senate.

( State government - Come to Oklahoma Act - job databank – higher education coordination - codification - effective date )

**HB 3253** – By Pittman of the House and Eason McIntyre of the Senate.

An Act relating to the Teachers' Retirement System of Oklahoma; amending 70 O.S. 2001, Section 17-106, which relates to the board of trustees; authorizing designee for certain board members; and providing an effective date.

**HB 3268** – By Harrison of the House and Rabon of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 3-201, as last amended by Section 12, Chapter 138, O.S.L. 2006 (29 O.S. Supp. 2007, Section 3-201), which relates to the Oklahoma Wildlife Conservation Code; extending jurisdiction of game wardens to turnpikes; and providing an effective date.

**HB 3273** – By Duncan and Kern of the House and Anderson of the Senate.

An Act relating to guardianship; amending 30 O.S. 2001, Section 2-108, which relates to education and maintenance expenses for minors; modifying and adding requirements; and providing an effective date.

**HB 3279** – By Duncan, Sherrer, Dorman and Martin (Steve) of the House and Burrage of the Senate.

An Act relating to animals; amending 4 O.S. 2001, Section 43, which relates to regulation and control of dogs running at large; eliminating certain population restriction; and providing an effective date.

**HB 3303** – By Adkins of the House and Justice of the Senate.

An Act relating to Corporation Commission; amending Section 1, Chapter 267, O.S.L. 2007 (17 O.S. Supp. 2007, Section 304.1), which relates to aboveground storage tank rules; limiting certain above ground storage tank requirement to certain tanks; and declaring an emergency.

**HB 3333** – By Worthen and Jett of the House and Corn of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 547, which relates to county sheriffs; requiring probationary period for certain deputy sheriffs and detention officers; prohibiting discharge except under certain circumstance; and providing an effective date.

**HB 3336** – By Thompson and Roan of the House and Lamb of the Senate.

( county jails - jail costs - jail booking fee - contraband in jails or penal institutions - capacity rates of correctional facilities - reimbursement to health care providers - testing of county jail inmates – codification - effective date – emergency )

**HB 3350** – By Terrill, McMullen, Reynolds and Kern of the House and Brogdon of the Senate.

An Act relating to initiative and referendum; creating the Task Force on Review of Oklahoma's Petition Process; providing for membership; providing for appointment of chair; providing for travel reimbursement; providing for administrative support; providing for duties; requiring report; providing for noncodification; and declaring an emergency.

**HB 3391** – By Martin (Scott) of the House and Sparks of the Senate.

An Act relating to state government; authorizing the Governor to designate certain state agency an enterprise agency; providing for duration of designation; stating purpose; providing for agreement to set certain goal; authorizing the Governor to pay bonus for certain purpose to certain person; authorizing the director to pay bonus for certain purpose to certain person; stating certain exception; authorizing the enterprise agency to waive certain rule concerning employees of the enterprise agency; authorizing the enterprise agency to waive provisions of the Oklahoma Central Purchasing Act and any rule of the Department of Central Services; requiring certain rules to be filed with certain agency; authorizing the enterprise agency to waive certain administrative rule regarding the acquisition and use of information technology; setting procedures for waiving certain

provisions of certain rules; setting time frame for certain waiver or suspension; requiring report; establishing enterprise agency grant fund; stating purpose; providing for application; authorizing enterprise agency to keep certain funds in the enterprise agency grant fund; providing for codification; and providing an effective date.

**HB 3394** – By Cargill, Brown, Jett, Kiesel and McMullen of the House and Adelson of the Senate.

( public buildings and public works - Department of Central Services - certification program – codification - effective date – emergency )

**HB 3395** – By Cargill, Cox, Miller, Shumate and Pittman of the House and Johnson (Mike) of the Senate.

( schools - School Health Coordinators Pilot Program – codification - effective date – emergency )

**HJR 1081** – By Blackwell of the House and Laughlin of the Senate.

( amendments to the Constitution - repealing Sections 1 and 1.A of Article XXVIII - ballot title - filing )

**HJR 1084** – By Jett of the House and Laster of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 1 of Article VI of the Constitution of the State of Oklahoma, which relates to the Executive Department; clarifying language; providing ballot title; and directing filing.

**HJR 1089** – By Key, Dorman, Johnson (Dennis) and Reynolds of the House and Brogdon of the Senate.

A Joint Resolution claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers; serving notice to the federal government to cease and desist certain mandates; providing that certain federal legislation be prohibited or repealed; and directing distribution.

**HCR 1060** – By Wesselhoft, Adkins, Armes, Auffet, Banz, Bengé, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, DeWitt, Denney, Derby, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Worthen and Wright.

A Concurrent Resolution supporting the Nation of Israel and congratulating Israel on the sixtieth anniversary of its founding; and directing distribution.

The above-numbered measures were read the first time.

### **EXECUTIVE NOMINATIONS**

The following executive nominations were read and referred to committee as indicated:

Haynes, Henry, Vinita, as a member of the Board of Mental Health and Substance Abuse Services - Health and Human Resources

Krieger, Brad, Edmond, as a member of the State Banking Board - Business and Labor

McVey, Bill, Oklahoma City, as a member of the State Board of Registration for Professional Engineers and Land Surveyors - Business and Labor

Wittrock, Monica Amis, Edmond, as a member of the Oklahoma Abstractors Board - Business and Labor

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 18, 2008, at 1:30 p.m., which motion prevailed.

### **FIRST READING**

The following were introduced and read the first time:

**SCR 62** – By Barrington of the Senate and Coody of the House.

A Concurrent Resolution relating to the events of June 18, 2007; honoring the service and sacrifice of narcotics agents and officers; and directing distribution.

**SR 59** – By Rice and Branan.

A Resolution praising the public career of the late Zach Taylor; mourning his loss; and directing distribution.

**SR 60** – By Corn.

A Resolution commending the life and career of Regna Lee Wood; offering condolences; and directing distribution.

Pursuant to the Laughlin motion, the Senate adjourned at 2:00 p.m. to meet Tuesday, March 18, 2008, at 1:30 p.m.