

Senate Journal

First Regular Session of the Fifty-second Legislature of the State of Oklahoma

Twenty-second Legislative Day, Monday, March 9, 2009

The Senate was called to order by Senator Bingman.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—47.

Excused: Mazzei.—1.

Senator Bingman declared a quorum present.

The prayer was offered by Reverend Wally Johnson, First Presbyterian Church, Sapulpa, the guest of Senator Bingman.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 314, 322, 340, 399, 453, 483, 508, 551, 679, 694, 800, 826, 848, 867, 878, 919, 981, 1036, 1070, 1105, 1126, 1133, 1166 and 1179 and SJR 21 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 764 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

GENERAL ORDER

SB 452 by Schulz of the Senate and Armes of the House was called up for consideration.

Senator Sweeden asked to coauthor **SB 452**, which was the order.

Senator Schulz moved to amend **SB 452**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Schulz moved to amend the floor substitute to **SB 452**, Page 1, by striking the title, which amendment was declared adopted.

Senator Schulz moved that **SB 452** be advanced, which motion was declared adopted.

THIRD READING

SB 452 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Adelson, Burrage, Coffee, Easley, Johnson (M), Marlatt and Mazzei.--7.

The bill and emergency passed.

SB 452 was referred for engrossment.

GENERAL ORDER

SB 766 by Paddack of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved that **SB 766** be advanced, which motion was declared adopted.

THIRD READING

SB 766 was read for the third time at length.

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

Aye: Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Coates, Corn, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--35.

Nay: Brogdon, Crain, Halligan, Russell and Sykes.--5.

Excused: Adelson, Anderson, Burrage, Coffee, Easley, Johnson (M), Marlatt and Mazzei.--8.

The bill passed.

Senator Crain desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36; Nay: 4; Excused: 8.

The emergency passed.

SB 766 was referred for engrossment.

GENERAL ORDER

SB 387 by Ivester of the Senate and Steele of the House was called up for consideration.

Senator Ivester moved that **SB 387** be advanced, which motion was declared adopted.

THIRD READING

SB 387 was read for the third time at length.

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

Aye: Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Adelson, Anderson, Burrage, Easley, Marlatt and Mazzei.--6.

The bill passed.

SB 387 was referred for engrossment.

GENERAL ORDER

SB 1056 by Jolley of the Senate and Cox of the House was called up for consideration.

Senator Jolley moved to amend **SB 1056**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Jolley moved to amend the floor substitute to **SB 1056**, Page 1, by striking the title, which amendment was declared adopted.

Senator Jolley moved that **SB 1056** be advanced, which motion was declared adopted.

THIRD READING

SB 1056 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Burrage, Easley, Marlatt and Mazzei.--5.

The bill and emergency passed.

SB 1056 was referred for engrossment.

GENERAL ORDER

SB 789 by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved to amend **SB 789**, Page 1, Line 14, by inserting after the word "a" and before the word "false" the word "materially", which amendment was declared adopted.

Senator Nichols moved that **SB 789** be advanced, which motion was declared adopted.

THIRD READING

SB 789 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Burrage, Easley, Marlatt and Mazzei.--5.

The bill and emergency passed.

SB 789 was referred for engrossment.

GENERAL ORDER

SB 633 by Sykes of the Senate and Terrill of the House was called up for consideration.

Senator Sykes moved that **SB 633** be advanced, which motion was declared adopted.

THIRD READING

SB 633 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Burrage, Easley, Marlatt and Mazzei.--5.

The bill passed.

SB 633 was referred for engrossment.

GENERAL ORDER

SB 1123 by Sykes of the Senate and Thompson of the House was called up for consideration.

Senator Sykes moved that **SB 1123** be advanced, which motion was declared adopted.

THIRD READING

SB 1123 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Burrage, Easley, Marlatt and Mazzei.--5.

The bill passed.

SB 1123 was referred for engrossment.

GENERAL ORDER

SB 810 by Nichols and Johnson (Constance) of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved to amend **SB 810**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Nichols moved that **SB 810** be advanced, which motion was declared adopted.

THIRD READING

SB 810 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Burrage, Easley, Marlatt and Mazzei.--5.

The bill and emergency passed.

SB 810 was referred for engrossment.

GENERAL ORDER

SB 1135 by Bass and Johnson (Constance) of the Senate and Hilliard of the House was called up for consideration.

Senator Bass moved to amend **SB 1135**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Bass moved that **SB 1135** be advanced, which motion was declared adopted.

THIRD READING

SB 1135 was read for the third time at length.

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

Aye: Anderson, Ballenger, Bass, Bingman, Branan, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.-
-37.

Nay: Aldridge, Barrington, Brogdon, Ford, Justice, Nichols, Russell and Stanislawski.-
-8.

Excused: Adelson, Burrage and Mazzei.--3.

The bill and emergency passed.

SB 1135 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1067, 1092, 1111, 1301, 1460, 1598, 1748 and 2028** and **HCR 1004**.

HB 1067 – By Faught and Sullivan of the House and Crain of the Senate.

An Act relating to mental health; amending 43A O.S. 2001, Section 5-208, as last amended by Section 17, Chapter 97, O.S.L. 2006 (43A O.S. Supp. 2008, Section 5-208), which relates to initial assessments and emergency detention; requiring drug and alcohol screening and assessment process at time of initial assessment; and providing an effective date.

HB 1092 – By Trebilcock, Faught, Reynolds, Osborn, Roan, Shumate, Hilliard, Peterson, McMullen, Sherrer, Renegar, Dorman, Dank, Denney, Inman, Martin (Scott), McDaniel (Jeannie), Bailey and Martin (Steve) of the House and Bingman of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 6-115, as last amended by Section 3, Chapter 294, O.S.L. 2006 (47 O.S. Supp. 2008, Section 6-115), which relates to the expiration and renewal of driver licenses; authorizing use of certain driver licenses as a valid form of identification; and providing an effective date.

HB 1111 – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

(public finance - amending 62 O.S., Section 41.5e - technology plans - effective date)

HB 1301 – By Jordan, Cannaday, Shumate, Luttrell, Hickman, Martin (Scott), Roan, Morrisette, Sherrer, Inman, Sears, Murphey, Terrill, Walker, Dorman, Tibbs and Proctor of the House and Newberry of the Senate.

(higher education - eligibility requirements – codification - effective date – emergency)

HB 1460 – By Peterson, Denney, Billy, Tibbs and Sears of the House and Anderson of the Senate.

An Act relating to crimes and punishments; authorizing investigation of certain unlawful acts; establishing authority to subpoena witnesses and certain items; providing for examination of certain items; granting exception; providing for witness fees; prohibiting certain unlawful conduct; providing penalty; providing for codification; and declaring an emergency.

HB 1598 – By Sullivan, Billy, Kern, Peterson, Hoskin, Tibbs, Sears, Blackwell, Osborn, Cox, McDaniel (Jeannie) and Trebilcock of the House and Sykes and Ford of the Senate.

An Act relating to schools; prohibiting certain persons from certain involvement in due process hearings; creating the School Protection Act; providing short title; stating purpose; defining terms; making it unlawful to make a false criminal report against an education employee; providing punishment; limiting application for statements against certain persons; providing for award of costs and certain fees; providing that existence of liability

insurance is not a waiver of any defense; prohibiting students from assaulting or acting in a manner that causes harm to an education employee or certain other persons; providing for suspension of students found guilty of such actions; providing for application of other law; requiring a leave of absence for certain injured education employees; providing for the applicability of other laws; amending 70 O.S. 2001, Section 24-101.3, as last amended by Section 2, Chapter 210, O.S.L. 2006 (70 O.S. Supp. 2008, Section 24-101.3), which relates to out-of-school suspensions; requiring suspension of certain students for certain actions against school employees or certain other persons; allowing modification of suspension by the superintendent; allowing a school district to restrict enrollment of students suspended for certain actions; amending 51 O.S. 2001, Section 155, as last amended by Section 1, Chapter 381, O.S.L. 2004 (51 O.S. Supp. 2008, Section 155), which relates to exemptions from liability; adding certain exemptions; providing for codification; and providing an effective date.

HB 1748 – By Blackwell of the House and Sykes of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 1517, as last amended by Section 3, Chapter 340, O.S.L. 2003 (22 O.S. Supp. 2008, Section 1517), which relates to creation and duties of the Oklahoma Criminal Justice Resource Center; deleting certain duty of the Oklahoma Criminal Justice Resource Center; deleting hiring authority of the Oklahoma Sentencing Commission; repealing 22 O.S. 2001, Sections 1501, 1502, as last amended by Section 1, Chapter 151, O.S.L. 2007, 1503, 1504, 1507, 1508, 1509, 1512 and 1516 (22 O.S. Supp. 2008, Section 1502), which relate to the Oklahoma Sentencing Commission; and providing an effective date.

HB 2028 – By Steele, Shelton, McAffrey, Kern, McDaniel (Jeannie), Denney and Shumate of the House and Coates of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 15, which relates to support of stepchildren; deleting obsolete language; amending 10 O.S. 2001, Section 21.1, as last amended by Section 1, Chapter 94, O.S.L. 2007 (10 O.S. Supp. 2008, Section 21.1), which relates to custody or guardianship; deleting legislative intent; deleting stated conditions for when a court may deny custody to a noncustodial parent; prohibiting certain contributions from being considered in satisfaction of support obligation; providing for custody to be awarded to a parent unless a nonparent proves certain circumstances; prohibiting modification of custody except in certain circumstances; amending 10 O.S. 2001, Section 22.1, which relates to foster care by grandparents or other relatives; modifying agency designation; amending 10 O.S. 2001, Section 22.2, which relates to the Investing in Stronger Oklahoma Families Act; modifying agency designation; amending 10 O.S. 2001, Section 24, which relates to the Oklahoma Indigent Defense System; modifying statutory references; amending 10 O.S. 2001, Section 24.1, which relates to volunteer attorneys for indigent children; deleting obsolete language; amending 10 O.S. 2001, Section 170.1, which relates to authorization to consent to medical or dental care; clarifying language; amending 10 O.S. 2001, Section 1211, as amended by Section 3, Chapter 415, O.S.L. 2004 (10 O.S. Supp. 2008, Section 1211), which relates to juvenile law and issues training; limiting certain training requirements to certain persons; modifying certain training requirements; requiring each judicial district to develop rules; specifying time limit; amending 10 O.S. 2001, Sections 7001-1.1, 7001-1.2 and 7001-1.3, as last amended

by Section 1, Chapter 258, O.S.L. 2006 (10 O.S. Supp. 2008, Section 7001-1.3), which relate to the Oklahoma Children's Code; modifying legislative intent; modifying definitions; amending 10 O.S. 2001, Sections 7002-1.1, as amended by Section 1, Chapter 69, O.S.L. 2005, 7002-1.2, 7002-2.1, 7002-2.2 and 7002-3.1 (10 O.S. Supp. 2008, Section 7002-1.1), which relate to jurisdiction; expanding scope of circumstances in which a court may assume jurisdiction; eliminating certain person from jurisdiction; authorizing a court to assume jurisdiction and take certain action in an emergency; providing for an automatic stay of certain action in certain circumstance; stating that certain orders in a deprived proceeding control over any conflicting order; specifying certain procedure; specifying procedures for venue; providing for transfer of venue in certain circumstance; limiting transfer; specifying residence; stating procedure for transfer; giving the court discretion in appointing a guardian ad litem in certain circumstances; authorizing the court to appoint a certain guardian ad litem in certain circumstance; specifying procedure for appointment of guardian ad litem or guardian; deleting certain persons authorized to bring a civil action in certain circumstances; amending 10 O.S. 2001, Section 7003-1.1, which relates to assessment and investigations; modifying procedures and responsibilities after referral; eliminating requirement of certain statement in certain circumstance; amending 10 O.S. 2001, Sections 7003-2.1, as last amended by Section 5, Chapter 3, O.S.L. 2003, 7003-2.4, as last amended by Section 2, Chapter 293, O.S.L. 2008 and 7003-2.5 (10 O.S. Supp. 2008, Sections 7003-2.1 and 7003-2.4), which relate to protective custody; modifying circumstances in which a child may be taken into custody; requiring certain information to be in certain application; providing for a child to be taken into custody from a hospital in certain circumstance; deleting legislative intent; modifying determinations to be made in order; providing for certain alternative placements; deleting requirement for placement protocol for at-risk infants; providing immunity from liability for certain persons transporting a child; providing for certain presumption; providing for certain designation in certain circumstance; authorizing the Department to provide certain notice for emergency custody hearing; modifying certain content of notice; deleting provisions relating to the emergency custody hearing; deleting certain required form; deleting certain time limitation; deleting certain notice; deleting certain order; providing immunity from liability for health care providers in certain circumstances; amending 10 O.S. 2001, Sections 7003-3.1, as amended by Section 17, Chapter 327, O.S.L. 2002, 7003-3.3, 7003-3.4, 7003-3.5, 7003-3.6 and 7003-3.7, as last amended by Section 1, Chapter 268, O.S.L. 2007 (10 O.S. Supp. 2008, Sections 7003-3.1 and 7003-3.7), which relate to adjudication; specifying certain relief to be requested in petition; deleting certain required statements in petition; deleting certain provisions relating to termination of parental rights; specifying procedure for amendments; providing for a postadjudication petition in certain circumstances; providing limitation; specifying procedures when issuing a summons; modifying certain required content; providing for certain waiver of service; modifying certain notice proceedings and content; authorizing court-appointed counsel in certain circumstance; deleting certain time limitation; deleting provision authorizing access to certain information by attorney; providing reimbursement for certain travel; deleting limitation on certain application; deleting requirements for court-appointed special advocates; amending 10 O.S. 2001, Sections 7003-4.1, as amended by Section 4, Chapter 205, O.S.L. 2006, 7003-4.2, 7003-4.3, 7003-4.4, 7003-4.5, 7003-4.6 and 7003-4.7, as amended by Section 1, Chapter 237, O.S.L. 2002 (10 O.S. Supp. 2008, Sections 7003-4.1 and 7003-4.7), which relate to adjudicative

hearings; authorizing certain proceedings to be held via teleconference; eliminating certain condition for certain testimony; modifying procedures relating to oral statements; requiring certain procedure for the taking of testimony of a child when facilities are available; providing for certain recess; specifying standard of proof; requiring certain persons to register with the court when a child has been adjudicated deprived; modifying circumstances in which reasonable efforts are not required to return child home; specifying time for permanency hearing; modifying procedures and circumstances for filing for termination of parental rights; amending 10 O.S. 2001, Sections 7003-5.2, 7003-5.3, as last amended by Section 2, Chapter 258, O.S.L. 2006, 7003-5.4, 7003-5.4a, 7003-5.5, as amended by Section 3, Chapter 258, O.S.L. 2006, 7003-5.5a, as amended by Section 1, Chapter 452, O.S.L. 2004, 7003-5.6, as last amended by Section 2, Chapter 196, O.S.L. 2007, 7003-5.6a, 7003-5.6b, 7003-5.6d, as last amended by Section 3, Chapter 196, O.S.L. 2007, 7003-5.6e, as last amended by Section 4, Chapter 452, O.S.L. 2004, 7003-5.6f and 7003-5.6h, as amended by Section 1, Chapter 75, O.S.L. 2005 (10 O.S. Supp. 2008, Sections 7003-5.3, 7003-5.5, 7003-5.5a, 7003-5.6, 7003-5.6d, 7003-5.6e and 7003-5.6h), which relate to dispositional hearings and orders; deleting certain provisions relating to medical care; specifying time frame for individualized service plan; providing for evidentiary hearing in certain circumstance; specifying content of individualized service plan; specifying certain information to be provided to a court; deleting certain requirements for disease screenings; modifying definition; requiring a showing of good cause before delaying dispositional hearing; specifying procedures for hearing; modifying procedures for trial home reunification; specifying content of certain written report; modifying procedures for permanency hearing; providing for memorialization of hearing; specifying plans authorized to be ordered by court; modifying procedures relating to written agreements with birth relatives in certain adoptions; specifying steps to preserve sibling contact; providing for postadoption agreements; modifying considerations in adoption determination; amending 10 O.S. 2001, Sections 7003-6.2, as last amended by Section 2, Chapter 268, O.S.L. 2007, 7003-6.2A, as amended by Section 6, Chapter 205, O.S.L. 2006, 7003-6.3 and 7003-6.4 (10 O.S. Supp. 2008, Section 7003-6.2 and 7003-6.2A), which relate to modification and appeals of decrees or orders; deleting certain procedures during an appeal; providing for decision by court to be made on a priority basis; defining certain term; amending 10 O.S. 2001, Section 7003-7.1, as amended by Section 19, Chapter 327, O.S.L. 2002 (10 O.S. Supp. 2008, Section 7003-7.1), which relates to persons or agencies receiving custody; specifying applicable persons; deleting requirement for certain form; modifying procedures for medical care; amending 10 O.S. 2001, Sections 7003-8.1, as last amended by Section 1, Chapter 27, O.S.L. 2008, 7003-8.2, 7003-8.3, 7003-8.4, 7003-8.5, 7003-8.6, 7003-8.7, as amended by Section 1, Chapter 198, O.S.L. 2004, and Section 2, Chapter 198, O.S.L. 2004, as last amended by Section 1, Chapter 99, O.S.L. 2008 (10 O.S. Supp. 2008, Sections 7003-8.1, 7003-8.7 and 7003-8.8), which relate to provisions affecting court proceedings and custody; modifying considerations when placing child with foster parent; modifying definition; modifying certain population count for appointment of referees; providing for reasonable compensation to be fixed by judge; specifying procedures for referees; specifying that the Oklahoma Child Support Services handle certain matters; amending 10 O.S. 2001, Sections 7004-1.1, 7004-1.3, 7004-1.5, 7004-1.6, 7004-1.7 and Section 7, Chapter 205, O.S.L. 2006, as amended by Section 4, Chapter 159, O.S.L. 2008 (10 O.S. Supp. 2008, Section 7004-1.8), which relate to powers and duties of

the Department of Human Services; modifying procedures; specifying procedures for travel; providing for annual report on progress of certain program; amending 10 O.S. 2001, Section 7004-2.1, which relates to grants and contracts for community-based services and care for deprived children; clarifying language; amending 10 O.S. 2001, Section 7004-3.1, 7004-3.2, as amended by Section 20, Chapter 327, O.S.L. 2002, 7004-3.4, as amended by Section 6, Chapter 445, O.S.L. 2002 and 7004-3.5 (10 O.S. Supp. 2008, Sections 7004-3.2 and 7004-3.4), which relate to children's shelters and youth services shelter facilities; deleting specific requirements for certain rules and policies; providing for use of physical force; amending 10 O.S. 2001, Sections 7005-1.1, 7005-1.2, 7005-1.3, as amended by Section 1, Chapter 153, O.S.L. 2005, 7005-1.6 and Section 4, Chapter 351, O.S.L. 2007, as amended by Section 3, Chapter 293, O.S.L. 2008 (10 O.S. Supp. 2008, Sections 7005-1.3 and 7005-1.9), which relate to children's records; making the provision of certain forms discretionary; modifying definitions; providing for the production of safety-analysis records; authorizing the establishment of certain fees; specifying certain disclosure is not prohibited; authorizing the redaction of certain names before disclosure of certain records; amending 10 O.S. 2001, Sections 7006-1.1, 7006-1.2 and 7006-1.3, which relate to the termination of parental rights; clarifying procedures for termination; eliminating notice that termination does not terminate duty to support child; providing for the vacation of an order to terminate parental rights; amending 10 O.S. 2001, Section 7103, Section 15, Chapter 205, O.S.L. 2006, and 10 O.S. 2001, Sections 7105, as amended by Section 2, Chapter 184, O.S.L. 2005, 7105.1, 7106, as amended by Section 16, Chapter 205, O.S.L. 2006, 7107, 7108, as amended by Section 1, Chapter 435, O.S.L. 2004, 7109, 7110, as last amended by Section 5, Chapter 258, O.S.L. 2006, 7110.1, as amended by Section 3, Chapter 487, O.S.L. 2002, 7110.2, as last amended by Section 6, Chapter 258, O.S.L. 2006, 7111, 7113 and 7115.1 (10 O.S. Supp. 2008, Sections 7104.1, 7105, 7106, 7108, 7110, 7110.1 and 7110.2), which relate to the Oklahoma Child Abuse Reporting and Prevention Act; expanding duty to all persons; expanding scope of persons authorized to conduct certain investigation; eliminating priority basis investigations; providing for the documentation of whether certain persons have accessed services after specific amount of time; providing requirements to protect certain confidential information; requiring certain statement in notice; modifying council designation; amending 10 O.S. 2001, Sections 7202, 7204, 7204.1, 7205, 7206, as amended by Section 3, Chapter 159, O.S.L. 2008, 7206.1, 7207, 7208, as amended by Section 7, Chapter 445, O.S.L. 2002, 7209, as last amended by Section 1, Chapter 159, O.S.L. 2008, 7210, 7211, 7212, 7213, 7214, 7218 and 7221, as amended by Section 2, Chapter 159, O.S.L. 2008 (10 O.S. Supp. 2008, Sections 7206, 7208, 7209 and 7221), which relate to the Oklahoma Foster Care and Out-of-Home Placement Act; deleting legislative intent; deleting provisions relating to delinquent children; specifying circumstance in which the preference of a child may be given in determining placement; providing for foster parent to give certain oral or written report to the court; specifying minimum visits by the Department with the foster child; modifying procedures for certain assessments; defining terms; providing for certain authorization for medical treatment; consolidating and clarifying provisions relating to medical treatment of a child in the custody of the Department; specifying procedures for placement preferences; specifying procedures for deprived proceedings; clarifying that courts may order alleged perpetrators out of home of child; providing for certain alternative dispute resolution; providing for certain Department immunity in certain circumstances; providing for certain use immunity

for in-court testimony; specifying procedures for permanent guardianship; providing procedures for the transfer and transport of a child; prohibiting the filing of social records in the court record; consolidating court-appointed special advocate training requirements and court procedures; repealing 10 O.S. 2001, Section 4, which relates to support and education; repealing 10 O.S. 2001, Section 5.1, which relates to the death of a custodial parent; repealing 10 O.S. 2001, Section 5A, which relates to visitation rights between siblings; repealing 10 O.S. 2001, Section 6, which relates to the custody of a child born out of wedlock; repealing 10 O.S. 2001, Section 6.5, which relates to the use of certain words in reference to children born out of wedlock; repealing 10 O.S. 2001, Section 7, which relates to allowance out of child's property for support and education; repealing 10 O.S. 2001, Section 8, which relates to parent without control over child's property; repealing 10 O.S. 2001, Section 9, which relates to abuse of parental authority; repealing 10 O.S. 2001, Section 10, which relates to cessation of parental authority; repealing 10 O.S. 2001, Section 11, which relates to public action for support of deceased parent's child; repealing 10 O.S. 2001, Section 12, which relates to maintenance of poor persons by parents; repealing 10 O.S. 2001, Section 14, which relates to compensation for support of child; repealing 10 O.S. 2001, Section 16, which relates to services and support after majority; repealing 10 O.S. 2001, Section 17, which relates to relinquishment of rights by parent; repealing 10 O.S. 2001, Section 18, which relates to payment of minor's wages; repealing 10 O.S. 2001, Section 21.2, which relates to definitions; repealing 10 O.S. 2001, Section 21.3, which relates to right to custody; repealing 10 O.S. 2001, Section 21.4, which relates to authority to surrender, assign, relinquish or otherwise transfer custody; repealing 10 O.S. 2001, Section 21.5, as amended by Section 1, Chapter 286, O.S.L. 2006 (10 O.S. Supp. 2008, Section 21.5), which relates to permanent custody to adult relative within the third degree; repealing 10 O.S. 2001, Section 21.6, which relates to right to authorize medical care; repealing 10 O.S. 2001, Section 23, which relates to the National Youth Administration; repealing Section 1, Chapter 141, O.S.L. 2008 (10 O.S. Supp. 2008, Section 7002-1.3), which relates to jurisdiction over matters necessary to finalize permanency plan; repealing 10 O.S. 2001, Section 7003-2.2, which relates to emergency medical treatment or mental health care; repealing 10 O.S. 2001, Section 7003-2.3, which relates to authorization of medical or mental health treatment; repealing 10 O.S. 2001, Section 7003-7.2, which relates to children becoming unmanageable; repealing 10 O.S. 2001, Section 7004-1.2, which relates to Management Information System; repealing 10 O.S. 2001, Section 7004-1.4, which relates to mental health services for children; repealing 10 O.S. 2001, Section 7004-3.3, which relates to use of physical force; repealing 10 O.S. 2001, Section 7005-1.4, as last amended by Section 3, Chapter 351, O.S.L. 2007 (10 O.S. Supp. 2008, Section 7005-1.4), which relates to disclosure of Department of Human Services records without court order; repealing 10 O.S. 2001, Section 7005-1.5, which relates to release of Department of Human Services records to Indian tribes; repealing 10 O.S. 2001, Section 7005-1.7, which relates to the federal Child Abuse Prevention and Treatment Act; repealing 10 O.S. 2001, Section 7006-1.4, which relates to custody with authority to consent to adoption after termination of parental rights; repealing 10 O.S. 2001, Section 7006-1.5, which relates to action to adopt not to be combined with action to terminate parental rights; repealing 10 O.S. 2001, Section 7006-1.6, which relates to deprived children in custody; repealing Section 9, Chapter 205, O.S.L. 2006, Sections 10, 11, 12 and 13, Chapter 205, O.S.L. 2006, as amended by Sections 4, 5, 6 and 7, Chapter 293, O.S.L. 2008 and Section 14, Chapter 205, O.S.L. 2006 (10 O.S.

Supp. 2008, Sections 7008-1.1, 7008-1.2, 7008-1.3, 7008-1.4, 7008-1.5 and 7008-1.6), which relate to the Oklahoma Children and Juvenile Law Reform Committee; repealing 10 O.S. 2001, Section 7101, which relates to short title for the Oklahoma Child Abuse Reporting and Prevention Act; repealing 10 O.S. 2001, Section 7102, as last amended by Section 5, Chapter 351, O.S.L. 2007 (10 O.S. Supp. 2008, Section 7102), which relates to public policy; repealing 10 O.S. 2001, Section 7104, as amended by Section 1, Chapter 53, O.S.L. 2005 (10 O.S. Supp. 2008, Section 7104), which relates to report of criminally inflicted injuries; repealing 10 O.S. 2001, Sections 7201, 7202.3, 7202.4, 7203, 7203.1 and 7203.2, which relate to foster care; providing for codification; providing for noncodification; providing for recodification; and declaring an emergency.

HCR 1004 – By Coody and Shumate of the House and Paddack of the Senate.

A Concurrent Resolution creating the Internet-based Education Administration Task Force; stating purpose; providing for membership; providing for meetings, election of a chair, quorum, and staffing; providing for travel reimbursement; requiring a report by a certain date; and directing distribution.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 1034 by Sparks of the Senate and Schwartz of the House was called up for consideration.

Senator Sparks moved that **SB 1034** be advanced, which motion was declared adopted.

THIRD READING

SB 1034 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Burrage and Mazzei.--3.

The bill and emergency passed.

SB 1034 was referred for engrossment.

GENERAL ORDER

SB 461 by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved that **SB 461** be advanced, which motion was declared adopted.

THIRD READING

SB 461 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Burrage and Mazzei.--3.

The bill passed.

SB 461 was referred for engrossment.

GENERAL ORDER

SB 1146 by Jolley of the Senate and Jackson of the House was called up for consideration.

Senator Leftwich moved to amend **SB 1146**, Page 1, Line 9 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY Section 1, Chapter 312, O.S.L. 2006, as amended by Section 2, Chapter 365, O.S.L. 2007 (37 O.S. Supp. 2008, Section 8.2), is amended to read as follows:

Section 8.2 A. No person shall knowingly ~~and willfully~~ permit or allow any individual under twenty-one (21) years of age who is ~~an invitee to~~ at the person's residence, any building, structure, or room owned, occupied, leased or otherwise procured by the person or on any land owned, occupied, leased or otherwise procured by the person, to possess or consume any alcoholic beverage as defined by Section 506 of Title 37 of the Oklahoma Statutes, any low-point beer as defined by Section 163.2 of this title, any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, or any combination thereof, in such place.

B. Except as provided for in subsection C, any person convicted of a first violation of this section shall be guilty of a misdemeanor and be punished by a fine of not more than Five Hundred Dollars (\$500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second violation shall be guilty of a misdemeanor and shall be punished by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a third or subsequent violation shall be guilty of a felony and shall be punished by a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the custody of the Department of Corrections for not more than five (5) years, or by both such fine and imprisonment.

C. Any person who violates this section, and such actions cause great bodily injury or the death of a person, shall, in addition to any other penalty provided by law, be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not more than five (5) years, a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

D. In addition to the penalties provided in subsections B and C of this section, when a violation of this section occurs within the jurisdiction of any municipality, the violator may be charged and prosecuted for a violation of any other municipal ordinance which shall be in addition to and a separate offense from the prosecution for a violation of the provisions of this section.

E. There shall be a rebuttable presumption to any action brought pursuant to this section for any person having control of any premises, who knowingly hosts, permits, or allows a gathering at said premises who takes reasonable steps to prevent the consumption of any alcoholic beverage as defined by Section 506 of this title, any low-point beer as defined by Section 163.2 of this title, any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, or any combination thereof, by any individual under the age of twenty-one (21) at the gathering. Reasonable steps include controlling access to alcoholic beverages and low-point beer at the gathering, controlling the quantity of alcoholic beverages and low-point beer, verifying the age of all individuals attending the gathering by inspecting driver licenses or other government-issued identification cards to ensure that individuals under the age of twenty-one (21) do not consume alcoholic beverages and low-point beer while at the gathering, ensuring no controlled dangerous substances are present at the gathering and supervising the activities of the individuals at the gathering.

Provided, that this defense shall not relieve from liability any person cited for a violation of this section if such person failed to exercise reasonable diligence in taking the steps outlined above. The availability of the defense described in this subsection does not affect the availability of any other defense under any other provision of law.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Jolley moved that **SB 1146** be advanced, which motion was declared adopted.

THIRD READING

SB 1146 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Burrage and Mazzei.--3.

The bill and emergency passed.

SB 1146 was referred for engrossment.

GENERAL ORDER

SB 721 by Barrington of the Senate and Banz of the House was called up for consideration.

Senators Garrison and Bass asked to coauthor **SB 721**, which was the order.

Senator Barrington moved that **SB 721** be advanced, which motion was declared adopted.

THIRD READING

SB 721 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Burrage and Mazzei.--3.

The bill passed.

SB 721 was referred for engrossment.

GENERAL ORDER

SB 718 by Barrington of the Senate and Holland of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 718**, which was the order.

Senator Barrington moved to amend **SB 718**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Gumm moved to amend the floor substitute to **SB 718**, Page 1, Line 24 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 26 O.S. 2001, Section 1-105, is amended to read as follows:

Section 1-105. A. In the event of the death of a political party's nominee for office prior to the date of the General Election, the name of a substitute candidate will be permitted to have his name placed on the General Election ballot as follows:

1. If the deceased nominee was a candidate for county office, the political party's central committee of ~~said~~ the county shall notify the secretary of the county election board of the name of an alternative candidate to be placed on the General Election ballot. Such notice shall be submitted in writing, within five (5) ten (10) days after said the death has occurred if the death occurred more than thirty (30) days prior to such General Election and within five (5) days if the death occurred within thirty (30) days of such General Election, and shall be signed by at least two duly authorized members of the political party's county central committee-;

2. If Except as otherwise provided in paragraph 3 of this subsection for nominees for legislative office, if the deceased nominee was a candidate who filed ~~his~~ a Declaration of Candidacy with the State Election Board, the state central committee of the party affected shall notify the Secretary of the State Election Board of the name of an alternative candidate to be placed on the General Election ballot. Such notice shall be submitted in writing, within five (5) ten (10) days after said the death has occurred if the death occurred more than thirty (30) days prior to such General Election and within five (5) days if the death occurred within thirty (30) days of such General Election, and shall be signed by at least two duly authorized members of the political party's state central committee-; and

3. If the deceased nominee was a candidate for the State Senate or Oklahoma House of Representatives, a majority of the members of the political party of the house of the Legislature of which the deceased nominee would have been a member if elected shall select an alternative candidate to be placed on the General Election ballot. Such selection shall be made in consultation with the family of the deceased nominee and the county central committees of the nominee's political party of all counties in which the affected district is located. The duly elected leader of the legislative political party caucus of which

the deceased nominee would have been a member if elected shall notify the Secretary of the State Election Board of the name of the alternative candidate within ten (10) days after the death has occurred if the death occurred more than thirty (30) days prior to such General Election or within five (5) days if the death occurred within thirty (30) days of such General Election. Such notification shall be in writing and shall be signed by the duly elected leader of the political party caucus of the house of the Legislature of which the deceased nominee would have been a member if elected.

B. If ~~said~~ the death of a candidate should occur five (5) or more days ~~or more~~ following the Runoff Primary Election date, a special General Election shall be called by the Governor and shall be conducted according to the laws governing such elections, Section 12-101 et seq. of this title, except that there shall be no filing period or special Primary Election and the candidates in the special General Election shall be the substitute candidate named ~~by the central committee~~ as provided in this section and the nominee of other political parties elected in the Primary or Runoff Primary, and any previously filed independent candidates.

~~B. C.~~ C. In the event of the death of a candidate who was unopposed for election, a Special Election shall be called by the Governor. ~~Said Special Election and~~ shall be conducted according to the laws governing such elections, Section 12-101 et seq. of this title.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Barrington moved that **SB 718** be advanced, which motion was declared adopted.

THIRD READING

SB 718 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislowski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Burrage and Mazzei.--3.

The bill and emergency passed.

SB 718 was referred for engrossment.

GENERAL ORDER

SB 1071 by Barrington of the Senate and Armes of the House was called up for consideration.

Senator Barrington moved that **SB 1071** be advanced, which motion was declared adopted.

THIRD READING

SB 1071 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Burrage and Mazzei.--3.

The bill and emergency passed.

SB 1071 was referred for engrossment.

GENERAL ORDER

SB 829 by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved to amend **SB 829**, Page 1, Lines 22 and 23, by deleting new language; and Page 1, Line 25, by inserting after the comma the following language "or the actual cost of gasoline expended in furtherance of authorized state business", which amendment was declared adopted.

Senator Corn moved that **SB 829** be advanced, which motion was declared adopted.

THIRD READING

SB 829 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Adelson, Burrage, Coffee and Mazzei.--4.

The bill and emergency passed.

SB 829 was referred for engrossment.

Senator Lamb moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Sykes presiding.

Senator Sykes questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 764**.

The above-numbered enrolled measure was referred to the Governor.

GENERAL ORDER

SB 723 by Barrington and Mazzei of the Senate and Sears of the House was called up for consideration.

Senator Barrington moved that **SB 723** be advanced, which motion was declared adopted.

THIRD READING

SB 723 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--42.

Nay: Halligan, Myers and Wilson.--3.

Excused: Johnson (M), Lerblance and Mazzei.--3.

The bill and emergency passed.

SB 723 was referred for engrossment.

GENERAL ORDER

SB 1153 by Barrington of the Senate and Terrill of the House was called up for consideration.

Representative Steele asked to coauthor **SB 1153**, which was the order.

Senator Barrington moved to amend **SB 1153**, Page 1, by striking the title, which amendment was declared adopted.

Senator Barrington moved that **SB 1153** be advanced, which motion was declared adopted.

THIRD READING

SB 1153 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski and Wyrick.--32.

Nay: Adelson, Brogdon, Corn, Easley, Eason McIntyre, Gumm, Laster, Leftwich, Lerblance, Nichols, Paddack, Sweeden, Sykes and Wilson.--14.

Excused: Bass and Mazzei.--2.

The bill passed.

SB 1153 was referred for engrossment.

GENERAL ORDER

SB 1076 by Sparks of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Sparks moved that **SB 1076** be advanced, which motion was declared adopted.

THIRD READING

SB 1076 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Bass and Mazzei.--2.

The bill and emergency passed.

SB 1076 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Reynolds moved to reconsider the vote whereby **SJR 5** passed.

Senator Lamb moved to table the Reynolds motion, which tabling motion was declared adopted upon division of the question.

SJR 5 was referred for engrossment.

GENERAL ORDER

SB 353 by Rice of the Senate and Cox of the House was called up for consideration.

Senator Rice moved to amend **SB 353**, Page 5, Line 18 through Page 6, Line 3, by deleting Section 5, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Rice moved that **SB 353** be advanced, which motion was declared adopted.

THIRD READING

SB 353 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Anderson, Bass and Mazzei.--3.

The bill passed.

SB 353 was referred for engrossment.

GENERAL ORDER

SB 907 by Coffee of the Senate and Benge of the House was called up for consideration.

Senator Bingman moved that **SB 907** be advanced, which motion was declared adopted.

THIRD READING

SB 907 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Bass and Mazzei.--2.

The bill passed.

SB 907 was referred for engrossment.

GENERAL ORDER

SB 1073 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 1073** be advanced, which motion was declared adopted.

THIRD READING

SB 1073 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Bass and Mazzei.--2.

The bill passed.

SB 1073 was referred for engrossment.

GENERAL ORDER

SB 292 by Anderson of the Senate and Peters of the House was called up for consideration.

Senator Wilson moved to amend **SB 292**, Page 6, Line ½, by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3200 of Title 56, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Legislature to test the effectiveness of a pilot program for a comprehensive health system for the uninsured.

B. The Oklahoma Health Care Authority shall establish a three-year pilot program for a comprehensive health system for the uninsured in which the Oklahoma Health Care Authority will act as the plan administrator.

C. The Oklahoma Health Care Authority shall select from a group of applicants a pilot county in which to operate the pilot program.

D. Health care providers located in the pilot county may voluntarily participate in the pilot program if the following conditions are met:

1. The health care provider is eligible for Medicare reimbursement;
2. The health care provider relinquishes all monies received in excess of Medicare reimbursement from other sources including, but not limited to, commercial insurance payers; and
3. The relinquished monies pursuant to paragraph 2 of this subsection are used by the Oklahoma Health Care Authority for the purposes of this pilot program.

E. Participating health care providers shall provide all necessary medical services for any uninsured person within the capability of such providers. Health care costs accrued from such uninsured person shall be directly billed at the Medicare fee schedule set forth by the Centers for Medicare and Medicaid Services or at a negotiated rate.

F. The health care provider shall collect twenty percent (20%) of such health care costs from the uninsured person. The remaining eighty percent (80%) shall be paid by the Oklahoma Health Care Authority from:

1. Monies received from the Health Employee and Economy Improvement Act (HEEIA) Revolving Fund; and
2. Monies collected from participating providers pursuant to paragraph 2 of subsection D of this section.

G. The Oklahoma Health Care Authority shall promulgate rules as necessary to implement this pilot program.

H. The Oklahoma Health Care Authority shall provide an annual report to the Legislature on or before November 1 of each year which shall include, but not be limited to:

1. The net cost of the program;
2. Health services provided for the uninsured; and
3. Health care provider payment collection success rate.

I. The participating health care providers shall be covered under The Governmental Tort Claims Act.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Anderson moved that **SB 292** be advanced, which motion was declared adopted.

THIRD READING

SB 292 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Bass and Mazzei.--2.

The bill passed.

SB 292 was referred for engrossment.

GENERAL ORDER

SB 953 by Myers of the Senate and Watson of the House was called up for consideration.

Senator Halligan asked to coauthor **SB 953**, which was the order.

Senator Myers moved that **SB 953** be advanced, which motion was declared adopted.

THIRD READING

SB 953 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

SB 953 was referred for engrossment.

GENERAL ORDER

SB 1028 by Bingman of the Senate and Thompson of the House was called up for consideration.

Senators Lerblance and Ivester asked to coauthor **SB 1028**, which was the order.

Senator Bingman moved that **SB 1028** be advanced, which motion was declared adopted.

THIRD READING

SB 1028 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

SB 1028 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Brown moved to reconsider the vote whereby **SB 413** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Nay: Paddack.--1.

Excused: Mazzei.--1.

THIRD READING

SB 413 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill passed.

SB 413 was referred for engrossment.

GENERAL ORDER

SB 1059 by Johnson (Mike) of the Senate and Terrill of the House was called up for consideration.

Senator Johnson (Mike) moved that **SB 1059** be advanced, which motion was declared adopted.

THIRD READING

SB 1059 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

SB 1059 was referred for engrossment.

GENERAL ORDER

SB 1150 by Jolley of the Senate and Thomsen of the House was called up for consideration.

Senator Jolley moved to amend **SB 1150**, Page 1, by striking the title, which amendment was declared adopted.

Senator Jolley moved that **SB 1150** be advanced, which motion was declared adopted.

THIRD READING

SB 1150 was read for the third time at length.

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

Aye: Barrington, Bass, Crain, Ellis, Gumm, Jolley and Laster.--7.

Nay: Adelson, Aldridge, Anderson, Ballenger, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Excused: Mazzei.--1.

The bill failed.

GENERAL ORDER

SB 1020 by Nichols and Gumm of the Senate and Terrill of the House was called up for consideration.

Senator Leftwich asked to coauthor **SB 1020**, which was the order.

Senator Nichols moved that **SB 1020** be advanced, which motion was declared adopted.

THIRD READING

SB 1020 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

SB 1020 was referred for engrossment.

GENERAL ORDER

SB 553 by Justice of the Senate and Osborn of the House was called up for consideration.

Senator Justice moved that **SB 553** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Russell, Schulz, Stanislawski and Sykes.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Mazzei and Reynolds.--2.

THIRD READING

SB 553 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Nay: Gumm and Rice.--2.

Excused: Mazzei.--1.

The bill and emergency passed.

SB 553 was referred for engrossment.

GENERAL ORDER

SB 346 by Crain of the Senate and Ritze of the House was called up for consideration.

Senator Crain moved that **SB 346** be advanced, which motion was declared adopted.

THIRD READING

SB 346 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill passed.

SB 346 was referred for engrossment.

GENERAL ORDER

SB 1075 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 1075** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Mazzei.--1.

THIRD READING

SB 1075 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Nay: Laster and Lerblance.--2.

Excused: Mazzei.--1.

The bill passed.

SB 1075 was referred for engrossment.

GENERAL ORDER

SB 592 by Ford of the Senate and Sears of the House was called up for consideration.

Senator Ford moved to amend **SB 592**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Ford moved that **SB 592** be advanced, which motion was declared adopted.

THIRD READING

SB 592 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--47.

Excused: Mazzei.--1.

The bill and emergency passed.

SB 592 was referred for engrossment.

GENERAL ORDER

SB 24 by Ford of the Senate and Sears of the House was called up for consideration.

Senator Anderson moved to amend **SB 24**, Page 6, Line 2, by striking the word “and”; and Page 6, Line 4, by inserting after the word “Trust” and before the period the language “and 29. Members of the Council on Judicial Complaints”, and by amending the title to conform, which amendment was declared adopted.

Senator Ford moved that **SB 24** be advanced, which motion was declared adopted.

THIRD READING

SB 24 was read for the third time at length.

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

Aye: Anderson, Barrington, Bingman, Brogdon, Brown, Coates, Crain, Ellis, Ford, Johnson (M), Jolley, Justice, Lamb, Marlatt, Nichols and Schulz.--16.

Nay: Adelson, Aldridge, Ballenger, Bass, Branan, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Halligan, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--30.

Excused: Coffee and Mazzei.--2.

The bill failed.

Pursuant to Rule 12-21, Senator Anderson served notice that the vote be reconsidered whereby **SB 24** failed.

GENERAL ORDER

SB 791 by Reynolds of the Senate and Reynolds of the House was called up for consideration.

Senator Reynolds moved to amend **SB 791**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Reynolds moved that **SB 791** be advanced, which motion was declared adopted.

THIRD READING

SB 791 was read for the third time at length.

Senator Reynolds asked that **SB 791** be laid over for this legislative day, which was the order.

SB 791 remains on Third Reading.

GENERAL ORDER

SB 912 by Sparks of the Senate and DeWitt of the House was called up for consideration.

Senator Sweeden asked to coauthor **SB 912**, which was the order.

Senator Sparks moved to amend **SB 912**, Page 2, Line 22, by deleting after the word "agricultural" and before the word "or" the word "operation" and inserting in lieu thereof the word "activity"; Page 3, Line 3, by deleting after the word "expanded" and before the word "does" the word "operation" and inserting in lieu thereof the word "activity"; and Page 3, Line 10 ½, by inserting a new subsection E to read as follows:

"E. This section does not relieve agricultural activities of the duty to abide by state and federal laws, including, but not limited to the Oklahoma Concentrated Animal Feeding

Operations Act and the Oklahoma Registered Poultry Feeding Operation Act.”, which amendment was declared adopted.

Senator Sparks moved that **SB 912** be advanced, which motion was declared adopted.

THIRD READING

SB 912 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Coffee and Mazzei.--2.

The bill passed.

SB 912 was referred for engrossment.

GENERAL ORDER

SB 822 by Branan of the Senate and Hickman of the House was called up for consideration.

Senator Branan moved that **SB 822** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Reynolds, Russell, Schulz, Stanislawski and Sykes.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Nichols, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--23.

Excused: Mazzei.--1.

THIRD READING

SB 822 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--21.

Excused: Bass and Mazzei.--2.

The bill passed.

Senator Crutchfield desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 26; Nay: 20; Excused: 2.

The emergency failed.

Pursuant to Rule 12-21, Senator Branan served notice that the vote be reconsidered whereby **SB 822** passed.

Pursuant to Rule 12-21, Senator Gumm served notice that the vote be reconsidered whereby the emergency on **SB 822** failed.

Senator Brogdon presiding.

GENERAL ORDER

SB 1115 by Sykes and Burrage of the Senate and McCullough of the House was called up for consideration.

Senator Crain asked to coauthor **SB 1115**, which was the order.

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

THIRD READING

SB 1115 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Bass, Coffee and Mazzei.--3.

The bill passed.

SB 1115 was referred for engrossment.

GENERAL ORDER

SB 767 by Jolley of the Senate and Murphey of the House was called up for consideration.

Senator Jolley moved that **SB 767** be advanced, which motion was declared adopted.

THIRD READING

SB 767 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Burrage, Corn, Crutchfield, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--20.

Excused: Bass, Easley and Mazzei.--3.

The bill passed.

Pursuant to Rule 12-21, Senator Leftwich served notice that the vote be reconsidered whereby **SB 767** passed.

Senator Sykes presiding.

GENERAL ORDER

SB 1161 by Aldridge of the Senate and Nelson of the House was called up for consideration.

Senator Aldridge moved to amend **SB 1161**, Page 32, Line 23, by deleting after the period the words "The rating may be subject to individual"; Page 33, Lines 1 and 2, by deleting the words "risk characteristics including, but not limited to, experience rating, schedule rating, loss rating or deductible rating."; and Page 34, Line 2, by restoring before the word "adopt" the words "promulgate and" and by inserting after the word "adopt" and before the word "rules" the words ", pursuant to the Administrative Procedures Act," which amendment was declared adopted.

Senator Aldridge moved to amend **SB 1161**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Aldridge moved that **SB 1161** be advanced, which motion was declared adopted.

THIRD READING

SB 1161 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Bass, Mazzei and Reynolds.--3.

The bill passed.

SB 1161 was referred for engrossment.

GENERAL ORDER

SB 950 by Barrington of the Senate and Richardson of the House was called up for consideration.

Senator Barrington moved that **SB 950** be advanced, which motion was declared adopted.

THIRD READING

SB 950 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Bass and Mazzei.--2.

The bill passed.

SB 950 was referred for engrossment.

GENERAL ORDER

SB 1152 by Barrington of the Senate and Terrill of the House was called up for consideration.

Senator Barrington moved to amend **SB 1152**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Barrington moved to amend **SB 1152**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Barrington moved that **SB 1152** be advanced, which motion was declared adopted.

THIRD READING

SB 1152 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--38.

Nay: Corn, Eason McIntyre, Johnson (C), Laster, Lerblance, Sweeden and Wilson.--7.

Excused: Bass, Coffee and Mazzei.--3.

The bill and emergency passed.

Pursuant to Rule 12-21, Senator Corn served notice that the vote be reconsidered whereby **SB 1152** passed.

GENERAL ORDER

SB 641 by Brown of the Senate and Ritze of the House was called up for consideration.

Senator Adelson moved to amend **SB 641**, Page 1, Line 22 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.9 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Each school district shall incorporate dating violence education that is age-appropriate into the annual health curriculum framework for students in grades seven (7) through twelve (12).”, and by renumbering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Brown asked unanimous consent, which was granted, to amend **SB 641**, Page 1, by striking the title.

Senator Brown moved that **SB 641** be advanced, which motion was declared adopted.

THIRD READING

SB 641 was read for the third time at length.

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

Aye: Adelson, Aldridge, Barrington, Bingman, Brogdon, Brown, Burrage, Coffee, Corn, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Newberry, Nichols, Paddack, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--30.

Nay: Anderson, Ballenger, Branan, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Halligan, Lerblance, Myers, Rice and Wilson.--15.

Excused: Bass, Mazzei and Reynolds.--3.

The bill passed.

SB 641 was referred for engrossment.

GENERAL ORDER

SB 817 by Brogdon and Sparks of the Senate and Faught of the House was called up for consideration.

Senator Brogdon moved that **SB 817** be advanced, which motion was declared adopted.

THIRD READING

SB 817 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Ellis, Ford, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Paddack, Russell, Schulz, Sparks, Stanislawski, Sykes and Wilson.--34.

Nay: Adelson, Ballenger, Crutchfield, Eason McIntyre, Garrison, Gumm, Laster, Lerblance, Rice, Sweeden and Wyrick.--11.

Excused: Bass, Mazzei and Reynolds.--3.

The bill passed.

SB 817 was referred for engrossment.

EXECUTIVE NOMINATIONS

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

Atha, Floyd W., Yukon, as a member of the Oklahoma State Credit Union Board - Business and Labor

Capps, Gilmer J., Jr., Lawton, as a member of the Board of Regents of Western Oklahoma State College - Education

Carver, Rod, Willow, as a member of the State Board of Agriculture - Agriculture and Rural Development

Charlton, George R., Jr., Tulsa, as a member of the Oklahoma Lottery Commission - Board of Trustees - Finance

Collins, Gary, Claremore, as a member of the Air Quality Advisory Council - Energy and Environment

Cunningham, Ron, Hartshorne, as a member of the Oklahoma Mining Commission - Energy and Environment

Dark, Anthony, Tulsa, as a member of the Environmental Quality Board - Energy and Environment

Davis, Sharon King, Tulsa, as a member of the Oklahoma Arts Council - Education

Finley-McFalls, Maxine L., Ada, as a member of the Alcoholic Beverage Laws Enforcement Commission - Judiciary

Galvin, Jennifer B., Bartlesville, as a member of the Environmental Quality Board - Energy and Environment

Greenhaw, Joshua, Oklahoma City, as a member of the Capitol Medical Center Improvement and Zoning Commission - General Government

Griffin, Roger O., Broken Bow, as a member of the State Board of Registration for Foresters - Agriculture and Rural Development

Hartley-Kelso, Deanna, Ada, as a member of the Board of Juvenile Affairs - Health and Human Services

Hartz, Jim, Alexandria, as a member of the Will Rogers Memorial Commission - Tourism and Wildlife

Hefton, Dick, Oklahoma City, as a member of the Board of Regents for Rose State College - Education

Jackson, Teresa Kay, Harshorne, as a member of the Board of Regents of Eastern Oklahoma State College - Education

Jones, Hugh R., Woodward, as a member of the Oklahoma Industrial Finance Authority - Finance

Jones, Hugh R., Woodward, as a member of the Oklahoma Development Finance Authority - Finance

Lindley, George W., Duncan, as a member of the Board of Juvenile Affairs - Health and Human Services

Matlock, Terry, Garvin, as a member of the Regional University System of Oklahoma - Education

Meacham, Randolph S., Clinton, as a member of the Oklahoma Indigent Defense System Board - Judiciary

Meshri, Dayal T., Tulsa, as a member of the Oklahoma Science and Technology Research and Development Board - Energy and Environment

Mitchell, Leona, Enid, as a member of the Oklahoma Arts Council - Education

Nero, Donnie, Warner, as a member of the Board of Juvenile Affairs - Health and Human Services

Noble, Stan B., Sand Springs, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Packwood, Carl, Shawnee, as a member of the Council of Bond Oversight - Finance

Paul, William G., Oklahoma City, as a member of the Oklahoma Lottery Commission - Board of Trustees - Finance

Real, David, Broken Arrow, as a member of the Polygraph Examiners Board - Judiciary

Regan, Amy, Tulsa, as a member of the Oklahoma Tourism and Recreation Commission - Tourism and Wildlife

Rose, Sandra, Norman, as a member of the Environmental Quality Board - Energy and Environment

Salmon, Terry L., Norman, as a member of the Oklahoma Science and Technology Research and Development Board - Energy and Environment

Sells, Paul, D.M.V., McAlester, as a member of the State Board of Veterinary Medical Examiners - Agriculture and Rural Development

Taylor, Gary A., Oklahoma City, as a member of the Board of Juvenile Affairs - Health and Human Services

Tucker, Jimmy W., Broken Bow, as a member of the Board of Trustees for the McCurtain County Higher Education Program - Education

Von Glahn, Bill, Tulsa, as a member of the Oklahoma Arts Council - Education

Wegener, Robert A., Oklahoma City, as a member of the Cabinet Secretary of Energy - Energy and Environment

White, Pete, Oklahoma City, as a member of the Air Quality Advisory Council - Energy and Environment

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 10, 2009, at 9:00 a.m., which motion prevailed.

**BILL RELEASED
TIME EXPIRED TO RECONSIDER**

SB 315 was referred for engrossment.

FIRST READING

The following was introduced and read the first time:

SCR 9 – By Garrison of the Senate and Rousselot of the House.

A Concurrent Resolution urging the Environmental Protection Agency (EPA) to streamline its rules for vehicle natural gas conversion; urging the adoption of a single engine category; urging further research; encouraging partnerships to increase natural gas fueling infrastructure; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 5:35 p.m. to meet Tuesday, March 10, 2009, at 9:00 a.m.