

# Senate Journal

## Second Regular Session of the Fifty-third Legislature

### of the State of Oklahoma

#### Twenty-fifth Legislative Day, Monday, March 19, 2012

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Shortey, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.—42.

Excused: Adelson, Branam, Burrage, Laster and Sparks.—5.

Vacancy: District 20.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Eric Cox, Living Word Fellowship, Woodward, the guest of Senator Marlatt.

#### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 1031, 1040, 1043, 1082, 1106, 1164, 1354, 1363, 1371, 1381, 1398, 1437, 1439, 1601, 1624, 1716 and 1903 and SJR 80** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

#### PENDING CONSIDERATION OF HAS

**HAs to SJR 25** were concurred in upon motion of Senator Brecheen.

Senator Johnson (Constance) and Representative Walker asked to coauthor **SJR 25**, which was the order.

**SJR 25**, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Brecheen, Brinkley, Brown, Childers, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, McAffrey, Newberry, Nichols, Paddack, Russell, Schulz, Simpson, Stanislawski, Sykes, Treat, Wilson and Wyrick.--39.

Nay: Shortey.--1.

Excused: Adelson, Branan, Burrage, Ivester, Laster, Mazzei and Sparks.--7.

Vacancy: District 20.--1.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

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

Advising passage of and transmitting for consideration Engrossed **HBs 1485, 1551, 1577, 1952, 1985, 2288, 2296, 2328, 2421, 2478, 2496, 2509, 2525, 2561, 2640, 2643, 2654, 2695, 2740, 2741, 2751, 2839, 2840, 2864, 2941, 2945, 2967, 2980, 3038, 3043, 3076, 3079, 3090, 3091, 3093, 3119 and 3130 and HJR 1015.**

**HB 1485** – By Roberts (Dustin), Blackwell, Cannaday, Walker, Hickman, McDaniel (Curtis) and Hoskin of the House and Schulz of the Senate.

An Act relating to motor vehicles; authorizing the Commissioner of Public Safety to negotiate certain compacts and agreements; establishing presumption that certain actions shall be within discretion of Commissioner; authorizing certain disapproval by the Legislature or Governor; establishing procedure; establishing presumption that certain agreements shall be approved; authorizing Commissioner to promulgate certain rules; amending 47 O.S. 2011, Section 14-118, which relates to permits for motor carriers; authorizing issuance of annual permit for transporting certain equipment; providing for codification; and providing an effective date.

**HB 1551** – By Blackwell, Reynolds, Ritze, Kern and Bennett of the House and David of the Senate.

An Act relating to schools; creating the Scientific Education and Academic Freedom Act; providing short title; stating legislative findings; directing State Board of Education, district boards of education, and certain administrators to create certain environment within schools; permitting teachers to help students understand certain information about scientific

theories; disallowing State Board of Education, district boards of education, and certain administrators from prohibiting teachers from helping students understand certain information about scientific theories; providing for evaluation of students based on understanding of course materials; prohibiting penalizing of students for holding certain position on scientific theories; prohibiting certain construction; stating intent; directing State Department of Education to provide certain notification; directing superintendents to disseminate certain information; and providing for codification.

**HB 1577** – By Martin (Scott) of the House and Holt of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2011, Section 51-104, which relates to the Public Employees Relations Board; modifying membership; modifying provisions related to duration of terms; imposing restrictions related to certain associations; and providing an effective date.

**HB 1952** – By McNeil and Hickman of the House and Stanislawski of the Senate.

An Act relating to motor vehicles; defining term; amending 47 O.S. 2011, Section 2-117.1, which relates to duties of the Oklahoma Tax Commission; clarifying language; amending 47 O.S. 2011, Section 14-110, which relates to certain vehicle registration certificate requirements; modifying authority to certain employees of the Corporation Commission to demand presentment of certain registration certificates; amending 47 O.S. 2011, Section 14-111, which relates to governmental authority to weigh certain vehicles; modifying authority of certain Corporation Commission employees; prohibiting certain employees of the Corporation Commission from issuing traffic citations under certain circumstances; amending 47 O.S. 2011, Section 116.13, which relates to uniform and badge requirements of certain Corporation Commission employees; modifying requirements; amending 47 O.S. 2011, Section 162, which relates to powers and duties of the Corporation Commission; modifying Corporation Commission authority to regulate certain motor carriers; specifying that jurisdiction of the Department of Public Safety shall not be affected by this section; amending 47 O.S. 2011, Section 166.5, which relates to inconsistencies between certain statutes and the State Constitution; specifying that provisions of certain acts be considered amendments and alterations of State Constitution; amending 47 O.S. 2011, Sections 166a and 170.1, which relate to the regulation of motor carriers; updating agency designations; amending 47 O.S. 2011, Section 170.2, which relates to notification procedures for certain motor carrier weight violations; updating terminology; amending 47 O.S. 2011, Section 171, which relates to Corporation Commission authority to hire certain personnel; updating terminology; amending 47 O.S. 2011, Section 171.1, which relates to the expenditure of certain Corporation Commission funds; updating terminology; amending 47 O.S. 2011, Section 172, which relates to certain violations; modifying scope of authority; amending 47 O.S. 2011, Sections 177.2 and 177.3, which relate to transporting of deleterious substances; updating agency designations; amending 47 O.S. 2011, Sections 180, 180a, 180b, 180c, 180d, 180e, 180f and 180g, which relate to the regulation of motor carriers; updating agency designations; amending 47 O.S. 2011, Section 180h, which relates to the collection of certain fees; clarifying language; amending 47 O.S. 2011, Section 180k, which relates to Corporation Commission records; updating agency designations; amending 47 O.S. 2011, Section 180l, which relates to reciprocal compacts and agreements with other states; updating agency designations; providing that the

authority of the Department of Public Safety shall not be superseded or suspended by certain compacts or agreements; amending 47 O.S. 2011, Section 180m, which relates to the duties of certain governmental entities to enforce certain motor vehicle provisions; modifying enforcement authority; amending 47 O.S. 2011, Sections 224 and 225, which relate to the regulation of motor carriers; clarifying language; amending 47 O.S. 2011, Section 228.3, which relates to intrastate fuel surcharges; updating agency designations; modifying reference to federal agency determining minimum surcharge; amending 47 O.S. 2011, Section 228.4, which relates to application of certain statutes to certain certificates and permits; updating statutory reference; amending 47 O.S. 2011, Sections 230.2, 230.3, 230.4, 230.5, 230.6, 230.7, 230.8, 230.9, 230.10, 230.11, 230.13, 230.14, 230.15, 230.22, 230.23, 230.24, 230.25, 230.26, 230.27, 230.28, 230.29, 230.30, 230.31 and 230.32, which relate to the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act and the Motor Carrier Act of 1995; updating agency designations; clarifying language; clarifying scope of certain violations; modifying enforcement authority; specifying how provisions shall be construed; updating statutory reference; modifying power and authority of the Corporation Commission; specifying the Department of Public Safety as the primary enforcement agency; authorizing the Corporation Commission to administer law only if agreement is established with the Department of Public Safety; amending 47 O.S. 2011, Sections 230.34a and 230.34b, which relate to the Motor Carrier Harvest Permit Act of 2006; clarifying certain apportionment; updating agency designations; amending 47 O.S. 2011, Section 1115, which relates to vehicle registration requirements; modifying enforcement authority of certain employees; modifying certain penalty; providing Corporation Commission employees authority to notify law enforcement for the seizure of certain vehicles; amending 47 O.S. 2011, Section 1123, which relates to Tax Commission authority to enter into reciprocal compacts and agreements; clarifying language; amending 47 O.S. 2011, Section 1133, which relates to license fees for commercial vehicles; updating agency employee designations; amending 47 O.S. 2011, Section 1133.2, which relates to the display of certain registration information in certain circumstances; modifying enforcement authority; amending 47 O.S. 2011, Section 1140, which relates to qualifications and requirements for certain agents; updating statutory reference; amending 47 O.S. 2011, Section 1151, which relates to certain unlawful acts and penalties; modifying authority of Corporation Commission employees to issue certain citations; amending 47 O.S. 2011, Section 1166, which relates to the transfer of certain authority from the Tax Commission to the Corporation Commission; deleting obsolete language; amending 47 O.S. 2011, Section 1167, which relates to Corporation Commission authority to establish and administer certain fees, fines and penalties; updating terminology; amending 47 O.S. 2011, Section 1168, which relates to the transfer of certain Tax Commission facilities and equipment to the Department of Transportation; clarifying language; amending 47 O.S. 2011, Section 1169, which relates to Corporation Commission authority to revoke certain licenses, permits, registrations or certificates; updating agency designations; modifying authority; amending 47 O.S. 2011, Section 1170, which relates to the confidentiality of certain reports; clarifying language; providing for codification; providing effective dates; and declaring an emergency.

**HB 1985** – By Hoskin, Inman, Roan, Sherrer, Reynolds, Bennett and Walker of the House and Burrage of the Senate.

An Act relating to state government; amending 74 O.S. 2011, Section 840-4.14, which relates to the Oklahoma Personnel Act; modifying veteran hiring preference requirements; and providing an effective date.

**HB 2288** – By Virgin and Roberts (Dustin) of the House and Sparks of the Senate.  
( state government - amending 74 O.S., Section 1308.3 - health insurance coverage – codification - effective date )

**HB 2296** – By Proctor and Pittman of the House and Crain of the Senate.  
An Act relating to torts; prohibiting liability for certain owners who allow shelter in office during severe weather; defining terms; providing for codification; and providing an effective date.

**HB 2328** – By Lockhart of the House and Ivester of the Senate.  
An Act relating to state government; requiring certain applicants sign an affidavit of noncollusion; providing for codification; and providing an effective date.

**HB 2421** – By Enns, Hilliard, Hamilton, Shelton, Sherrer, Williams and Virgin of the House and Anderson of the Senate.  
( public health and safety – establishment of a public umbilical cord blood bank – increase birth certificate fee – State Board of Health – establish program of education for maternity patients – information available to pregnant patients – revolving fund – effective date )

**HB 2478** – By Scott and McDaniel (Jeannie) of the House and Treat of the Senate.  
An Act relating to mental health; amending 43A O.S. 2011, Section 5-421, which relates to emergency service patrols; permitting Department of Mental Health and Substance Abuse Services to establish certain emergency dispatch system if requested; and providing an effective date.

**HB 2496** – By Hardin and Reynolds of the House and Simpson of the Senate.  
( oil and gas - commercial injection or disposal well or land application site - additional fee on deleterious substances from another state - Corporation Commission - effective date – emergency )

**HB 2509** – By Stiles of the House and Branan of the Senate.  
An Act relating to professions and occupations; amending 59 O.S. 2011, Sections 1151.2, 1151.3, 1151.4, 1151.5, 1151.7, 1151.10, 1151.11, 1151.12, 1151.13 and 1151.14, which relate to the Roofing Contractor Registration Act; modifying definitions; modifying certain unlawful acts; prohibiting certain claims if not registered in good standing under the act; providing for application process upon certain expiration; allowing certain grace period; authorizing Construction Industries Board to make certain public service announcements; requiring submission of certain sworn information; prohibiting registration of certain entity owner; permitting registrar to conduct criminal history search or

background check; granting immunity to certain persons; modifying business limitations of roofing contractors; requiring roofing contractors maintain liability insurance and workers' compensation coverage; requiring roofing contractors maintain certain status and registration; requiring roofing contractors file and pay all taxes on time; providing for noncompliance with certain requirements; modifying application timing limits; requiring roofing contractors provide certain notice to registrar; prohibiting certain name change; requiring new application if certain name is changed; modifying process for renewal applications; providing for failure to renew; mandating certain information be posted on a public website; directing certain search capabilities for the website; providing penalties for certain violations; directing law enforcement to arrest certain violators; directing district attorney to file certain charges; authorizing Attorney General to bring claim; requiring district attorney to bring charges or explain why there are no charges; providing for venue in Oklahoma County; directing where fines shall be paid; directing court to issue certain restitution; requiring Construction Industries Board to post certain information on its website; providing for certain civil claims; providing for fraud per se if certain conditions exist; repealing 59 O.S. 2011, Sections 1151.6, 1151.15 and 1151.22, which relate to the Roofing Contractor Registration Act; and providing an effective date.

**HB 2525** – By Martin (Steve) of the House and Barrington of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 7-600.2, which relates to online verification of compulsory insurance compliance; authorizing certain traffic stops; and providing an effective date.

**HB 2561** – By Wesselhoft, Faught, Kern, Ritze, Peterson, Coody and Moore of the House and Jolley of the Senate.

An Act relating to public health and safety; permitting certain individuals to commence civil actions against certain individuals or entities for certain violations; providing for certain damages; requiring certain evidentiary standard by trier of fact; providing for costs and attorney fees; requiring court to rule whether anonymity of certain individual be preserved if consent not given; requiring court to issue orders, direct sealing of record, and exclude individuals from courtroom if determination is made that anonymity should be preserved; requiring order to be accompanied by specific written findings; requiring certain individuals to bring certain action under a pseudonym; providing for statute of limitation to file certain actions; providing for interpretation; providing for severability; providing for codification; and providing an effective date.

**HB 2640** – By Schwartz of the House and Ford of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 1-1962, which relates to requirements of a home care agency; prohibiting licensed health care facility and certain individuals from referring client for certain services except to licensed agency; providing definition; and providing an effective date.

**HB 2643** – By Brumbaugh of the House and Brown of the Senate.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2011, Section 1278, which relates to outdoor advertising; removing limitation on sign removal; modifying exemptions; providing an effective date; and declaring an emergency.

**HB 2654** – By Jordan and Billy of the House and Johnson (Rob) of the Senate.

( oil and gas - rules of construction - allowing exceptions - amending 52 O.S., Sections 318.21, 318.22 and 318.23 - Seismic Exploration Regulation Act - codification - effective date )

**HB 2695** – By Morrisette and Pittman of the House and Justice of the Senate.

( cedar trees – Oklahoma Resource Reclamation Act – private unoccupied lands – infested lands and abandoned property – duty of absentee landowners – authorizing state and local officials to remove infestation – liability for removal costs – Prisoners Public Works Act – authorizing use of inmate labor - in lieu tax treatment – verification by Oklahoma Tax Commission – filing of approval and election with county assessor – providing for apportionment – disqualifying property for certain exemption – penalty for nonpayment – expanding list of in lieu taxes – Purchasing Division of the Department of Central Services to register certain manufacturers – effective date )

**HB 2740** – By Peters of the House and David of the Senate.

( children and juvenile code - amending 14 sections in Title 10A - Youthful Offender Act - educational needs - repealing 10A O.S., Section 2-5-101 - certification of juveniles – codification - effective date )

**HB 2741** – By Peters of the House and Burrage of the Senate.

An Act relating to the children and juvenile code; amending 10A O.S. 2011, Sections 2-1-102 and 2-1-103, which relate to the Oklahoma Juvenile Code; modifying legislative intent; clarifying definitions; amending 10A O.S. 2011, Sections 2-2-101, 2-2-102, 2-2-104 and 2-2-107, which relate to custody and court proceedings; modifying circumstances that allow taking a child into custody; clarifying juvenile detention requirements and case transfer procedure; providing preliminary inquiry procedures for intake workers; directing district attorneys to determine legal sufficiency of complaints; making diversion services available for certain at-risk children; providing for the use of diversion services after supervision petition filed; prohibiting the filing of supervision petition while participating in diversion services; requiring notice when terminated from diversion services program; construing certain provision; amending 10A O.S. 2011, Section 2-2-301, which relates to custodial interrogations and appointment of counsel; clarifying manner in which custodial interrogations may be conducted; prohibiting certain information from being admitted into evidence; providing representation for indigent children; modifying guardian ad litem qualifications; amending 10A O.S. 2011, Sections 2-2-402 and 2-2-404, which relate to adjudicative hearings and delinquency proceedings; clarifying privacy requirements for adjudicative hearings; allowing open hearings under certain circumstances; modifying circumstances that allow for the deferral of delinquency proceedings; amending 10A O.S. 2011, Sections 2-2-502 and 2-2-503, which relate to treatment and service plans and disposition orders; providing guidelines for treatment and service plan assessment and evaluation process; directing the Office of Juvenile Affairs to identify risks and needs assessment instruments for treatment and service plans; construing certain provision; providing list of rights for disposition hearings; authorizing use of sanctions under certain circumstances; deleting certain redistribution guidelines; prohibiting consideration of arrests, detentions or adjudications for certain purposes; amending 10A O.S. 2011, Section

2-2-701, which relates to contempt of court violations; authorizing issuance of bench warrants; defining terms; describing contempt of court violations; modifying punishment; amending 10A O.S. 2011, Section 2-3-101, which relates to conditions of confinement; modifying secure detention requirements; amending 10A O.S. 2011, Sections 2-6-101, 2-6-102 and 2-6-108, which relate to records of juvenile cases; modifying definitions; deleting and modifying exceptions to confidentiality requirements; directing court to seal records of delinquent proceedings; deleting directive to establish certain records system; amending 10A O.S. 2011, Sections 2-7-303 and 2-7-305, which relate to community-based programs and youth shelters; authorizing the use of school-based prevention programs; allowing the Office of Juvenile Affairs to enter into interlocal agreements with counties; amending 10A O.S. 2011, Section 2-7-501, which relates to probation services; directing the use of common risk and needs assessments; amending 21 O.S. 2011, Section 1283, which relates to firearm possession prohibitions; modifying certain prohibited act; amending 43A O.S. 2011, Section 5-507, which relates to the admission of deprived children; clarifying manner in which minor children in state custody may be admitted to hospital or treatment facilities; amending 70 O.S. 2011, Section 24-101.3, which relates to out-of-school suspensions; modifying list of acts that provide for out-of-school suspensions; repealing 10 O.S. 2011, Sections 22 and 24, which relate to personnel of state institutions and the appointment of counsel; repealing 10 O.S. 2011, Sections 130.1, 130.2, 130.3, 130.4, 130.5, 130.6, 130.7, 130.8 and 130.9, which relate to detention homes for juveniles; repealing 10 O.S. 2011, Section 1101.1, which relates to placement of certain children in mental health facilities; repealing 10A O.S. 2011, Section 2-2-806, which relates to construction of certain juvenile custody facility; providing for codification; and providing an effective date.

**HB 2751** – By Kirby of the House and Brown of the Senate.

( insurance - amending 36 O.S., Section 307.3 - State Insurance Commissioner Revolving Fund - amending 36 O.S., Section 307.5 - Insurance Department Anti-Fraud Revolving Fund - amending 36 O.S., Section 362 - fees )

**HB 2839** – By Martin (Scott), Pittman and Peterson of the House and Sparks of the Senate.

An Act relating to poor persons; directing the Department of Human Services to contact certain Indian tribes regarding the garnishment of certain winnings; requiring submission of certain report; providing for codification; and providing an effective date.

**HB 2840** – By Martin (Scott) of the House and Sparks of the Senate.

An Act relating to children; amending 10 O.S. 2011, Section 403, which relates to exemptions from the Oklahoma Child Care Facilities Licensing Act; exempting certain care; and providing an effective date.

**HB 2864** – By Shelton of the House and Eason McIntyre of the Senate.

( insurance - amending 36 O.S., Section 6055 - accident and health - requirements and exclusions - diagnostic service providers -effective date )



**HB 2941** – By Derby and Ritze of the House and Brinkley of the Senate.

An Act relating to public health and safety; requiring pharmacies to maintain electronic records of nonprescription pseudoephedrine or ephedrine sales; providing list of information to be collected; providing alternate means for recording certain information; directing pharmacies to have approved equipment in place by a certain date; providing description of electronic methamphetamine precursor tracking functions; providing for the selection of a vendor by certain date; directing pharmacies to electronically submit information prior to completing the sale of certain products; providing an exception; making pharmacies exempt from liability under certain circumstances; providing for the confidentiality of information collected; authorizing access of data to certain persons; authorizing use of alternate logging systems under certain circumstances; authorizing exemptions for certain pharmacies; providing requirements and guidelines for exporting data; providing procedures for stop-sale alerts; making certain actions unlawful; providing penalty; providing consequences for second and subsequent stop-sale alerts; authorizing application for removal from program; requiring promulgation of rules and procedures; amending 63 O.S. 2011, Section 2-212, which relates to Schedule V substances; modifying pseudoephedrine purchasing restrictions; prohibiting sales of products under certain circumstances; prohibiting mandatory protocols or procedures on dispensing decisions made by pharmacists; deleting liquid capsule exception; deleting certain definitions; requiring licensed pharmacist to make professional determination of legitimate medical need for certain product prior to dispensing; providing factors that may be considered; authorizing adoption of certain rules and review of certain determinations; providing immunity from civil liabilities for pharmacy or licensed pharmacist in certain circumstances; making certain actions unlawful; amending 63 O.S. 2011, Section 2-309C, which relates to the Anti-Drug Diversion Act; deleting requirement to transmit data for certain products to the central repository; deleting authority of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control to implement certain monitoring program; amending 63 O.S. 2011, Section 2-401, which relates to penalties for prohibited acts; providing penalty for certain unlawful act; amending 63 O.S. 2011, Section 2-701, which relates to the methamphetamine offender registry; deleting certain exception; modifying references to certain monitoring programs; requiring stop-sale alerts under certain circumstances; modifying time limitation for submitting judgment and sentences; directing the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control to transmit registry information to the electronic methamphetamine precursor tracking service; requiring transmission of certain data; providing for stop-sale alerts; directing Bureau to notify tracking service upon certain occurrences; providing for the removal of names from tracking service; providing for codification; and providing an effective date.

**HB 2945** – By Derby and Sherrer of the House and Shortey of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2011, Section 34-104, which relates to the disposition of personal property; increasing property valuation amount for certain notification requirement; and providing an effective date.

**HB 2967** – By Thomsen, Pittman and McDaniel (Jeannie) of the House and Bingman of the Senate.

An Act relating to athlete agents; amending 70 O.S. 2011, Section 821.85, which relates to the Uniform Athlete Agents Act; modifying application for registration; reducing certain surety bond amount; and providing an effective date.

**HB 2980** – By Dank, Sherrer and Hoskin of the House and Mazzei of the Senate.

An Act relating to revenue and taxation; enacting the Preserving Oklahoma's Strategic Industries Incentive Act; stating legislative intent; defining terms; authorizing quarterly incentive payments to certain establishments; providing method for computation of incentive payment amount; prescribing application procedures; requiring Department of Commerce to make certain determinations; prescribing procedures related to approval of application and for payment of incentive amounts; requiring reports to be filed with the Oklahoma Tax Commission; imposing time limit on filing of certain claims; requiring payroll verification; authorizing additional information requests; prescribing limit on duration of incentives and prescribing procedures related thereto; imposing duties on Oklahoma Tax Commission; providing for payment of incentives based on certain factors; creating the Preserving Oklahoma's Strategic Industries Incentive Payment Fund; providing for sources of revenue; providing for expenditures from fund; providing for limit on liability based upon fund balance; requiring promulgation of rules by the Oklahoma Department of Commerce and the Oklahoma Tax Commission; prescribing penalties for false applications and false statements in related documents; providing for imposition of fines requiring repayment of incentive payments under certain conditions; providing for accrual of interest; prohibiting eligibility for certain credits or exemptions based upon receipt of incentive payments; requiring Oklahoma Department of Commerce to prepare report; requiring period for preparation and submission of report; providing for codification; providing an effective date; and declaring an emergency.

**HB 3038** – By Osborn, Newell, Derby, Murphey, Brumbaugh, Blackwell, Hall, McDaniel (Randy), Holland, Cockroft, Faught, Tibbs, Grau, Vaughan, Ortega, Kirby, Jackson, Armes, Sanders, Wright, Mulready, Johnson, Liebmann, Moore, McCullough, Richardson, Kern, Wesselhoft and Reynolds of the House and Jolley of the Senate.

( revenue and taxation - Oklahoma Income Tax Code - providing for elimination of individual income tax - adjusted gross income - eliminating deductions and exemptions - prohibiting use of tax credits - apportionment of sales tax - Ad Valorem Reimbursement Fund - Teachers' Retirement System Dedicated Revenue Revolving Fund – repealing sections - effective dates )

**HB 3043** – By Osborn and Faught of the House and Brown of the Senate.

An Act relating to public buildings and public works; creating the Fair and Open Competition in Governmental Construction Act; declaring purposes; defining terms; prohibiting public agencies from entering into certain contracts; prohibiting certain terms in certain documents; prohibiting public agencies from making certain awards; prohibiting certain persons from placing certain terms in certain documents; providing exemptions; providing for codification; and providing an effective date.

**HB 3076** – By Dorman of the House and Johnson (Rob) of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 5-142, which relates to criminal history record checks; modifying and adding definitions; requiring board of education to request national criminal history record check for any direct contact unsupervised volunteer; requiring school district to pay search fee; prohibiting future checks after volunteer passes a check unless break in service occurs; permitting board of education to request national criminal history record check of school volunteer; requiring school district to pay search fee; prohibiting future check after school volunteer passes a check unless break in service occurs; and providing an effective date.

**HB 3079** – By Murphey of the House and David of the Senate.

An Act relating to state agency consolidation; consolidating the Department of Central Services, Office of Personnel Management, Oklahoma State Employees Benefits Council, the Oklahoma Merit Protection Commission, the Office of the State Bond Advisor, the State and Education Employees Group Insurance Board, and the Office of State Finance into the Office of Management and Enterprise Services; amending 1 O.S. 2011, Section 26, which relates to the Oklahoma Abstractors Act; modifying references; amending 2 O.S. 2011, Sections 2-12 and 2-26, which relate to the State Board of Agriculture; modifying references; amending 2 O.S. 2011, Sections 5-3.3 and 5-11, which relate to the Oklahoma Agriculture Enhancement and Diversification Act; modifying references; amending 2 O.S. 2011, Section 6-405, which relates to the Animal Disease Outbreak Temporary Emergency Act; modifying references; amending 2 O.S. 2011, Section 7-416, which relates to the Milk and Milk Products Inspection Revolving Fund; modifying references; amending 2 O.S. 2011, Section 10-9.6, which relates to the Poultry Waste Education Revolving Fund; modifying references; amending 2 O.S. 2011, Section 10-9.24, which relates to the Agriculture Regulation Revolving Fund; modifying references; amending 2 O.S. 2011, Section 15-60.3, which relates to the Oklahoma County Fair Enhancement Fund; modifying references; amending 2 O.S. 2011, Sections 16-8, 16-11 and 16-83, which relate to the Oklahoma Forestry Code; modifying references; amending 2 O.S. 2011, Sections 18-40 and 18-42, which relate to the Oklahoma Beef Improvement and Market Development Act; modifying references; amending 2 O.S. 2011, Section 18-243, which relates to the Oklahoma Sorghum Resources Act; modifying references; amending 2 O.S. 2011, Section 18-273, which relates to the Oklahoma Oilseed Resources Act; modifying references; amending 2 O.S. 2011, Section 18-314, which relates to the Oklahoma Wheat Resources Act; modifying references; amending 2 O.S. 2011, Section 18-407, which relates to the Eastern Red Cedar Revolving Fund; modifying references; amending 3 O.S. 2011, Sections 84 and 91, which relate to the Oklahoma Aeronautics Commission Act; modifying references; amending 3A O.S. 2011, Sections 204.1B and 208.3a, which relate to the Oklahoma Horse Racing Act; modifying references; amending 3A O.S. 2011, Sections 281 and 282, which relate to the State-Tribal Gaming Act; modifying references; amending 3A O.S. 2011, Section 616, which relates to the Oklahoma State Athletic Commission Revolving Fund; modifying references; amending 3A O.S. 2011, Sections 713, 719 and 733, which relate to the Oklahoma Education Lottery Act; modifying references; amending 6 O.S. 2011, Section 211.1, which relates to the Banking Department Revolving Fund; modifying references; amending 7 O.S. 2011, Section 22, which relates to the Adult Blind Market Revolving Fund; modifying references; amending 10 O.S. 2011, Section 175.12,

which relates to the Children's Hospital of Oklahoma; modifying references; amending 10 O.S. 2011, Section 410.1, which relates to the Quality of Care Development Fund; modifying references; amending 10 O.S. 2011, Sections 601.6b and 601.10, which relate to the Oklahoma Commission on Children and Youth; modifying references; amending 10 O.S. 2011, Section 630.2, which relates to the Coordinated Database System for Children Act; modifying references; amending 10 O.S. 2011, Section 1430.42, which relates to the Group Homes for Persons with Developmental or Physical Disabilities Act; modifying references; amending 10A O.S. 2011, Sections 1-9-103 and 1-9-109, which relate to the Oklahoma Children's Code; modifying references; amending 10A O.S. 2011, Sections 2-2-806, 2-7-202, 2-7-306, 2-7-401 and 2-7-606, which relate to the Oklahoma Juvenile Code; modifying references; amending 11 O.S. 2011, Section 24-115, which relates to the Oklahoma Municipal Power Authority Act; modifying references; amending 11 O.S. 2011, Sections 49-100.3, 49-100.5 and 49-100.8, which relate to the Firefighters Pension and Retirement System; modifying references; amending 11 O.S. 2011, Sections 50-103.1 and 50-105.3, which relate to the Police Pension and Retirement System; modifying references; amending 11 O.S. 2011, Section 51-104a, which relates to Fire and Police Arbitration; modifying references; amending 12 O.S. 2011, Section 921.1, which relates to the Legal Services Revolving Fund; modifying references; amending 12A O.S. 2011, Section 1-9-320.6, which relates to secured transactions; modifying references; amending 14A O.S. 2011, Section 6-301, which relates to the Consumer Credit Administrative Expenses Revolving Fund; modifying references; amending 15 O.S. 2011, Section 775B.7, which relates to the Telemarketer Revolving Fund; modifying references; amending 17 O.S. 2011, Section 39, which relates to a petty cash fund for the Corporation Commission; modifying references; amending 17 O.S. 2011, Section 57, which relates to the Oil and Gas Division Revolving Fund; modifying references; amending 17 O.S. 2011, Sections 180.7, 180.10 and 180.11, which relate to the miscellaneous provisions of the Corporation Commission; modifying references; amending 17 O.S. 2011, Sections 315, 322 and 323, which relate to the Oklahoma Storage Tank Regulation Act; modifying references; amending 17 O.S. 2011, Section 365, which relates to the Oklahoma Leaking Underground Storage Tank Trust Fund; modifying references; amending 18 O.S. 2011, Sections 552.20 and 552.21, which relate to the Oklahoma Solicitation of Charitable Contributions Act; modifying references; amending 19 O.S. 2011, Sections 215.28, 215.30 and 215.40, which relate to district attorneys; modifying references; amending 19 O.S. 2011, Section 547.2, which relates to the Sheriffs' Personnel Task Force; modifying references; amending 19 O.S. 2011, Section 746.1, which relates to the Medical Expense Liability Revolving Fund; modifying references; amending 19 O.S. 2011, Section 901.58, which relates to the Rural Fire Defense Equipment Revolving Fund; modifying references; amending 19 O.S. 2011, Sections 1501 and 1505, which relate to purchasing; modifying references; amending 20 O.S. 2011, Section 4, which relates to the Supreme Court; modifying references; amending 20 O.S. 2011, Section 61, which relates to the Court of Criminal Appeals Revolving Fund; modifying references; amending 20 O.S. 2011, Section 1104, which relates to judicial retirement compensation; modifying references; amending 20 O.S. 2011, Section 1227, which relates to the Law Library Revolving Fund; modifying references; amending 20 O.S. 2011, Sections 1304, 1307, 1310.1, 1310.2, 1310.3, 1315 and 1316, which relate to the court fund; modifying references; amending 20 O.S. 2011, Sections 1662 and 1663, which relate to the Council on Judicial Complaints; modifying references; amending 21 O.S.

2011, Sections 142.17 and 142.32, which relate to the Oklahoma Crime Victims Compensation Act; modifying references; amending 21 O.S. 2011, Section 1247, which relates to smoking in public places; modifying references; amending 21 O.S. 2011, Section 1290.14, which relates to the Oklahoma Self-Defense Act; modifying references; amending 21 O.S. 2011, Section 1379.1, which relates to other crimes against public peace; modifying references; amending 22 O.S. 2011, Sections 1368, 1369 and 1370.1, which relate to criminal procedure; modifying references; amending 25 O.S. 2011, Sections 82.1 and 90.19, which relate to holidays; modifying references; amending 26 O.S. 2011, Section 2-118, which relates to compensation of secretaries; modifying references; amending 26 O.S. 2011, Sections 3-107, 3-107.1 and 3-107.2, which relate to revolving funds of the State Election Board; modifying references; amending 26 O.S. 2011, Section 6-120, which relates to advertising for bids; modifying references; amending 27A O.S. 2011, Sections 2-3-401 and 2-3-403, which relate to fund and general fees; modifying references; amending 27A O.S. 2011, Section 2-7-304, which relates to the Hazardous Waste Fund; modifying references; amending 27A O.S. 2011, Section 2-11-610, which relates to the Oklahoma Computer Equipment Recovery Act; modifying references; amending 27A O.S. 2011, Sections 3-2-103, 3-2-106a, 3-2-106b, 3-2-109, 3-2-110 and 3-3-115, which relate to the Oklahoma Conservation Commission; modifying references; amending 27A O.S. 2011, Section 3-3-406, which relates to the Small Watersheds Flood Control Fund; modifying references; amending 27A O.S. 2011, Section 3-3-502, which relates to the Oklahoma Conservation Commission Municipal Infrastructure Cost-Share Revolving Fund; modifying references; amending 27A O.S. 2011, Section 3-4-106, which relates to the Oklahoma Carbon Sequestration Enhancement Act; modifying references; amending 29 O.S. 2011, Sections 3-103, 3-302, 3-310 and 3-313, which relate to the Wildlife Conservation Commission; modifying references; amending 29 O.S. 2011, Sections 4-132 and 4-134, which relate to licenses; modifying references; amending 36 O.S. 2011, Sections 307.3 and 307.5, which relate to funds of the Insurance Department; modifying references; amending 36 O.S. 2011, Section 7202, which relates to the Health Carrier Access Payment Revolving Fund; modifying references; amending 37 O.S. 2011, Sections 506.1, 510A, 563.1 and 567, which relate to the Oklahoma Alcoholic Beverage Control Act; modifying references; amending 37 O.S. 2011, Section 608, which relates to the Prevention of Youth Access to Alcohol Revolving Fund; modifying references; amending 40 O.S. 2011, Sections 4-312, 4-314, 4-508 and 4-901, which relate to the Employment Security Act of 1980; modifying references; amending 40 O.S. 2011, Section 6-101, which relates to the OESC Computer Fund; modifying references; amending 40 O.S. 2011, Sections 141.19 and 141.20, which relate to the Boiler and Pressure Vessel Safety Act; modifying references; amending 43A O.S. 2011, Sections 2-104, 2-107, 2-111, 2-302, 2-303, 2-306, 2-310, 2-311, 3-102, 3-103, 3-105, 3-106, 3-107, 3-107b, 3-453 and 3-460, which relate to the Mental Health Law of 1986; modifying references; amending 44 O.S. 2011, Section 25, which relates to the rank of Adjutant General; modifying references; amending 44 O.S. 2011, Section 209, which relates to leave of absence; modifying references; amending 44 O.S. 2011, Section 233.7, which relates to the Oklahoma Military Department Revolving Fund; modifying references; amending 44 O.S. 2011, Sections 235.1 and 235.2, which relate to the 45th Infantry Division Museum; modifying references; amending 45 O.S. 2011, Section 938.1, which relates to the Oklahoma Miner Training Institute Revolving Fund; modifying references; amending 47 O.S. 2011, Sections 2-101, 2-104, 2-105, 2-105.7, 2-108.1, 2-122, 2-124, 2-

142, 2-143, 2-144.1, 2-145 and 2-146, which relate to the Department of Public Safety; modifying references; amending 47 O.S. 2011, Sections 2-303, 2-307 and 2-310.1, which relate to the Law Enforcement Retirement System; modifying references; amending 47 O.S. 2011, Section 11-403.2a, which relates to the Motorcycle Safety and Drunk Driving Awareness Fund; modifying references; amending 47 O.S. 2011, Section 40-123, which relates to the Motorcycle Safety and Education Program Revolving Fund; modifying references; amending 47 O.S. 2011, Sections 156.3 and 158.2, which relate to automobiles owned by the state; modifying references; amending 47 O.S. 2011, Section 577, which relates to administration of motor vehicle dealers; modifying references; amending 47 O.S. 2011, Sections 582 and 587, which relate to the Oklahoma Used Motor Vehicle and Parts Commission; modifying references; amending 47 O.S. 2011, Section 759, which relates to the Board of Tests for Alcohol and Drug Influence Revolving Fund; modifying references; amending 47 O.S. 2011, Sections 1104.3, 1104.4, 1104.5, 1104.7, 1104.8, 1104.9, 1104.10, 1104.11, 1104.12, 1104.13, 1104.14, 1104.15, 1104.16, 1104.17, 1104.18, 1104.19, 1104.20, 1104.21, 1104.22, 1115.1, 1132.2 and 1143.1, which relate to the Oklahoma Vehicle License and Registration Act; modifying references; amending 47 O.S. 2011, Sections 1167 and 1168, which relate to the Trucking One-Stop Shop Act; modifying references; amending 51 O.S. 2011, Sections 156, 159, 162 and 163, which relate to The Governmental Tort Claims Act; modifying references; amending 52 O.S. 2011, Sections 132, 139, 140 and 206, which relate to oil and gas conservation; modifying references; amending 52 O.S. 2011, Sections 288.5B and 288.7, which relate to the Oklahoma Energy Education and Marketing Act; modifying references; amending 52 O.S. 2011, Sections 310 and 317.1, which relate to the regulation of wells; modifying references; amending 52 O.S. 2011, Section 420.11, which relates to the Liquefied Petroleum Gas Fund; modifying references; amending 52 O.S. 2011, Section 420.26, which relates to the LP Gas Research, Marketing and Safety Revolving Fund; modifying references; amending 52 O.S. 2011, Section 705, which relates to the Commission on Marginally Producing Oil and Gas Wells Revolving Fund; modifying references; amending 53 O.S. 2011, Sections 1.10, 1.10a and 1.12, which relate to the Oklahoma Historical Preservation Act; modifying references; amending 53 O.S. 2011, Section 7.4, which relates to the Buffalo Soldiers Heritage Corridor Fund; modifying references; amending 53 O.S. 2011, Sections 47 and 47.4A, which relate to the Will Rogers Museum; modifying references; amending 53 O.S. 2011, Section 175, which relates to the Oklahoma Arts Council Arts Education Revolving Fund; modifying references; amending 53 O.S. 2011, Section 232, which relates to the Oklahoma Music Hall of Fame Revolving Fund; modifying references; amending 53 O.S. 2011, Section 403, which relates to the Oklahoma American Civil War Sesquicentennial Revolving Fund; modifying references; amending 56 O.S. 2011, Section 26.17, which relates to general assistance and emergency relief; modifying references; amending 56 O.S. 2011, Section 59.1, which relates to the Indigent Health Care Revolving Fund; modifying references; amending 56 O.S. 2011, Section 189a, which relates to board of county commissioners; amending 56 O.S. 2011, Section 198.11b, which relates to the Oklahoma Consumer-Directed Personal Assistance and Support Services (Oklahoma CD-PASS) Act; modifying references; amending 56 O.S. 2011, Section 202, which relates to payment of premiums; modifying references; amending 56 O.S. 2011, Sections 213, 224 and 226, which relate to budget and finances; modifying references; amending 56 O.S. 2011, Section 230.70, which relates to One-stop Career/Employment Centers; modifying references;

amending 56 O.S. 2011, Section 260, which relates to the Individual Development Account (IDA) Revolving Fund; modifying references; amending 56 O.S. 2011, Section 1003, which relates to the Medicaid fraud control unit; modifying references; amending 56 O.S. 2011, Sections 2002 and 2004, which relate to the Oklahoma Health Care Authority; modifying references; amending 56 O.S. 2011, Section 3002, which relates to the Coordination of Services for Older Oklahomans Act; modifying references; amending 57 O.S. 2011, Sections 508.2c, 509 and 510.6a, which relate to the Oklahoma Corrections Act of 1967; modifying references; amending 57 O.S. 2011, Sections 513.1, 521.1, 521.2, 537.1, 541, 549.1, 557, 557.2, 561, 561.1, 561.2 and 561.4, which relate to the Oklahoma Inmate Literacy Act; modifying references; amending 57 O.S. 2011, Section 613, which relates to probation and parole offices; modifying references; amending 59 O.S. 2011, Section 154, which relates to the Board of Podiatric Medical Examiners' Revolving Fund; modifying references; amending 59 O.S. 2011, Section 161.20, which relates to the Board of Chiropractic Examiners' Revolving Fund; modifying references; amending 59 O.S. 2011, Section 199.15, which relates to the Oklahoma Cosmetology Act; modifying references; amending 59 O.S. 2011, Section 328.42, which relates to the State Dental Fund; modifying references; amending 59 O.S. 2011, Section 396.1C, which relates to the Fund of the Oklahoma Funeral Board; modifying references; amending 59 O.S. 2011, Section 587, which relates to the Optometry Board Revolving Fund; modifying references; amending 59 O.S. 2011, Section 644, which relates to the State Board of Osteopathic Examiner's Revolving Fund; modifying references; amending 59 O.S. 2011, Section 698.28, which relates to the Veterinary Medical Examiners Fund; modifying references; amending 59 O.S. 2011, Sections 858-205, 858-601, 858-626 and 858-730, which relate to the Oklahoma Real Estate License Code; modifying references; amending 59 O.S. 2011, Section 1000.4, which relates to the Construction Industries Board Act; modifying references; amending 59 O.S. 2011, Section 1000.28, which relates to the Oklahoma Uniform Building Code Commission Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1018, which relates to the Plumbing Licensing Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1042, which relates to the Oklahoma Inspectors Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1113, which relates to the Certification Fund; modifying references; amending 59 O.S. 2011, Section 1150.5, which relates to the Sanitarian and Environmental Specialist Registration Advisory Council; modifying references; amending 59 O.S. 2011, Section 1151.20, which relates to the Roofing Contractor Registration Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1203, which relates to the State Board of Registration for Foresters; modifying references; amending 59 O.S. 2011, Section 1455, which relates to the Polygraph Examiners Act; modifying references; amending 59 O.S. 2011, Section 1694, which relates to the Electrical Revolving Fund; modifying references; amending 59 O.S. 2011, Sections 1800.14 and 1800.15, which relate to the Alarm and Locksmith Industry Act; modifying references; amending 59 O.S. 2011, Sections 1820.17 and 1820.18, which relate to the Fire Extinguisher Licensing Act; modifying references; amending 59 O.S. 2011, Section 1850.13, which relates to the Oklahoma Mechanical Licensing Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1883, which relates to the Licensed Alcohol and Drug Counselors Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1918, which relates to the Licensed Professional Counselors Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1925.17, which

relates to the Licensed Marital and Family Therapist Revolving Fund; modifying references; amending 59 O.S. 2011, Section 1946, which relates to the Licensed Behavioral Practitioners Revolving Fund; modifying references; amending 59 O.S. 2011, Section 2058, which relates to the Perfusionists Licensure Fund; modifying references; amending 59 O.S. 2011, Section 2095.20, which relates to the Oklahoma Mortgage Broker and Mortgage Loan Originator Recovery Fund; modifying references; amending 59 O.S. 2011, Section 3024, which relates to the Elevator Safety Act; modifying references; amending 59 O.S. 2011, Section 3118, which relates to the Consumer Credit Counseling Revolving Fund; modifying references; amending 59 O.S. 2011, Section 5009, which relates to the Commercial Pet Breeders Enforcement Fund; modifying references; amending 60 O.S. 2011, Sections 383, 384, 385, 386, 387 and 389, which relate to gifts to the state; modifying references; amending 61 O.S. 2011, Sections 1, 11 and 12, which relate to public buildings; modifying references; amending 61 O.S. 2011, Sections 60, 61, 62, 62.2, 63 and 65, which relate to state consultants; modifying references; amending 61 O.S. 2011, Sections 102, 103, 107, 113, 121, 125 and 130, which relate to the Public Competitive Bidding Act of 1974; modifying references; amending 61 O.S. 2011, Sections 202, 202.1, 203, 204, 205, 207.2, 208, 208.1, 208.2, 209, 210, 211, 212, 213 and 220, which relate to the Public Building Construction and Planning Act; modifying references; amending 62 O.S. 2011, Sections 34.2, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 34.10, 34.11, 34.11.1, 34.11.6, 34.11.9, 34.12, 34.13, 34.15, 34.16, 34.17, 34.18, 34.19, 34.20, 34.21, 34.22, 34.23, 34.24, 34.24.1, 34.25, 34.26, 34.27, 34.28, 34.30, 34.31, 34.32, 34.33, 34.34, 34.35, 34.36, 34.37, 34.40, 34.41, 34.42, 34.43, 34.45, 34.47, 34.49, 34.50, 34.51, 34.52, 34.53, 34.54, 34.55, 34.56, 34.58, 34.62, 34.63, 34.64, 34.65, 34.66, 34.67, 34.68, 34.69, 34.70, 34.71, 34.72, 34.74, 34.75, 34.77, 34.78, 34.80, 34.81, 34.82, 34.83, 34.87, 34.90, 34.91, 34.92, 34.93, 34.94, 34.95, 34.96 and 34.100, which relate to the Oklahoma State Finance Act; modifying references; amending 62 O.S. 2011, Sections 35.3, 35.5, 35.6, 35.7, 35.8 and 35.9, which relate to the Information Technology Consolidation and Coordination Act; modifying references; amending 62 O.S. 2011, Sections 41.5a-4, 45.3, 45.4, 45.5 and 45.6, which relate to the Oklahoma Program Performance Budgeting and Accountability Act; modifying references; amending 62 O.S. 2011, Sections 46, 46.1, 46.3, 48, 48.2 and 49, which relate to the Taxpayer Transparency Act; modifying references; amending 62 O.S. 2011, Sections 57.39, 57.69, 57.89, 57.109 and 57.189, which relate to certain bond funds; modifying references; amending 62 O.S. 2011, Sections 57.303 and 57.306, which relate to the Oklahoma Building Bond and College Savings Bond Act; modifying references; amending 62 O.S. 2011, Sections 71.1 and 71.2, which relate to the Security for Public Deposits Act; modifying references; amending 62 O.S. 2011, Sections 89.2, 89.5 and 90, which relate to the Oklahoma Small Business Linked Deposit Act; modifying references; amending 62 O.S. 2011, Section 90.8, which relates to the Rural Economic Development Loan Revolving Fund; modifying references; amending 62 O.S. 2011, Sections 139.45, 139.48, 139.49, 155, 156, 157, 158, 159, 159.1, 159.2, 160.1, 160.2, 166d, 178, 193 and 195, which relate to various funds; modifying references; amending 62 O.S. 2011, Section 221, which relates to the Oklahoma Tax Commission Fund; modifying references; amending 62 O.S. 2011, Sections 275.8 and 275.9, which relate to records of warrants; modifying references; amending 62 O.S. 2011, Sections 276.1, 276.3 and 276.4, which relate to the Revolving Fund for the Office of the Secretary of State; modifying references; amending 62 O.S. 2011, Section 555, which relates to lost or destroyed warrants or vouchers; modifying



references; amending 62 O.S. 2011, Sections 695.8a and 695.11A, which relate to the Oklahoma Bond Oversight and Reform Act; modifying references; amending 62 O.S. 2011, Section 891.15, which relates to the Community Economic Development Pooled Finance Revolving Fund; modifying references; amending 62 O.S. 2011, Section 901, which relates to the State Capital Improvement Planning Act; modifying references; amending 62 O.S. 2011, Section 2310, which relates to the Tobacco Settlement Endowment Trust Fund Act; modifying references; amending 62 O.S. 2011, Section 3112, which relates to the Oklahoma Pension Legislation Actuarial Analysis Act; modifying references; amending 63 O.S. 2011, Sections 1-105d, 1-107, 1-107.1A, 1-107.2, 1-107.3 and 1-110.1, which relate to the Oklahoma Public Health Code; modifying references; amending 63 O.S. 2011, Section 1-229.3, which relates to the Tobacco Use Reduction Fund; modifying references; amending 63 O.S. 2011, Section 1-240, which relates to the Office of Child Care; modifying references; amending 63 O.S. 2011, Sections 1-557 and 1-559, which relate to the Oklahoma Breast and Cervical Cancer Act; modifying references; amending 63 O.S. 2011, Section 1-570, which relates to the Genetic Counseling Licensure Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-604, which relates to the transfer of Oklahoma General Hospital; modifying references; amending 63 O.S. 2011, Section 1-723, which relates to the Primary Health Care Development Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-740.12, which relates to the Alternatives-to-Abortion Services Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-857.6, which relates to the abolishment of the Oklahoma Health Planning Commission; modifying references; amending 63 O.S. 2011, Section 1-860.16, which relates to the Hospice Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-1971, which relates to the Home Health Care Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 1-2505.2 and 1-2512.1, which relate to the Oklahoma Emergency Response Systems Development Act; modifying references; amending 63 O.S. 2011, Section 1-2523, which relates to the Oklahoma Institute for Disaster and Emergency Medicine Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-2530.9, which relates to the Trauma Care Assistance Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-2603, which relates to the Kidney Health Revolving Fund; modifying references; amending 63 O.S. 2011, Section 1-2714, which relates to the Dental Loan Repayment Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 2-103, 2-106.1, 2-107 and 2-107b, which relate to the Uniform Controlled Dangerous Substances Act; modifying references; amending 63 O.S. 2011, Section 2-417, which relates to the Drug Abuse Education Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 2-503.2 and 2-512, which relate to the Drug Money Laundering and Wire Transmitter Act; modifying references; amending 63 O.S. 2011, Section 79, which relates to the Oklahoma Sports Eye Safety Program Revolving Fund; modifying references; amending 63 O.S. 2011, Section 330.62, which relates to the Oklahoma State Board of Examiners for Long-Term Care Administrators Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 485.11 and 485.12, which relate to the J.D. McCarty Center for Children with Developmental Disabilities Revolving Fund; modifying references; amending 63 O.S. 2011, Section 683.4, which relates to the Oklahoma Emergency Management Act of 2003; modifying references; amending 63 O.S. 2011, Section 683.27, which relates to the Oklahoma Volunteerism Act; modifying references; amending 63 O.S. 2011, Section 954, which relates to the Chief Medical

Examiner Revolving Fund; modifying references; amending 63 O.S. 2011, Sections 2056 and 2058, which relate to the Oklahoma Community Social Service Centers Act; modifying references;

**HB 3090** – By Nelson, Kern and Pittman of the House and Anderson of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 13-101.2, which relates to the Lindsey Nicole Henry Scholarships for Students with Disabilities Program Act; clarifying language; updating statutory citations; providing for proration of a scholarship in certain circumstances; modifying time period for notifying a private school of scholarship amount; amending Section 2, Chapter 356, O.S.L. 2011, which relates to the Special Education Statewide Cooperative Task Force; and extending termination date of the Task Force.

**HB 3091** – By Williams, Pittman and Hoskin of the House and Johnson (Rob) of the Senate.

An Act relating to criminal record expungements; amending 10A O.S. 2011, Section 2-5-210, which relates to the Youthful Offender Act; clarifying procedures for expunging criminal records of youthful offenders; providing access to expunged records for certain purposes; providing for the unsealing of records upon application for use in subsequent prosecutions; defining term; amending 22 O.S. 2011, Section 18, which relates to the expungement of records; adding and modifying expungement qualifications; and providing an effective date.

**HB 3093** – By Williams, Pittman, McDaniel (Curtis) and Sherrer of the House and Fields of the Senate.

( canoes - amending 63 O.S., Section 4002 - vessel registration - amending 68 O.S., Section 1354 - sales tax )

**HB 3119** – By Hickman of the House and Stanislawski of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 7-203, which relates to the School Consolidation Assistance Fund; modifying certain term; defining term; and deleting provision for payment of severance allowance for certain employees.

**HB 3130** – By Nelson of the House and Stanislawski of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Section 5-135.2, which relates to the Oklahoma Cost Accounting System; deleting obsolete language; directing that the Oklahoma Cost Accounting System require certain reporting by school districts; requiring the State Department of Education to make certain code designations and descriptions public as provided for in certain law; amending 70 O.S. 2011, Section 5-135.4, which relates to the School District Transparency Act; modifying content of certain information; requiring the Department to make all Oklahoma Cost Accounting System code designations and descriptions available on its website; and requiring information to be updated within certain time period.

**HJR 1015** – By Schwartz of the House and Johnson (Rob) 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 Sections 3 and 4 of Article XXVIII of the Constitution of the State of Oklahoma; authorizing the sale of beer, wine and spirit accessories; providing ballot title; and directing filing.

The above-numbered measures were read the first time.

## **MESSAGE FROM THE HOUSE**

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

**SB 91** - (2nd CCR)

The above-numbered measure, is amended in conference, was referred for enrollment.

## **EXECUTIVE NOMINATIONS**

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

Bracken, Sandra J., Choctaw, as a member of the State Banking Board - Finance

Clay, Cecil W., Oklahoma City, as a member of the State Fire Marshal Commission - General Government

Clay, Cecil W., Oklahoma City, as a member of the State Fire Marshal Commission - General Government

Cotten, M. Phil, Norman, as a member of the Board of Dentistry - Health and Human Services

Drake, J. Bob, Davis, as a member of the Oklahoma Water Resources Board - Energy

Elam, Joseph D. Jr., Edmond, as a member of the State Fire Marshal Commission - General Government

Ficken, Richard N., Tulsa, as a member of the Oklahoma State Credit Union Board - Business and Commerce

Morgan, E. Anne, Norman, as a member of the Oklahoma Department of Libraries Board - General Government

Rooker, Michael D., Shawnee, as a member of the Oklahoma Conservation Commission - Energy

Smith, Leonardo D., Oklahoma City, as a member of the Capitol-Medical Center Improvement and Zoning Commission - General Government

Thornbrugh, C. Michael, Broken Arrow, as a member of the Oklahoma Centennial Botanical Garden Authority - General Government

Trekell, Kirk A., Alva, as a member of the State Fire Marshal Commission - General Government

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SB 91** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SB 91**.

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

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 20, 2012, at 1:30 p.m., which motion prevailed.

### **COMMITTEE REPORT**

The following was reported by the committee named, ordered printed and placed on the Calendar:

FAILED:

**HB 2677** – Education

Ayes: Brecheen, David, Stanislawski

Nays: Childers, Eason McIntyre, Ford, Garrison, Halligan, Holt, Lerblance, Nichols, Paddack

Pursuant to the Schulz motion, the Senate adjourned at 1:55 p.m. to meet Tuesday, March 20, 2012, at 1:30 p.m.

**JOURNAL CORRECTION**

Page 667, 4<sup>th</sup> line from bottom of page insert:

**“CONFERENCE COMMITTEE REPORT SUBMITTED**

**SB 91 (2nd CCR)**, remove Senator Brinkley and substitute Senator Jolley as principal Senate author, and remove Representative Tibbs and substitute Representative Banz as principal House author.”