

Senate Journal

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

Twenty-sixth Legislative Day, Monday, March 18, 2013

The Senate was called to order by Senator David.

Roll Call:

Present: Aldridge, Allen, Ballenger, Barrington, Bass, Bingman, Boggs, Branan, Brecheen, Brinkley, Brooks, Brown, Burrage, Coates, Dahm, David, Ellis, Fields, Ford, Garrison, Griffin, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Loveless, Marlatt, Newberry, Paddack, Schulz, Sharp, Shaw, Shortey, Shumate, Simpson, Standridge, Stanislawski, Sykes, Treat and Wyrick.—43.

Excused: Anderson, Crain, Mazzei, McAffrey and Sparks.—5.

Senator David declared a quorum present.

The prayer was offered by Dustin Loehrs, Associate Pastor of Music, Henderson Hills Baptist Church, Edmond, the guest of Senator Jolley.

INTRODUCTION

Senator Coates introduced his son, Andrew William Coates, to the Senate.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1056, 1062, 1100, 1107, 1240, 1242, 1248, 1252, 1343, 1412, 1415, 1419, 1476, 1477, 1612, 1623, 1661, 1699, 1722, 1723, 1742, 1759, 1768, 1794, 1880, 1884, 1886, 1931, 1938, 1940, 2020, 2044, 2048, 2055, 2057, 2068, 2086, 2087, 2099, 2131, 2145, 2182, 2186, 2201, 2221, 2226, 2228 and 2264.**

HB 1056 – By McDaniel (Jeannie) and Shelton of the House and Coates of the Senate.

An Act relating to prisons and reformatories; providing short title; creating the Parole of Aging Prisoners Act; stating legislative purpose; defining terms; stating authority of the Pardon and Parole Board; authorizing certain prisoners to request parole; providing hearing procedures; providing procedures for granting and denying parole requests; requiring victims be notified of request; providing for codification; and providing an effective date.

HB 1062 – By McCullough, Roberts (Sean), Ritze, Bennett, Christian and Cockroft of the House and Sykes of the Senate.

An Act relating to school security; creating the Special Reserve School Resource Officer Act; amending 21 O.S. 2011, Sections 1277 and 1280.1, as amended by Sections 6 and 8, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Sections 1277 and 1280.1), which relate to carrying firearms on certain property; allowing certain persons to carry handguns on school property; authorizing boards of education to allow for participation in special reserve school resource officer academies; construing provision; making participation voluntary; providing for payment of academy training expenses; authorizing certain persons to carry handgun on school property; providing for statewide peace officer certification; providing immunity from civil and criminal liability; stating powers and duties of the Council on Law Enforcement Education and Training; defining term; providing for codification; and providing for noncodification.

HB 1100 – By Hulbert, Sears, ODonnell, Kern, Nollan, Cockroft, Sherrer, Hoskin, Cox and Dorman of the House and Sharp of the Senate.

[schools – prohibiting Legislature from enacting mandate unless sufficient funding is provided - effective date]

HB 1107 – By Mulready and Murphey of the House and Brecheen of the Senate.

An Act relating to state employee benefits; amending 68 O.S. 2011, Section 205.2, as amended by Section 1, Chapter 256, O.S.L. 2012 (68 O.S. Supp. 2012, Section 205.2), which relates to claims against state income tax refunds; modifying what claims are exempt; amending 74 O.S. 2011, Sections 1304.1, as amended by Section 14, Chapter 303, O.S.L. 2012 and 1308.3, as amended by Section 1, Chapter 352, O.S.L. 2012 (74 O.S. Supp. 2012, Sections 1304.1 and 1308.3), which relate to the Oklahoma Employees Insurance and Benefits Act; authorizing the Office of Management and Enterprise Services to intercept certain monies; modifying what benefits an employee may opt out of; amending 74 O.S. 2011, Section 1370, as amended by Section 18, Chapter 303, O.S.L. 2012 (74 O.S. Supp. 2012, Section 1370), which relates to the Oklahoma State Employees Benefits Act; modifying certain flexible benefit allowance credit disbursement schedules; modifying certain deduction schedules; and providing an effective date.

HB 1240 – By Martin (Steve) of the House and Treat of the Senate.

[firearms - court clerks to provide certain notice - petition for relief - hearing procedures - procedures for involuntary commitment hearings - effective date]

HB 1242 – By Martin (Steve) and Sherrer of the House and Sykes of the Senate.
An Act relating to courts; authorizing district court judges to carry firearms under certain circumstances; providing for codification; and providing an effective date.

HB 1248 – By Martin (Steve) of the House and Stanislawski of the Senate.
An Act relating to revenue and taxation; repealing 68 O.S. 2011, Section 2357.203, which relates to tax credits for rearing canines; and providing an effective date.

HB 1252 – By Moore and Kern of the House and Anderson of the Senate.
An Act relating to the Task Force on Management of Federal Funds; creating Task Force; providing for membership; providing for applicability of Oklahoma Open Meeting Act and Oklahoma Open Records Act; prescribing procedures for meeting notices; requiring organizational meeting; providing for selection of cochairs; prescribing quorum requirement; defining scope of study by Task Force; requiring final report; providing for termination of Task Force; providing for codification; and providing an effective date.

HB 1343 – By Kirby and Pittman of the House and Brown of the Senate.
An Act relating to insurance; amending 36 O.S. 2011, Section 607, which relates to qualifications to transact insurance; providing exemption from prohibition from issuing certain insurance license or certificate to certain tribal governments; and providing an effective date.

HB 1412 – By Kern, Murphey, Hulbert, Ritze, Bennett and Fisher of the House and Anderson of the Senate.

An Act relating to property; defining term; prohibiting adoption of United Nations Agenda 21/Sustainable Development policies that restrict private property rights without due process; prohibiting state and political subdivisions from entering into certain agreements and expending and receiving funds to implement United Nations Agenda 21/Sustainable Development; providing for codification; and providing an effective date.

HB 1415 – By Hall and Murphey of the House and Holt of the Senate.

An Act relating to state government; declaring legislative intent; creating the Modernization of Agency Creation Process and Sunrise Act; defining terms; prohibiting introduction of certain bill; requiring number be printed on certain bill; providing for certain time for introduction and passing of bill; providing for consideration of certain factors; requiring certain information be provided in writing upon request; requiring legislative staff provide certain information; providing for determination of proposed legislation; requiring production of report; providing for codification; providing for noncodification; and providing an effective date.

HB 1419 – By Morrissette and Sherrer of the House and Standridge of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2011, Section 2-106, which relates to powers and duties of the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control; directing certain notification be sent to practitioners under certain circumstances; amending 63 O.S. 2011, Section 2-309F, which relates to the Anti-Drug Diversion Act; authorizing the Oklahoma State Bureau of

Narcotics and Dangerous Drugs Control to enter into agreements and contracts for certain purpose; and providing an effective date.

HB 1476 – By Walker, Murphey, Kern and Fisher of the House and Loveless of the Senate.

An Act relating to driver licenses; amending 47 O.S. 2011, Section 6-110.3, which relates to the issuance, expiration and renewal of driver licenses; directing the Department of Public Safety to include certain exemption provision on driver license and identification card applications; providing certain exemptions to persons who sign exemption form; directing the Department of Public Safety to cease collecting, retaining and disclosing biometric data; providing procedures for storing and collecting facial images; prohibiting retention of facial images; requiring deletion of facial images and biometric data; providing exceptions to photograph retention and collection requirements; providing immunity from liability; adding definition; and providing an effective date.

HB 1477 – By Murphey and Turner of the House and David of the Senate.

An Act relating to state government; declaring legislative intent; amending 62 O.S. 2011, Section 34.6, as amended by Section 336, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2012, Section 34.6), which relates to the powers and duties of the Director of the Office of Management and Enterprise Services; authorizing Director to adopt certain rules and regulations; requiring Director to provide certain proposal by a certain date; amending 74 O.S. 2011, Section 905, as amended by Section 926, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section 905), which relates to the Oklahoma Public Employees Retirement System; adding member to Board; providing for noncodification; and providing an effective date.

HB 1612 – By McPeak, Nelson, Dorman, Sherrer, Denney, Shelton and Cox of the House and Garrison of the Senate.

An Act relating to revenue and taxation; providing income tax checkoff for Hearts For Hearing; allowing taxpayer to designate portion of tax liability into fund; directing placement of funds; creating the Hearts For Hearing Revolving Fund; allowing Department of Health to distribute monies in fund; specifying method of payment of funds; allowing refund for certain donations; providing time limit for refund; providing for codification; and providing an effective date.

HB 1623 – By Floyd, Sherrer and McDaniel (Jeannie) of the House and McAffrey of the Senate.

An Act relating to schools; stating legislative findings; requiring boards of education to adopt a suicide and student drug abuse policy; requiring course outline to be made available to the public through the school district website; directing the Department of Mental Health and Substance Abuse Services to develop and make available to school districts suicide prevention and awareness training; providing requirements for certain training programs; providing immunity for certain acts by school employees; limiting causes of action; prohibiting certain construction; providing for codification; and providing for noncodification.

HB 1661 – By Denney, Pittman, Wood, Bennett, Sherrer, Nollan, McDaniel (Jeannie) and Shelton of the House and Halligan of the Senate.

An Act relating to schools; amending 70 O.S. 2011, Sections 24-100.2, 24-100.3, 24-100.4 and 24-100.5, which relate to the School Bullying Prevention Act; changing name of the act; expanding statement of findings; modifying definitions; modifying requirement for school districts to adopt a control and discipline policy; requiring policies to contain or establish certain procedures, requirements and statements to identify certain persons and to address prevention in a certain manner; modifying certain required procedures; including certain additional persons in development of a policy; providing for implementation of a policy in a certain manner; modifying and adding duties of the State Board of Education; updating statutory language; making certain findings; modifying purposes for creating Safe School Committees; modifying membership; allowing additional persons to serve on the Safe School Committee; requiring the Committee to serve as primary conduit for certain purposes; modifying responsibility of the Committee; modifying and adding duties of the State Department of Education; deleting exception for technology center schools; providing an effective date; and declaring an emergency.

HB 1699 – By Blackwell of the House and Treat of the Senate.

An Act relating to sunset; amending 10 O.S. 2011, Section 640.1, which relates to the Oklahoma Partnership for School Readiness Board; re-creating the Board; and modifying termination date.

HB 1722 – By Osborn, Biggs and Hoskin of the House and Johnson (Rob) of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2011, Sections 332.2, 332.7, 332.8, 332.18 and 354, which relate to the Pardon and Parole Board and parole considerations; requiring submission of commutation applications to the Pardon and Parole Board; establishing procedures and guidelines for applications and recommendations for commutation; providing notice requirements; requiring impartial reviews of commutation applications; requiring submission of pardon applications to the Pardon and Parole Board; providing procedures for pardon applications; directing the Pardon and Parole Board to provide certain information to the Legislature; requiring publication of information on certain website; establishing parole consideration criteria for persons sentenced to consecutive sentences; directing the Pardon and Parole Board to consider prior criminal records; requiring postimprisonment supervision for certain parolees; providing condition when considering parole for certain persons; deleting certain eligibility requirement; modifying certain consideration requirement; modifying medical parole consideration requirements; deleting construing provision; repealing 57 O.S. 2011, Section 332.17, which relates to parole considerations; and providing an effective date.

HB 1723 – By Osborn, Ritze, Sherrer and Hoskin of the House and Sykes of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Sections 1272 and 1277, as amended by Sections 1 and 6, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Sections 1272 and 1277), which relate to the unlawful carry of firearms; allowing municipal judges to carry firearms in courtrooms; amending 21 O.S. 2011, Section 1289.23, as

amended by Section 21, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section 1289.23), which relates to the carrying of firearms by off-duty peace officers; clarifying manner in which full-time and reserve peace officers may carry firearms; providing conditions deemed necessary for carrying handguns under the Oklahoma Self-Defense Act; and providing an effective date.

HB 1742 – By Wright of the House and Stanislawski of the Senate.

[schools - State Aid formula - general fund balance carryover allowable percentages - effective date – emergency]

HB 1759 – By Shelton, McDaniel (Curtis), Murphey and Hardin of the House and Barrington of the Senate.

An Act relating to road and bridge dedications; designating the Maestro Kenneth Kilgore Memorial Bridge; designating the LCpl Hatak-Yuka-Keyu Martin Yearby USMC Memorial Bridge; designating the Wayne Crusoe Memorial Highway; designating the Director Steven Stokes Memorial Highway; designating the Milton Irwin Memorial Bridge; designating the Senator Ed Berrong Memorial Highway; designating the Great Western Cattle Trail; designating the Sergeant Bret Daniel Isenhower Memorial Highway; designating Larry Tomlinson Memorial Bridge; designating Phil Tomlinson Bridge; designating WWI Choctaw Code Talkers Highway; designating The Henry Burris Intersection; designating Specialist Joshua M. “Bubba” Seals Memorial Bridge; designating PFC Albert E. Schwab, Medal of Honor Memorial Highway; designating Rev. W.T. “Tommy” Roberts Memorial Bridge; designating Mayor Jon Gumerson Memorial Bridge; designating the Bobby D. “Dirt Dobber” Smith Memorial Bridge; designating the Ret. Air Force Major General Albert Lee Logan Highway; providing for codification; and providing an effective date.

HB 1768 – By Russ of the House and Allen of the Senate.

An Act relating to environment and natural resources; amending 27A O.S. 2011, Section 2-6-403, which relates to the requirements for construction or operation of sewage treatment systems; allowing a property owner who installs a certain on-site sewage treatment system to be exempt from certain penalties under certain circumstances; prohibiting exemption if there is a record of a malfunctioning system; changing lot size for certain plats; and providing an effective date.

HB 1794 – By Christian, Ownbey, Lockhart, Hoskin, Condit, McDaniel (Jeannie) and Shelton of the House and Jolley of the Senate.

[state employees – performance payments for certain state employees – effective date – emergency]

HB 1880 – By Coody and Denney of the House and Fields of the Senate.

[schools - Education Leadership Oklahoma program - minimum salary schedule for teachers]

HB 1884 – By Armes and Russ of the House and Johnson (Rob) of the Senate.

[insurance – requiring certain individuals to comply with regulation of transactions involving certain security and real estate - licensing as settlement agent or agency - licensing requirements - independent, annual audit of certain accounts - deposit of certain funds into escrow account - suspension, revocation, or refusal to issue or renew certain licenses - written notification of denial or nonrenewal of license - judicial authorization for public inspection of certain materials - continuing education programs - effective date]

HB 1886 – By Armes and Scott of the House and Sparks of the Senate.

An Act relating to amusements and sports; amending 3A O.S. 2011, Section 208.2, as amended by Section 1, Chapter 177, O.S.L. 2012 (3A O.S. Supp. 2012, Section 208.2), which relates to race meetings; establishing preference system; providing approval authority over certain contracts; providing an effective date; and declaring an emergency.

HB 1931 – By Jackson of the House and Marlatt of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 1102, which relates to the Oklahoma Vehicle License and Registration Act; defining term; amending 47 O.S. 2011, Section 1133, as amended by Section 1, Chapter 295, O.S.L. 2012 (47 O.S. Supp. 2012, Section 1133), which relates to registration; expanding certain registration requirements to include construction machinery; and providing an effective date.

HB 1938 – By Bennett and Cannaday of the House and Allen of the Senate.

[motor vehicles - oversize permits – emergency]

HB 1940 – By Bennett, Fisher, Reynolds, Russ, Blackwell, Roberts (Sean), Vaughan, Kern, Ritze, Walker, Hulbert and Wood of the House and Allen and Shortey of the Senate.

An Act relating to schools; creating the Religious Viewpoints Antidiscrimination Act; requiring school districts to treat student expression in certain manner; stating purpose; requiring school districts to adopt a limited public forum policy; specifying contents of the policy; requiring certain disclaimer to be provided at graduation ceremonies and other events; prohibiting the exclusion of religious expression from the limited public forum; allowing student religious expression in class assignments; specifying standards for judging homework and classroom assignments; allowing students to organize religious groups and activities; specifying treatment of religious groups; allowing school districts to disclaim school sponsorship of student groups; requiring school districts to adopt and implement a limited public forum and voluntary student expression of religious viewpoints policy; specifying that school districts adopting the model policy are compliant with the act; setting forth the Model Religious Viewpoints Antidiscrimination Policy; defining term; providing for student expression of religious viewpoints; providing for student speakers at nongraduation events; requiring a limited public forum; listing events; listing eligible student speakers; providing for notification and selection of student speakers; specifying subject of the speech of the student; requiring a disclaimer; allowing certain students with special positions to be speakers; providing for student speakers at graduation ceremonies; providing for the establishment of a limited public forum at graduation ceremonies; specifying students eligible to speak; providing for topic of speech; allowing certain students with special positions to be speakers; providing for designation of the subject;

requiring a written disclaimer; providing for religious expression in class assignments; requiring homework and classroom work to be judged on certain standard; providing for the freedom to organize religious groups and activities; specifying treatment of religious groups; allowing school districts to disclaim sponsorship of groups and events; providing for codification; providing an effective date; and declaring an emergency.

HB 2020 – By Roberts (Sean), Ritze, Bennett and Christian of the House and Dahm of the Senate.

An Act relating to gun control; prohibiting public officers and employees from using public monies to promote gun control; providing list of prohibited actions; providing for codification; and providing an effective date.

HB 2044 – By Henke, Trebilcock, Casey and Nollan of the House and Fields and Marlatt of the Senate.

An Act relating to schools; creating the School Report and Assessment Calculation Review Task Force; providing termination date; stating purpose of the Task Force; providing for membership; providing date for appointments and organizational meeting; stating duties; providing for meetings; allowing for travel reimbursement contingent upon funding; providing for staff and technical assistance; requiring completion of the study by a certain date; providing for submission of the recommendations of the Task Force; providing for noncodification; and declaring an emergency.

HB 2048 – By Jackson and Nelson of the House and Jolley of the Senate.

[schools – powers and duties of the State Board of Education – making charter schools eligible for grants – State Public Common School Building Equalization Fund – building for charter school – criteria for grants to charter schools]

HB 2055 – By Jackson of the House and Treat of the Senate.

[statutes and reports - Administrative Procedures Act - effective date]

HB 2057 – By Inman and Shelton of the House and Treat of the Senate.

An Act relating to public finance; imposing requirement on certain vendors with respect to debit cards; requiring disclosure of cardholder fees; requiring information to be submitted on contract anniversary date; providing for termination of contract; requiring state government entity to make website disclosure; requiring information to be available upon request; providing for codification; and providing an effective date.

HB 2068 – By Jackson of the House and Justice of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 583, which relates to used motor vehicle dealer licenses; removing salesmen bonding requirement; removing certain exemption from bonding requirements; and providing an effective date.

HB 2086 – By Derby of the House and Standridge of the Senate.

[Oklahoma Health Care Authority - SoonerCare RX plan – noncodification - effective date]

HB 2087 – By Nelson, Casey, Smalley and Cox of the House and Jolley of the Senate.
[schools - Allowing Local Administrators More Options Act - procedure for exempting school districts from certain statutory requirements and rules - requiring school districts to comply with certain requirements - effective date – emergency]

HB 2099 – By Nelson and Pittman of the House and Treat of the Senate.
An Act relating to children; creating the Children with Disabilities Comprehensive Systems of Services Fund Act of 2013; creating the Oklahoma Children’s Comprehensive Systems of Services Board; establishing Board membership; establishing powers and responsibilities of Board; creating the Children with Disabilities Comprehensive Systems of Services Revolving Fund; providing that fund consists of monies deposited by certain foundation; establishing foundation for certain purpose; requiring foundation to secure tax-exempt status; requiring foundation member to abstain from voting under certain circumstance; providing for codification; and providing an effective date.

HB 2131 – By Hickman and Cox of the House and Ford of the Senate.
An Act relating to schools; creating the Education Improvement Act of 2013; establishing the School District Empowerment Program; stating purpose; exempting certain districts from certain statutory requirements and rules; granting school districts certain options; specifying certain requirements participating school districts shall comply with; identifying districts for participation and implementation of program; specifying method of selection of remaining districts and timeline for implementation; specifying certain categories of school districts; authorizing consolidating or annexing school districts to enter into a contract prohibiting the closing of school sites unless certain agreed-to conditions are met; specifying optional conditions; amending 70 O.S. 2011, Sections 8-103 and 8-103.1, which relate to the Education Open Transfer Act; deleting certain application deadline; allowing applications to be filed at any time during a school year; changing certain notification, review, reporting and cancellation deadlines; allowing a student to transfer at any time upon approval, subject to the policy of the receiving school district; updating language; deleting transfer procedure for deaf or hearing impaired students; requiring school districts to accept applications for transfer; authorizing school district to provide certain deadlines; updating statutory citations; amending 70 O.S. 2011, Section 35e, which relates to dropout reports; deleting obsolete language; modifying definition of school dropout; amending 70 O.S. 2011, Section 1210.509, which relates to the administration of certain tests; providing that school counselors shall not be required to coordinate certain tests; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

HB 2145 – By Hickman, Dorman, Billy, Bennett, Hoskin, Sherrer, Cannaday, Inman, McDaniel (Jeannie), Shelton, Cockroft and Matthews of the House and Johnson (Rob) of the Senate.
[Department of Public Safety – salaries – revising salaries of certain Department of Public Safety personnel – minimum salary – effective date – emergency]

HB 2182 – By Blackwell of the House and Marlatt of the Senate.

[county clerks – authorizing clerk to provide records in electronic format–emergency]

HB 2186 – By Joyner and Hoskin of the House and Stanislawski of the Senate.

[motor vehicles – Department of Public Safety records – apportionment for certain fiscal years – effective date – emergency]

HB 2201 – By Grau of the House and Bingman of the Senate.

An Act relating to workers' compensation; stating legislative findings and purpose; creating the CompSource Mutual Insurance Company Act; providing short title; defining terms; establishing CompSource Oklahoma as a mutual insurer; providing for organization of CompSource Mutual Insurance Company; providing duties and powers; providing statutory requirements and exemptions; providing that Company is not a state entity; providing for a Board of Directors; providing for composition and terms of office; providing for filling of vacancies; providing for initial Board; providing duties, power and authority of the Board of Directors; providing requirements for rates; providing immunity from liability for certain persons; providing duties, power and authority for the Company; making Company subject to premium taxes; requiring the Company to be a member of the Oklahoma Property and Casualty Insurance Guaranty Association; limiting liability of the Company for Guaranty Association assessments; providing for certain reports; providing for revenues, monies and assets of the Company; providing that the state has no liability or responsibility for the financial obligations of the Company; providing that the Company is a continuation of CompSource Oklahoma and providing for related duties and authority; providing for certain causes of action; providing for continuation of certain rates; providing for severability; providing that CompSource Oklahoma employees employed on the effective date of this act remain members of the Oklahoma Public Employees Retirement System; requiring CompSource Mutual Insurance Company to pay required employer contributions for such employees; providing that other employees are not allowed to be members of the Oklahoma Public Employees Retirement System; providing for annual leave and sick leave; providing for service credit; amending 36 O.S. 2011, Section 902.3, which relates to calculation of workers' compensation premiums; eliminating the Board of Managers of CompSource Oklahoma from performance of certain duties; providing that the Board of Directors of CompSource Mutual Insurance Company shall perform certain duties; removing reference to CompSource Oklahoma from certain allocation; amending 36 O.S. 2011, Section 903.2, which relates to workplace safety plans; removing references to CompSource Oklahoma and its Board of Managers regarding certain prohibitions and procedure; amending 36 O.S. 2011, Section 924.2, which relates to workers' compensation insurance plans; removing references to CompSource Oklahoma and its officers; transferring certain duties to the Board of Directors of CompSource Mutual Insurance Company; removing certain requirements pertaining to CompSource Oklahoma; amending 36 O.S. 2011, Section 995, which relates to the Property and Casualty Competitive Loss Cost Rating Act; excluding CompSource Mutual Insurance Company from certain requirements relating to joint underwriting, joint reinsurance pool and residual market activities; amending 36 O.S. 2011, Sections 1250.2, 1250.4, 1250.9, 1250.10, 1250.11, 1250.13 and 1250.14, which relate to the Unfair Claims Settlement Practices Act; modifying definition; removing references to the State Insurance Fund and its

representatives; amending 36 O.S. 2011, Section 1442, which relates to the Third-party Administrator Act; modifying definition; amending 36 O.S. 2011, Section 6701, which relates to workplace safety services; removing references to the State Insurance Fund; amending 40 O.S. 2011, Sections 417 and 418, which relate to the Oklahoma Occupational Health and Safety Standards Act; removing references to CompSource Oklahoma, its officers and the State Insurance Fund; amending 47 O.S. 2011, Section 157.1, which relates to insurance coverage for certain state vehicles; removing reference to the State Insurance Fund; amending 74 O.S. 2011, Section 85.29, as amended by Section 750, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section 85.29), which relates to The Oklahoma Central Purchasing Act; removing references to CompSource Oklahoma officers; amending 74 O.S. 2011, Section 85.58A, as amended by Section 782, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section 85.58A), which relates to the comprehensive professional risk management program; removing reference to CompSource Oklahoma; amending 74 O.S. 2011, Section 902, which relates to the Oklahoma Public Employees Retirement System; modifying definition; including certain employees of the CompSource Mutual Insurance Company; amending 74 O.S. 2011, Section 3601.1, which relates to full-time-equivalent employees; eliminating reference to Board of Managers of the State Insurance Fund and maximum allowable full-time-equivalent employees; amending 74 O.S. 2011, Section 3601.2, as amended by Section 1007, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2012, Section 3601.2), which relates to salaries of state chief executive officers; removing reference to and salary of chief executive officer of CompSource Oklahoma; amending 82 O.S. 2011, Section 1085.24, which relates to the purchase of certain certificates; removing the State Insurance Fund as a potential buyer; amending 85 O.S. 2011, Sections 308, 313, 328, 339, 352, 373, 375, 376, as amended by Section 1078, Chapter 304, O.S.L. 2012, 380, 396, 403, as amended by Section 1082, Chapter 304, O.S.L. 2012, 406 and 407 (85 O.S. Supp. 2012, Sections 376 and 403), which relate to the Workers' Compensation Code; modifying definitions; modifying requirements for governmental entities for obtaining workers' compensation insurance; changing references from the State Insurance Fund to CompSource Mutual Insurance Company; removing CompSource Oklahoma duties regarding workplace medical plans; removing references to CompSource Oklahoma; clarifying references; exempting CompSource Oklahoma from certain provisions; changing references from CompSource Oklahoma to CompSource Mutual Insurance Company; providing for determination of Multiple Injury Trust Fund obligations by the Director; granting the Board of Directors for CompSource Mutual Insurance Company the power to disapprove certain assessment rate; requiring the State Treasurer to provide certain information to the Chief Executive Officer of CompSource Mutual Insurance Company; providing for a chief administrative officer for the Multiple Injury Trust Fund designated as the MITF Director; providing duties and powers of the MITF Director; repealing 74 O.S. 2011, Section 840-5.10, which relates to the designation of CompSource Oklahoma as a Merit System agency; repealing 76 O.S. 2011, Section 22, which authorizes CompSource Oklahoma to offer malpractice insurance and reinsurance; repealing 85 O.S. 2011, Section 378, which relates to the Task Force on Privatization of CompSource Oklahoma; repealing 85 O.S. 2011, Sections 375, as amended by Section 43 of this act and as recodified by Section 54 of this act, 376, as last amended by Section 44 of this act and as recodified by Section 54 of this act, 377, 379, 381, 382, 384, as amended by Section 1079, Chapter 304, O.S.L. 2012, 385, 386, 387, as amended by Section 1080, Chapter 304, O.S.L. 2012, 388,

389, as amended by Section 1081, Chapter 304, O.S.L. 2012, 390, 391, 392, 393, 394, 395, 397, 400 and 401 (85 O.S. Supp. 2012, Sections 384, 387 and 389), which relate to CompSource Oklahoma; providing for codification; providing for noncodification; providing for recodification; and providing an effective date.

HB 2221 – By Newell, Bennett, Kern, McDaniel (Jeannie), Sherrer and Ritze of the House and Griffin of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2011, Sections 1290.2, as amended by Section 23, Chapter 259, O.S.L. 2012 and 1290.22 (21 O.S. Supp. 2012, Section 1290.2), which relate to the Oklahoma Self-Defense Act; modifying definition of concealed handgun; authorizing private property owners to prohibit certain conduct; requiring private property owners to post certain signage; providing penalty for certain prohibited conduct; providing immunity from liability; and providing an effective date.

HB 2226 – By Schwartz of the House and Griffin of the Senate.

An Act relating to public health and safety; defining terms; requiring health insurance issuer to use certain form for obtaining prior authorization for prescription drug benefits; requiring health insurance issuer to submit certain forms and replacements to Insurance Department; providing for codification; providing an effective date; and declaring an emergency.

HB 2228 – By Dorman and Nollan of the House and Loveless of the Senate.

An Act relating to schools; creating the Protect Against Pedophiles Act; amending 70 O.S. 2011, Section 5-142, as amended by Section 6, Chapter 354, O.S.L. 2012 (70 O.S. Supp. 2012, Section 5-142), which relates to criminal history record checks; adding definition; permitting board of education to request national criminal history record check for any prospective volunteer; requiring school district to pay search fee; prohibiting future checks after volunteer passes a check unless required by board of education policy; providing for noncodification; and providing an effective date.

HB 2264 – By Trebilcock of the House and Bingman of the Senate.

[oil and gas - legislative findings – 2011 Shale Reservoir Development Act - modifying name of act - procedures for certain targeted reservoirs - common source of supply - rights of participating owners in certain wells - emergency]

The above-numbered measures were read the first time.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House requests the Honorable Senate to grant the request of the House to adjourn for more than three (3) days beginning Thursday, March 21, 2013 and ending Monday, March 25, 2013.

EXECUTIVE NOMINATIONS

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

Carder, Kent E., El Reno, as a member of the Board of Regents for Redlands Community College - Education

Carpenter, Lake D., Leedey, as a member of the Regional University System of Oklahoma - Education

Haynes, Ernest E., Jr., Claremore, as a member of the State Board of Corrections - Public Safety

Luttrell, William M., Muskogee, as a member of the Oklahoma Abstractors Board - Business and Commerce

Siegfried, Theodore H., Tulsa, as a member of the State Board of Corrections - Public Safety

Tucker, Donald S., Bixby, as a member of the Construction Industries Board - Business and Commerce

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 19, 2013, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

HB 1038 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Shaw, Shortey, Stanislawski

Nays: Paddack, Sharp

HB 1117 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Sharp, Shaw, Shortey, Stanislawski

HB 1294 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Sharp, Shaw, Stanislawski

HB 1335 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Sharp, Shaw, Stanislawski

HB 1422 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Paddack, Sharp, Shaw, Shortey, Stanislawski

HB 1528 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Paddack, Sharp, Shaw, Shortey, Stanislawski

HB 1999 – Agriculture and Rural Development

Ayes: Allen, Barrington, Bass, Boggs, Fields, Justice, Simpson, Sykes, Wyrick

DO PASS, As Amended:

HB 1303 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Sharp, Shaw, Stanislawski

HB 1359 – Agriculture and Rural Development

Ayes: Allen, Barrington, Bass, Boggs, Fields, Justice, Simpson, Sykes, Wyrick

HB 2101 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Sharp, Shaw, Shortey, Stanislawski

Nays: Paddack

COMMITTEE REPORTS

The following were reported by the committees named and referred to a second committee:

DO PASS:

HB 1883 – Education

Ayes: Brecheen, Ford, Garrison, Halligan, Holt, Jolley, Paddack, Sharp, Shaw, Shortey, Stanislawski

DO PASS, As Amended:

HB 1740 – Agriculture and Rural Development

Ayes: Allen, Barrington, Bass, Boggs, Fields, Justice, Simpson, Sykes

Nays: Wyrick

FIRST READING

The following were introduced and read the first time:

SCR 9 – By Johnson (Constance) of the Senate and Shelton of the House.

A Concurrent Resolution congratulating the Millwood High School boys basketball team, Class 3A State Champions; acknowledging their success and dedication; and directing distribution.

SCR 10 – By Johnson (Constance) of the Senate and Shelton of the House.

A Concurrent Resolution congratulating the Northeast High School girls basketball team, Class 2A State Champions; acknowledging their outstanding achievement and hard work; and directing distribution.

SCR 11 – By Johnson (Constance) of the Senate and Pittman of the House.

A Concurrent Resolution congratulating the Douglass High School boys basketball team, 2012-2013 Class 4A State Champions; acknowledging their accomplishments and perseverance; and directing distribution.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

SCR 9 - Coauthored by Shelton (principal House author); Authored by Senator Johnson (Constance)

SCR 10 - Coauthored by Shelton (principal House author); Authored by Senator Johnson (Constance)

SCR 11 - Coauthored by Pittman (principal House author); Authored by Senator Johnson (Constance)

HB 1087 - Coauthored by Holt

HB 1100 - Coauthored by Cox, Dorman

HB 1233 - Coauthored by Pittman

HB 1313 - Remove as author Senator Anderson; authored by Senator Halligan

HB 1395 - Coauthored by Sharp

HB 1476 - Coauthored by Fisher

HB 1612 - Coauthored by Cox

HB 1661 - Coauthored by Shelton

HB 1886 - Coauthored by Scott

HB 1940 - Coauthored by Wood; Coauthored by Shortey

HB 2032 - Coauthored by Holt

HB 2044 - Coauthored by Marlatt

HB 2131 - Coauthored by Cox

HB 2145 - Coauthored by Matthews

HB 2180 - Coauthored by Paddack, Sharp

HB 2221 - Coauthored by Ritze

HB 2231 - Coauthored by Cox

Pursuant to the Schulz motion, the Senate adjourned at 1:50 p.m. to meet Tuesday, March 19, 2013, at 1:30 p.m.

JOURNAL CORRECTION

Page 757, 5th Line from bottom of Page, insert the following:

“The bill passed.”