

The Oklahoma Senate

Week In Review

Monday, May 4, to Thursday, May 7, 2009

Monday, May 4

- The Senate approved the following measures on Monday:

-SB 11 by Sen. Jay Paul Gumm, requires the Oklahoma Tax Commission to pay interest on refunds due on tax returns filed after Jan. 1, 2010, when the refund is not paid in a certain number of days.

-SB 248 by Sen. John Ford, provides exceptions for federal dams on Copan Lake and Hulah Lake from language relating to the Department of Wildlife Conservation's authority to maintain buoy lines, cable nets and other safety devices.

-SB 285 by Sen. Patrick Anderson, allows the Oklahoma Department of Career and Technology Education and technology center school districts to keep confidential certain information, including business plans, financing proposals, business development or customized training from the department or CareerTech districts.

-SB 310 by Sen. Susan Paddack, makes scholarships established through the Oklahoma Health Care Workers and Educators Assistance Fund subject to available funds.

-SB 339 by Sen. Patrick Anderson, directs the court at an emergency custody hearing or any other dispositional hearing to determine whether reasonable efforts have been made to place siblings together in the same foster care, guardianship or adoptive placement and provide frequent visitation in the case of siblings who have been removed and not placed together.

-SB 473 by Sen. John Ford, authorizes the Office of Accountability to conduct performance reviews of school districts with a student eligibility rate for free or reduced-price meals above the state average.

-SB 497 by Sen. Susan Paddock, requires school districts, reporting end-of-instruction test results under the Oklahoma School Testing Program Act, to include on individual student transcripts any business and industry-recognized endorsements attained by that student during the academic year.

-SB 518 by Sen. Ron Justice, adds “grandparent” to the definition of “members of the immediate family” for the purposes of victim impact statements.

-SB 527 by Sen. Roger Ballenger, requires an employer whose check to an employee was returned, to reimburse the employee for any fees or costs incurred due to the bank’s refusal to honor the check.

-SB 539 by Sen. Jim Reynolds, modifies the information to be given by a district attorney’s office to victims and witnesses of crimes to include written notification of how to access victim rights information.

-SB 585 by Sen. John Ford, permits public educational institutions and their employees to keep confidential campus security plans.

-SB 595 by Sen. Patrick Anderson, creates the Juvenile Justice Public Works Act to provide labor for community service to develop lands pursuant to public works projects.

-SB 698 by Sen. Patrick Anderson, permits the Oklahoma Department of Agriculture to take into possession any vehicle, implement of husbandry, farming equipment or farm implement and any and all livestock killed, taken, shipped or possessed in violation of the Agricultural Code.

-SB 830 by Sen. Bill Brown, excludes severance pay from base salary calculations for retirement purposes of members of the Oklahoma Police Pension and Retirement System.

-SB 857 by Sen. Roger Ballenger, requires the Oklahoma State University Center for Local Government Technology to provide computer software programs to counties currently using County Computer Assistance Program services previously provided by the State Auditor and Inspector.

-SB 867 by Sen. Patrick Anderson, changes the first school year for students entering the ninth grade from 2008-2009 to 2010-2011 in which every student shall demonstrate mastery of the state academic content standards in specific subject areas.

-SB 901 by Sen. Bill Brown, directs the Oklahoma Employment Security Commission to determine the average weekly wage in the state every year

rather than every three years to establish maximum benefits under the Workers' Compensation Act for injuries occurring during the one-year period.

-SB 916 by Sen. Mike Mazzei, directs a dividends-paid deduction otherwise allowed by federal law to compute net income of a real estate investment trust and is subject to federal income tax to be added back in computing income tax if the trust is a captive real estate investment trust.

-SB 953 by Sen. David Myers, creates the Oklahoma Clean Energy Independence Commission until Dec. 1, 2010.

-SB 964 by Sen. Susan Paddock, modifies language related to the membership and duties of a Department of Health advisory committee, directing it to make recommendations on vision screening items.

-SB 1022 by Sen. Bill Brown, allows the Insurance Commissioner to conduct financial and market conduct examinations.

-SB 1234 by Sen. Clark Jolley, clarifies that possession of an executed Affidavit of Exempt Status Under the Workers' Compensation Act means that the individual or company is in compliance with the act and therefore is not responsible for workers' compensation claims made by the executor.

-SB 342 by Sen. Brian Crain, creates a misdemeanor for electronically scanning bar-coded information on a driver license or identification card.

-SB 546 by Sen. Jim Halligan, creates the Therapeutic Recreation Practice Act to regulate persons offering therapeutic recreation service to the public.

-SB 615 by Sen. Brian Crain, prohibits liens from being effective against a grantee beneficiary until the expiration of a nine-month disclaimer period.

- Senate committees took no action on Monday.
- The House on Monday approved the following bills:

-SB 834 by Sen. John Ford, creates the School District Empowerment Program to be administered by the State Department of Education.

-HB 1999 by Rep. Harold Wright, grants the county election board the authority to determine if a ballot is valid and if the ballot should be counted in conducting a recount.

-HB 1366 by Rep. Samson Ray Buck, gives the Oklahoma Historical Society authority to mark the gravesites of deceased governors of the state with historical markers that readily identify the gravesites.

-HB 1482 by Rep. Dale DeWitt, prohibits actions for nuisance from being brought against agricultural activities on farm or ranch land that has lawfully been in operation for one year or more prior to the action.

-HB 1473 by Rep. Mike Sanders, exempts from ordinances restricting land use and building construction parcels of 10 acres or more of land used for agricultural purposes annexed into the municipal limits at any time.

-HB 1569 by Rep. Colby Schwartz, requires that any person using the term “doctor” should designate the authority of his or her title and further defines nine main authorities under which a person can be registered as a doctor.

-HB 1738 by Rep. Ron Peters, broadens the definition of health care professionals who are required to report a belief of child abuse or neglect to the Department of Human Services.

-HB 1769 by Rep. Paul Roan, designates the portion of State Highway 32 from Interstate 35 west to the Jefferson County Line as “State Representative Terry Hyman Memorial Highway”.

-HB 2016 by Rep. Kenneth Miller, requires each state agency, board, commissioner or other entity organized within the executive department to use the Trip Optimizer system of the Department of Central Services when computing the optimum method and cost for travel by state employees using a motor vehicle that are owned or leased by the agency or an employee.

-HB 2071 by Rep. Skye McNeil, prohibits the sale of any livestock at a livestock auction market in any name other than that of the seller.

-HB 2158 by Rep. Don Armes, authorizes the Department of Agriculture to issue a permit to a person who holds a big game commercial hunting area license issued to engage in the management of depredating animals by use of aircraft only on land listed in the commercial hunting area license.

-HB 2263 by Rep. Mike Christian, creates penalties for an individual age 16 or older who is involved in a personal injury accident while knowingly disqualified

to operate a vehicle in the state and while it was known that his/her driver license was canceled, denied, suspended or revoked.

-HCR 1028 by Rep. Charles Key, claims Oklahoma state sovereignty under the 10th Amendment to the U.S. Constitution over all powers not otherwise enumerated and granted to the federal government.

-HCR 1027 by Rep. David Dank, expresses the Legislature's opposition to the proposed federal legislation, introduced as S. 787 in the U.S. Senate on April 2 and known as the Clean Water Restoration Act.

-HB 2167 by Rep. Mark McCullough, creates the Private Attorney Retention Sunshine Act, which requires request for proposal process for the awarding of any legal services contract where a state agency expects to retain a lawyer or law firm for services that will exceed \$5,000.

- House committees took no action on Monday.

Tuesday, May 5

- The Senate approved the following bills on Tuesday:

-SB 299 by Sen. Brian Bingman, transfers from the Corporation Commission to the Department of Central Services the duty of selling vehicles that have been seized for not bearing a proper license plate as required by the Oklahoma Vehicle License and Registration Act.

-SB 301 by Sen. Brian Bingman, removes language related to the duties of the Corporation Commission to establish rules for the state to participate in a single-state registration system for motor carriers.

-SB 503 by Sen. Brian Bingman, creates the Household Goods Act of 2009 to regulate intrastate transportation of household goods by motor carriers.

-SB 592 by Sen. John Ford, clarifies language related to the State Architectural and Interior Designers Act.

-SB 700 by Sen. Bill Brown, modifies the definition of “owner’s policy” as it relates to vehicle insurance to include language referring to issuance of policies by an unauthorized insurer as allowed by state statute.

-SB 749 by Sen. Clark Jolley, allows school district bonds to be used for perpetual or continuous district software license agreements.

-SB 783 by Sen. Anthony Sykes, requires counties sending propositions with ballot titles to the voters for approval to submit the measure to the county district attorney.

-SB 798 by Sen. Anthony Sykes, establishes penalties for the business organization involved in prohibited actions in which state officers or employees exercise discretionary or decision-making authority in awarding a privatization contract.

-SB 803 by Sen. Anthony Sykes, eliminates the requirement that employees of Department of Corrections’ prison canteens be state employees.

-SB 920 by Sen. John Sparks, modifies the definition of “insolvent” and removes the definition of “sales representative” under the Service Warranty Insurance Act.

-SB 1062 by Sen. David Myers, creates the Oklahoma Secure and Fair Enforcement for Mortgage Licensing Act for the stated purpose of establishing reasonable standards for licensing and regulation of the business practices of mortgage brokers.

-SJR 11 by Sen. Randy Brogdon, rescinds, repeals, cancels, nullifies and supercedes any and all applications by the Legislature to the U.S. Congress to call a convention to propose amendments to the U.S. Constitution.

-SJR 13 by Sen. Randy Brogdon, proposes a constitutional amendment to hold ballot initiatives during election years with an election for governor.

- Senate committees took no action on Tuesday.
- The House met Tuesday, approving numerous measures including the following:

-HB 1676 by Rep. Pat Ownbey, transfers the Criminal Justice Resource Center from the Legislative Service Bureau to the Oklahoma State Bureau of Investigation and the Office of the Attorney General.

-HB 1600 by Rep. Daniel Sullivan, modifies the workers' compensation time extension period relating to surgery recommendations for soft-tissue injuries.

-HB 2151 by Rep. Don Armes, provides that the Legislature preempts all local laws regarding the care and handling of livestock.

- House committees took no action on Tuesday.

Wednesday, May 6

- The Senate approved the following bills on Wednesday:

-SB 553 by Sen. Ron Justice, modifies the definition of “federally defined eligible individual” as it relates to the Health Insurance High Risk Pool Act.

-SB 267 by Sen. Brian Crain, allows funds of the Tobacco Settlement Endowment Trust Fund to be used for capital expenditures and operating expenses incurred by the University of Oklahoma Health Sciences Center and the Oklahoma State University College of Osteopathic Medicine for educational programs and residency training.

-SB 268 by Sen. John Ford, directs a district board of education of schools that have been identified for school improvement for four consecutive years to implement an alternative governance arrangement.

-SB 406 by Sen. Brian Crain, authorizes the insurance commissioner to review specific financial circumstances and the history of a professional cash bondsman to determine whether to release a portion of his/her deposit.

-SB 517 by Sen. Brian Bingman, requires municipal governing bodies to notify the Oklahoma Tax Commission prior to annexing territory.

-SB 586 by Sen. John Ford, allows federally recognized Indian tribes to sponsor charter schools when the school is located on property in Oklahoma that is held in trust by the Bureau of Indian Affairs for the benefit of the tribe.

-SB 659 by Sen. Ron Justice, clarifies language related to post adjudication review boards.

-SB 672 by Sen. Brian Crain, requires that the appeal of a decision of the district court in a civil action related to a person's incarceration or supervision while in custody of the Department of Corrections, a county or municipal jail or a private prison, adverse to a municipal, county or state employee or a person employed by a private prison, be directly to the appropriate appellate court without further motions.

-SB 1013 by Sen. Dan Newberry, modifies what constitutes larceny to include a customer list, business records and information stored in any computer related format.

-SB 306 by Sen. Debbe Leftwich, requires municipalities to verify that a contractor has general liability insurance and workers' compensation insurance before issuing a residential building permit.

- Senate Committees took no action on Wednesday.
- The House approved numerous appropriations bills and the following measures on Wednesday:

-HJR 1042 by Rep. Randy Terrill, proposes a constitutional amendment designating English as the common and unifying language of the state.

-HB 1048 by Rep. Gary Banz, modifies language related to delinquent taxes, modifying the time period during which a county treasurer is to serve notice.

-HB 1059 by Rep. Bill Nations, allows one or multiple dentists to use a trade name.

-HB 1165 by Rep. Scott Martin, makes an appropriation to the State Election Board.

- House Committees took no action on Wednesday.

Thursday, May 7

- The Senate approved the following measures on Thursday:

-SCR 25 by Sen. Dan Newberry, honors Oral Roberts for his many contributions to Oklahoma.

-SB 932 by Sen. Glenn Coffee, creates the “Temporary Emergency Concealed Weapons License” and provides steps that must be taken to receive such order.

-SB 256 by Sen. Judy Eason-McIntyre, authorizes the Oklahoma Historical Society to transfer the 1921 Tulsa Race Riot Memorial of Reconciliation to the municipal governing body or a public trust of the municipal governing body.

-SB 257 by Sen. Kenneth Corn, allows for the transfer of surplus equipment from school districts to skills centers under the umbrella of CareerTech.

Other News

- The Senate this week honored two of Oklahoma’s outstanding teachers. Senate Concurrent Resolution 18, authored by Sen. Earl Garrison, congratulated the 2008 Milken Educator Award winner Ronia Davison and the 2009 Oklahoma Medal of Excellence winner Georgie Chapuis. Both Davison and Chapuis teach at the Sadler Arts Academy in Muskogee. Davison is a National Board Certified teacher who mentors other Sadler teachers who are seeking certification. She is also serves as a faculty member at the Oklahoma Fall Arts Institute at Quartz Mountain. Chapuis is an eighth-grade teacher who has taught at Sadler Arts Academy for 13 years. Like Davison, she is also a National Board Certified teacher.
- The full Senate this week paid tribute to the nation’s first Boy Scout Troop. Lawmakers gave unanimous approval Monday to Senate Concurrent Resolution 24, recognizing the 1909 Pawhuska troop as the first to be founded in America. Sen. Joe Sweeden is principal author of SCR 24.