



# Oklahoma City University Law Library

## Library User Guide - State Legislative History

This user guide will focus upon compiling legislative histories in Oklahoma and in other jurisdictions. Useful starting points for states other than Oklahoma include the official website of the state or one of the guides mentioned below. See the specific resources mentioned below to compile Oklahoma legislative histories. Further assistance is available from the OCU Law Library Reference Office in person or by telephone at (405) 208-5915. Additional assistance is available from reference librarians at the Jan Eric Cartwright Law Library (the state law library for Oklahoma) (405) 522-3213 and from the State Archivist at (405) 521-2502.

### **State Legislative History General Information**

Official website for each state: [www.state.\\_\\_\\_\\_.us](http://www.state.____.us)

Access by filling in the postal code abbreviation for each state.

Links to all state codes, constitutions and administrative law resources available free online:

<http://www.okcu.edu/law/links/main.asp>

[www.multistate.com](http://www.multistate.com) Links to state legislatures and indication of what information is available free online.

[www.findlaw.com](http://www.findlaw.com) links page for each state.

Indiana University School of Law Library Bloomington's page of State Legislative History Research Guides on the Web is a useful way to learn how to conduct legislative history research in other jurisdictions: [http://www.law.indiana.edu/library/services/sta\\_leg.shtml](http://www.law.indiana.edu/library/services/sta_leg.shtml)

*Martindale Hubble Law Digest* (Summit, New Jersey : Martindale Hubble, 1994-) OCU Call # KF190.M31 (ref and compact shelving)

Hellebust, Lynn, *State Legislative Sourcebook: A Resource Guide to Legislative Information in the Fifty States*, (Topeka : Government Research Service, 1998). OCU Call # KF 4933 (ref)

Manz, William H., *Guide to State Legislative and Administrative Materials*, (Littleton : Rothmann, 2002). OCU Call # KFL.M82 (ref).

Torres, Jose R and Steve Windsor, "State Legislative Histories: A Select, Annotated Bibliography," 85 *L. Lib. J.* 545 (1993).

Bissett, Jan and Margi Heinen, "State Legislative History," available from: <http://www.llrx.com/columns/reference34.htm>

This guide is part of the OCU Law Library series of Research Guides and Pathfinders.

Additional copies and future updated versions are available at:

[http://www.okcu.edu/law/lawlib/library\\_researchguides.html](http://www.okcu.edu/law/lawlib/library_researchguides.html)

Biehl, Kahty, "Federal, State and Commercial Bill Tracking Resources, available from: <http://www.llrx.com/columns/roundup13.htm>

Hein Online provides access to state session laws from around the country.

### **Oklahoma Specific Sources**

"The only official legislative history for Oklahoma legislative measures is a procedural one. Official legislative intent is rare. Committee reports, minutes, and hearings are not published." Oklahoma Department of Libraries, "Resources Regarding Oklahoma's Legislative Measures," <http://www.odl.state.ok.us/lawinfo/billinfo.htm>

With that being said a review of relevant case law reveals that legislative history is in fact considered by courts construing Oklahoma statutes. The Oklahoma Supreme Court stated that legislative history may be examined when statutes are ambiguous. *Matter of Estate of Little Bear*, 909 P.2d 42, 1995 OK 134. Courts may also turn to legislative history to effectuate legislative intent and to give proper meaning to statutory provisions. *State ex. rel. Rucker v. Tapp*, 380 P.2d 260 (Okla. 1963). The Tenth Circuit Court of Appeals weighed in on the matter stating that courts should "venture into the thicket of legislative history only when necessary to determine statutory purpose obscured by ambiguity." *O'Connor v. U.S. Department of Energy*, 942 F.2d 771 (10<sup>th</sup> Cir. 1991).

The Bankruptcy Court for the Northern District of Oklahoma made the following observation regarding Federal legislative history in *In re Starkey*, 179 B.R. 687 (Brtcy. N.D. Okla. 1995),

There has been much ado about when or if legislative history should be considered as an aid to interpretation of a statute. But this Court is not aware of any rule that legislative history, when considered, must be taken literally. At best, legislative history is a clue to the meaning of a statute; it is not the only clue, or even the single most important clue; and its summary, non-technical character must always be kept in mind.

For additional Oklahoma cases discussing legislative history consult the *Oklahoma Digest* under the topic "Statutes" and Key number 217.

Oklahoma House of Representatives, "The Course of Bills in Becoming Law," available from: <http://www2.lsb.state.ok.us/docs> (choose "Information" under House and "Course of a Bill.")

Path of a Bill (charts indicating how a bill becomes law)  
<http://www.lsb.state.ok.us/house/idea.gif>

*Oklahoma House of Representatives, Legislative Manual.* OCU Call # KFO 1623.A25 (ref).

*Oklahoma Senate Rules.* OCU Call # KFO 1226.S3R4.

The home page of the Oklahoma Legislature, <http://www2.lsb.state.ok.us/docs/> is a useful jumping off point with the following basic features: Oklahoma Bills from 1993 - present containing different versions of the Bills, lists of committee activities, and Bill tracking pages that allow you to see the current status of Bills, browse Bills by subject, legislative history pages that show procedural history of Bills.

The Journal Record is a legal and business newspaper for Oklahoma that frequently contains articles about pending legislation. The law library receives a print copy. You can access the online version and search the archives at: <http://www.journalrecord.com/>.

*Journal Record Legislative Reporter* (formerly *Oklahoma Legislative Reporter*)

A news service that covers the status of all pending bills weekly. For major bills there is coverage of legislative committee meetings, hearings, and floor debates. There is no index so obtain dates from House and Senate journals. OCU Call # KFO 1215 (Ref) (Mar 1978 – present). Online version available at: <http://www.statewatch.com/www/ok/>.

### **Laws**

*Oklahoma Session Laws*- prepared by the House and published every legislative session. Laws are arranged in the order bills were signed into law and contain an index and list of sections affected.

- 1) OCU holdings: in print 1895 – present, KFO 1225.A3 (ref and LLS) and State Session Laws collection in Microfiche AA3 (LLS)
- 2) <http://www.oscn.net> has from 1963 – present
- 3) Recent years are available from Hein Online

*Oklahoma Statutes*- official codification published as a set every 10 years and updated annually.

- 1) OCU holdings: in print from 1890 (including territorial materials) – present, KFO 1230.05 (ref and LLS).
- 2) Lexis library (CODE)
- 3) Westlaw database contains current data only (OK-ST)

*Oklahoma Statutes Annotated*- contains the text of statutes with annotations to cases and secondary sources. References to session laws and documents relevant to legislative history are also included.

- 1) OCU holdings: KFO 1230.052 (ref and LLS).
- 2) <http://www.oscn.net> has the current version

3) Westlaw database contains current data (OK-ST-ANN) and historical data from 1988-2001 (OK-STANNYY).

### **Bill and Bill Files**

#### *House and Senate Bills*

1) OCU has 1986 – 2000, KFO 1206 (LLS).

2) Also available from Lexis (TEXTYY file) (1991 - ) and Westlaw (BILLTXT-OLD) (1995).

3) Older bills from 1907-1989 available from the Archives Division of the Oklahoma Department of Libraries. Arranged by year and bill number and indexed by sponsor, bill number, committee and subject. The Archives also have territorial legislation from 1890.

4) 1993- present available online from the Legislature's website:  
<http://webserver1.lsb.state.ok.us/Webapplication1/webform1.aspx>

5) Available from the Journal Record Legislative Report from 2001 - present

#### *Bill Files*

The House and Senate maintain bill files containing the different versions of a bill and any other substantive legislative history documents that might exist. The House and Senate maintain their own bill files from 1989 – present. Bill files from 1907-1989 are available from the Archives Division of the Oklahoma Department of Libraries.

### **Searching for Companion Bills**

There is no index providing references to companion bills. Several search strategies may be used to locate them.

- 1) View bills by subject at the legislature's website (select Status of Measures > Subject)
- 2) Search the text of bills from the same legislative session for similar terms
- 3) Search for articles in local newspapers, The Journal Record and The Journal Record Legislative Report.

Useful search terms include: any known bill numbers; the subject of the legislation; alternate ways to describe the subject. Remember to limit your search to the dates of the legislative session you are interested in is a useful strategy.

### **Journals**

#### *House Journal*

1) OCU has 1895 – present, KFO 1218 (LLS).

2) House journals from 1999 – present are available from the Legislature's website:  
[http://www.lsb.state.ok.us/house/house\\_journal.htm](http://www.lsb.state.ok.us/house/house_journal.htm)

3) Westlaw from 2004 – present (OK-LH-JRNLS)

4) Journal Record Legislative Report from 2001 - present

#### *Senate Journal*

1) OCU has 1907 – present, KFO 1218 (ref).

2) Senate Journals from 2003 – present area available from the Senate’s website:

<http://www.oksenate.gov/publications/journals.html>

3) Westlaw from 2000 – present (OK-LH-JRNLS)

4) Journal Record Legislative Report from 2001 - present

5) Oklahoma Territorial Council Journal (1895 – 1905) OCU Call # KFO 1218 (ref).

#### **Streaming and Archived Audio and Video**

Senate Proceedings on Audio Tape- floor debates from 1971 – 1986 are available from the State Archives. From 1986 – present they are available from the Senate. There is no index to the tapes so access the tape you are interested in by determining the date of the debate from the Senate Journal.

Streaming Audio and Video – Senate - Floor debate is available only when the senate is in session. No archive is available. Streaming audio and video of committee meetings are available only during the meeting. No archive is available.

<http://www.oksenate.gov/index.htm>

Streaming Audio and Video – House – Floor debate is available when the house is in session and archives are available from 2005 to present. <http://www.okhouse.gov/>

#### **Committees**

Senate Committees information available from: <http://www.oksenate.gov/committees.htm> includes a list of meeting notices, standing committees and joint committees.

House Committees information available from: <http://www2.lsb.state.ok.us/docs/>

#### **Bill Tracking Page**

Bill tracking pages that allow you to track the current status of Bills, browse Bills by subject, and see the history of Bills: <http://www2.lsb.state.ok.us/docs/>

Glossary of Legislative Terms: <http://www2.lsb.state.ok.us/docs/>