

# Senate Journal

## First Regular Session of the Fifty-first Legislature of the State of Oklahoma

**Fifteenth Legislative Day, Tuesday, February 27, 2007**

The Senate was called to order by Senator Brogdon.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason, McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—48.

Senator Brogdon declared a quorum present.

The prayer was offered by Pastor Charles MacGregor, New Beginnings Church, Stratford, the guest of Senator Paddack.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 41, 70, 129, 145, 609, 712 and 734** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **GENERAL ORDER**

**SB 533** by Garrison of the Senate and Rousselot of the House was called up for consideration.

Senator Garrison moved that **SB 533** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 533** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coates and Johnson (C).--2.

The bill and emergency passed.

**SB 533** was referred for engrossment.

**GENERAL ORDER**

**SB 577** by Aldridge of the Senate and Peterson (Ron) of the House was called up for consideration.

Senator Aldridge moved that **SB 577** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 577** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--46.

Excused: Johnson (C) and Wyrick.--2.

The bill passed.

**SB 577** was referred for engrossment.

**FIRST READING**

The following was introduced and read the first time:

**SCR 12** – By Corn.

A Concurrent Resolution praising the heroism of Sergeant Buddy Hughie; mourning his loss; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Corn asked unanimous consent to suspend Rule 6-4 and refer **SCR 12** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 12** by Corn of the Senate was called up for consideration.

Representative Brannon asked to be made author of **SCR 12**, which was the order.

All other members of the Senate asked to coauthor **SCR 12**, which was the order.

**SCR 12** was adopted upon motion of Senator Corn and referred for engrossment.

**GENERAL ORDER**

**SB 700** by Ballenger of the Senate and Steele and Morrissette of the House was called up for consideration.

Senator Ballenger moved that **SB 700** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 700** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon,

Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 700** was referred for engrossment.

### **GENERAL ORDER**

**SB 63** by Crain of the Senate and Hickman of the House was called up for consideration.

Senator Crain moved that **SB 63** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 63** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 63** was referred for engrossment.

### **INTRODUCTION**

Senator Lerblance introduced his wife, Frances, to the Senate.

**GENERAL ORDER**

**SB 37** by Rabon of the Senate and Blackwell of the House was called up for consideration.

Senator Rabon moved that **SB 37** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 37** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--46.

Excused: Coffee and Wyrick.--2.

The bill and emergency passed.

**SB 37** was referred for engrossment.

**GENERAL ORDER**

**SB 127** by Lerblance of the Senate and Renegar of the House was called up for consideration.

Senator Lerblance moved that **SB 127** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 127** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster,

Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--46.

Excused: Coffee and Wyrick.--2.

The bill and emergency passed.

**SB 127** was referred for engrossment.

### **GENERAL ORDER**

**SB 57** by Corn of the Senate and Hickman of the House was called up for consideration.

Senator Corn moved that **SB 57** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 57** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--46.

Excused: Coffee and Wyrick.--2.

The bill and emergency passed.

**SB 57** was referred for engrossment.

### **GENERAL ORDER**

**SB 85** by Corn of the Senate and Hickman of the House was called up for consideration.

Senator Corn moved that **SB 85** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 85** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson and Wilson.--46.

Nay: Wilcoxson.--1.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 85** was referred for engrossment.

**GENERAL ORDER**

**SB 695** by Corn of the Senate and Hickman of the House was called up for consideration.

Senator Corn moved that **SB 695** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 695** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 695** was referred for engrossment.

### **GENERAL ORDER**

**SB 390** by Barrington of the Senate and Peters of the House was called up for consideration.

Senator Barrington moved that **SB 390** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 390** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Ford, Gumm, Johnson (M), Jolley, Justice, Lamb, Laughlin, Leftwich, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--27.

Nay: Adelson, Ballenger, Bass, Burrage, Crutchfield, Easley, Eason McIntyre, Garrison, Ivester, Johnson (C), Laster, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Sweeden and Wilson.--20.

Excused: Wyrick.--1.

The bill passed.

Senators Morgan, Adelson, Paddack, Garrison, Riley and Wilson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 14; Excused: 1.

The emergency passed.

**SB 390** was referred for engrossment.

### **GENERAL ORDER**

**SB 163** by Laughlin of the Senate and Blackwell of the House was called up for consideration.



Senator Laughlin moved that **SB 163** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 163** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Ford, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson and Williamson.--39.

Nay: Bass, Corn, Easley, Eason McIntyre, Garrison, Johnson (C), Rice and Wilson.--8.

Excused: Wyrick.--1.

The bill passed.

**SB 163** was referred for engrossment.

### **GENERAL ORDER**

**SB 512** by Myers of the Senate and Luttrell of the House was called up for consideration.

Senator Myers moved that **SB 512** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 512** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill passed.

**SB 512** was referred for engrossment.

## **GENERAL ORDER**

**SB 166** by Crain of the Senate and Lamons of the House was called up for consideration.

Senator Crain moved that **SB 166** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 166** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Morgan, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson and Williamson.--37.

Nay: Bass, Coates, Easley, Garrison, Gumm, Johnson (C), Lerblance, Myers, Rabon and Wilson.--10.

Excused: Wyrick.--1.

The bill passed.

**SB 166** was referred for engrossment.

## **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1042, 1084, 1285, 1379, 1390, 1393, 1453, 1457, 1518, 1581, 1646** and **1728** and **HCR 1016**.

**HB 1042** – By Smithson and Brannon of the House and Wyrick of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-112A, which relates to hunter safety certification; modifying age requirements; deleting certification requirement for certain persons hunting certain game; exempting a youth hunter from certification requirements if accompanied by a hunter meeting certain qualifications;

requiring certain voice contact while hunting; allowing a youth hunter with certification to hunt small game; allowing certain persons without certification to receive an apprentice hunting license or permit; requiring apprentice hunters to be accompanied by a hunter meeting certain qualifications; requiring certain physical contact while hunting big game; requiring certain voice contact while hunting small game; allowing a resident without certification to purchase an apprentice lifetime license; requiring an apprentice lifetime hunter to comply with certain accompanying hunter requirements; allowing an apprentice lifetime hunter to renew the license without designation upon certification; updating statutory language; providing an effective date; and declaring an emergency.

**HB 1084** – By Wesselhoft, Kern, McAffrey, Pittman and McDaniel (Randy) of the House and Wilcoxson of the Senate.

An Act relating to state government; amending Section 6, Chapter 434, O.S.L. 2005, as amended by Section 1, Chapter 296, O.S.L. 2006 (56 O.S. Supp. 2006, Section 198.11b), which relates to the Strategic Planning Committee on the Olmstead Decision; amending Section 3, Chapter 337, O.S.L. 2002 (56 O.S. Supp. 2006, Section 1010.23), which relates to the Oklahoma Pharmacy Connection Council; amending Section 4, Chapter 128, O.S.L. 2004, as amended by Section 14, Chapter 266, O.S.L. 2006 (62 O.S. Supp. 2006, Section 41.5t.2), which relates to the Electronic and Information Technology Accessibility Advisory Council; amending 74 O.S. 2001, Sections 9.21, 9.22, 9.23, 9.24, 9.25, 9.26, 9.27, 9.28, 9.29, 9.33 and 9.34, which relate to the Office of Handicapped Concerns; modifying name of the Office of Handicapped Concerns; and providing an effective date.

**HB 1285** – By Glenn, Smithson and Braddock of the House and Wyrick of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 152, as last amended by Section 2, Chapter 215, O.S.L. 2006 (22 O.S. Supp. 2006, Section 152), which relates to statute of limitations; adding certain offense to limitation of prosecutions; and providing an effective date.

**HB 1379** – By Ingmire, Covey, Hamilton, Lindley, McAffrey, Roan and Walker of the House and Adelson of the Senate.

( property – deposits held by utilities – Unclaimed Gas and Electric Utility Deposit Fund – codification – effective date – emergency )

**HB 1390** – By Kern, McDaniel (Jeannie), Denney, McCarter, Shumate and Nations of the House and Wilcoxson of the Senate.

( schools – renewal of teaching certificates – award grants to certain schools - effective date – emergency )

**HB 1393** – By Richardson, Brannon and Smithson of the House and Ford of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 2-138, which relates to definitions; modifying definition of resident; specifying criteria for determining residency; providing certain exceptions for military personnel; providing for termination of residency status upon certain actions; amending 29 O.S. 2001, Section 3-311, which relates to the Oklahoma Wildlife Diversity Program; deleting termination date; amending 29 O.S.

2001, Section 4-101, as amended by Section 1, Chapter 214, O.S.L. 2005 (29 O.S. Supp. 2006, Section 4-101), which relates to license and permit requirements; expanding licenses or permits for which a duplication fee may be charged; authorizing payment of an in lieu of administrative fine by certain persons; specifying amount of fine; providing for deposit of fine in the Wildlife Conservation Fund; specifying use of fine; providing for codification; and declaring an emergency.

**HB 1453** – By Johnson (Rob) of the House and Garrison of the Senate.

( counties and county officers - Preservation and Accessibility of County Records Act - authorizing counties to expend monies for certain services - authorizing the Office of State Finance to expend monies to certain counties - Preservation and Accessibility of County Records Revolving Fund – codification - effective date –

**HB 1457** – By Brannon, Kern and Smithson of the House and Corn of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 24-101.3, as last amended by Section 2, Chapter 210, O.S.L. 2006 (70 O.S. Supp. 2006, Section 24-101.3), which relates to out-of-school suspensions; authorizing adoption of a policy that allows the suspension of students ordered to leave certain athletic events or competitions; and declaring an emergency.

**HB 1518** – By DeWitt, Armes, Sears, Winchester, Coody, Key, Martin (Steve) and Sullivan of the House and Justice of the Senate.

An Act relating to torts; creating the Common Sense Consumption Act; providing short title; stating legislative intent; defining terms; providing immunity from civil liability for certain claims; providing exception; providing pleading requirements; providing for stay of discovery and other proceedings in certain circumstances; providing scope of claims covered; providing for codification; and providing an effective date.

**HB 1581** – By Peters of the House and Myers of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 500.2, as last amended by Section 82, Chapter 16, O.S.L. 2006 (74 O.S. Supp. 2006, Section 500.2), which relates to the State Travel Reimbursement Act; authorizing certain contracts for state agencies; deleting certain redundant contract authorization; and providing an effective date.

**HB 1646** – By Peterson (Pam) of the House and Ford of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 269, which relates to unauthorized rewards for official acts; making certain actions unlawful; providing penalty; and providing an effective date.

**HB 1728** – By McCarter, Martin (Steve) and Sears of the House and Barrington of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-112, as last amended by Section 15, Chapter 138, O.S.L. 2006 (29 O.S. Supp. 2006, Section 4-112), which relates to hunting licenses; modifying exception for persons engaged in training dogs; and declaring an emergency.

**HCR 1016** – By Key of the House and Johnson (Mike) of the Senate.

A Concurrent Resolution relating to debtor and creditor; declaring legislative intent regarding postponement of enforcement of certain consumer credit organization licensing requirements; and directing distribution.

The above-numbered measures were read the first time.

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

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The Senate reconvened with Senator Nichols presiding.

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

#### **GENERAL ORDER**

**SB 938** by Laster of the Senate and Jett of the House was called up for consideration.

Senator Laster moved that **SB 938** be advanced, which motion was declared adopted.

**Senator Williamson presiding.**

#### **THIRD READING**

**SB 938** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--45.

Excused: Coffee, Johnson (C) and Wyrick.--3.

The bill passed.

**SB 938** was referred for engrossment.

**GENERAL ORDER**

**SB 71** by Brogdon of the Senate and Reynolds of the House was called up for consideration.

Senator Brogdon moved that **SB 71** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 71** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--46.

Excused: Coffee and Wyrick.--2.

The bill passed.

**SB 71** was referred for engrossment.

**GENERAL ORDER**

**SB 17** by Barrington of the Senate and Coody of the House was called up for consideration.

Senator Barrington asked that **SB 17** be laid over temporarily, which was the order.

**SB 17** remains on General Order.

**GENERAL ORDER**

**SB 685** by Mazzei and Wilson of the Senate and Terrill of the House was called up for consideration.

Senator Mazzei moved that **SB 685** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 685** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill passed.

**SB 685** was referred for engrossment.

**GENERAL ORDER**

**SB 374** by Wilson of the Senate and Brown of the House was called up for consideration.

Senator Wilson moved that **SB 374** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 374** was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Bass, Corn, Crain, Crutchfield, Eason McIntyre, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Wilcoxson and Wilson.--22.

Nay: Aldridge, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Easley, Ford, Garrison, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sweeden, Sykes and Williamson.--25.

Excused: Wyrick.--1.

The bill failed.

Pursuant to Rule 13-22, Senator Wilson served notice that the vote be reconsidered whereby **SB 374** failed.

### **GENERAL ORDER**

**SB 149** by Crain of the Senate and Peters of the House was called up for consideration.

Senator Crain moved that **SB 149** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 149** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill passed.

**SB 149** was referred for engrossment.

### **GENERAL ORDER**

**SB 379** by Ballenger of the Senate and Rousselot of the House was called up for consideration.

Senator Ballenger moved that **SB 379** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 379** was read for the third time at length.

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



Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill passed.

**SB 379** was referred for engrossment.

### **GENERAL ORDER**

**SB 17** by Barrington of the Senate and Coody of the House was called up for further consideration.

Senator Coates asked to coauthor **SB 17**, which was the order.

Senator Barrington moved that **SB 17** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 17** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--45.

Nay: Eason McIntyre and Johnson (C).--2.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 17** was referred for engrossment.

**GENERAL ORDER**

**SB 513** by Wilcoxson of the Senate and Denney of the House was called up for consideration.

Senator Wilcoxson moved to amend **SB 513**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Wilcoxson moved that **SB 513** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 513** was read for the third time at length.

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

Aye: Aldridge, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson and Williamson.--38.

Nay: Adelson, Anderson, Ballenger, Garrison, Johnson (C), Lerblance, Morgan, Rabon and Wilson.--9.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 513** was referred for engrossment.

**GENERAL ORDER**

**SB 128** by Myers of the Senate and Luttrell of the House was called up for consideration.

Senator Myers moved that **SB 128** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 128** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill and emergency passed.

**SB 128** was referred for engrossment.

### **GENERAL ORDER**

**SB 825** by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 825** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 825** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--46.

Excused: Rabon and Wyrick.--2.

The bill passed.

**SB 825** was referred for engrossment.

**GENERAL ORDER**

**SB 903** by Crain of the Senate and Cox of the House was called up for consideration.

Senator Crain moved that **SB 903** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 903** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--47.

Excused: Wyrick.--1.

The bill passed.

**SB 903** was referred for engrossment.

**EXECUTIVE NOMINATIONS**

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

Bickham, Kay, Edmond, as a member of the Board of Dentistry - Health and Human Resources

Crutcher, Mike, Edmond, as Cabinet Secretary of Health - Health and Human Resources

Dunegan, James H., Calera, as a member of the Transportation Commission - Transportation

Hendrick, Howard H., Bethany, as Cabinet Secretary of Human Services - Health and Human Resources

Mabrey, Carlisle, III, Okmulgee, as a member of the Transportation Commission - Transportation

Peach, Terry, Mutual, as Cabinet Secretary of Agriculture - Agriculture and Rural Development

Shirley, Natalie, Oklahoma City, as Cabinet Secretary of Commerce and Tourism - Finance

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 28, 2007, at 9:30 a.m., which motion prevailed.

## **SECOND READING**

The following were read for the second time:

**HBs 1276, 1277, 1278, 1279, 1280, 1341, 1702, 1773, 1774, 1819, 1932, 1991 and 2100 and HCR 1018.**

## **FIRST READING**

The following was introduced and read the first time:

**SCR 13** – By Leftwich of the Senate and Steele of the House.

A Concurrent Resolution supporting the goal of eliminating suffering and death due to cancer by 2015; and directing distribution.

Pursuant to the Laster motion, the Senate adjourned at 2:25 p.m. to meet Wednesday, February 28, 2007, at 9:30 a.m.