

# Senate Journal

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

Sixteenth Legislative Day, Wednesday, February 28, 2007

The Senate was called to order by Senator Leftwich.

Roll Call:

Present: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, 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.—46.

Excused: Adelson and Branan.—2.

Senator Leftwich 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 17, 37, 57, 63, 71, 85, 127, 128, 149, 163, 166, 379, 390, 512, 513, 533, 577, 685, 695, 700, 825, 903 and 938 and SCR 12** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SJR 14** by Brown and Riley of the Senate and Adkins of the House was called up for consideration.

Senator Brown moved that **SJR 14** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 14** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Wilcoxson, Williamson and Wilson.--37.

Nay: Brogdon, Johnson (M), Mazzei and Sykes.--4.

Excused: Adelson, Bingman, Branan, Coffee, Morgan, Sweeden and Wyrick.--7.

The resolution passed.

**SJR 14** was referred for engrossment.

**GENERAL ORDER**

**SB 64** by Crain of the Senate and Hickman of the House was called up for consideration.

Senator Anderson moved to amend **SB 64**, Page 8, Line 23 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3305.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

- A. There is hereby created the “Oklahoma Agency Review Council”.
- B. It is the intent of the Legislature that the Council visit each state agency, evaluate the role of each state agency and determine if there is the need for consolidation or realignment of state agencies or services provided by such agencies.
- C. The Council shall consist of seven (7) members as follows:
  1. The Governor shall appoint a member from the private sector;
  2. The President Pro Tempore of the Senate shall appoint a member from the private sector;
  3. The Speaker of the House of Representatives shall appoint a member from the private sector;
  4. The Minority Floor Leader of the Senate shall appoint a member from the private sector;
  5. The Minority Floor Leader of the House of Representatives shall appoint a member from the private sector;
  6. The Director of the Office of Personnel Management or a designee; and

7. The Director of Central Services or a designee.

D. The chair and vice-chair of the Council shall be elected at the first meeting by a majority of those present. A quorum shall be required to hold the election and a quorum shall be a majority of those appointed to the Council.

E. The Legislative Service Bureau, upon direction of the Council, shall have the authority to employ a person to staff the Council. Such person shall assist the Council in collecting, developing, and maintaining data relating to functions of each agency.

F. Staffing assistance for the Council shall be provided by the Office of Personnel Management and the Department of Central Services.

G. Members shall receive no salary for serving on the Council. All members of the Council shall receive necessary travel expenses in accordance with the provisions of the State Travel Reimbursement Act from the appointing authority's employing agency.

H. The Oklahoma Agency Review Council shall serve in an advisory capacity to the Oklahoma Legislature and make findings and recommendations in a report which shall be submitted to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives not later than December 31, 2008.", which amendment was withdrawn upon request of Senator Anderson.

Senator Crain moved that **SB 64** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 64** 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, Anderson, Ballenger, Barrington, Bass, 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, Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson and Wilson.--41.

Excused: Adelson, Bingman, Branan, Coffee, Morgan, Sweeden and Wyrick.--7.

The bill and emergency passed.

**SB 64** was referred for engrossment.

### **GENERAL ORDER**

**SB 161** by Justice of the Senate and Richardson of the House was called up for consideration.

Senator Justice moved that **SB 161** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 161** 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, Anderson, Ballenger, Barrington, Bass, 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, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson and Wilson.--39.

Excused: Adelson, Bingman, Branan, Coffee, Morgan, Rabon, Sweeden, Williamson and Wyrick.--9.

The bill and emergency passed.

**SB 161** was referred for engrossment.

**GENERAL ORDER**

**SB 103** by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved to amend **SB 103**, Page 1, by striking the title, which amendment was declared adopted.

Senator Paddack moved that **SB 103** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 103** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, 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, Myers, Nichols, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sykes, Williamson and Wilson.--40.

Excused: Adelson, Bingman, Branan, Morgan, Reynolds, Sweeden, Wilcoxson and Wyrick.--8.

The bill passed.

Senators Morgan, Wilcoxson and Reynolds desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43; Excused: 5.

The emergency passed.

**SB 103** was referred for engrossment.

### **GENERAL ORDER**

**SB 482** by Wilcoxson of the Senate and Coody of the House was called up for consideration.

Senator Wilcoxson moved that **SB 482** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 482** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Brogdon, Brown, Burrage, Coates, Coffee, Crain, Easley, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Reynolds, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson and Wilson.--35.

Nay: Corn, Crutchfield, Eason McIntyre, Johnson (C), Laster, Rabon and Rice.--7.

Excused: Adelson, Bingman, Branan, Morgan, Sweeden and Wyrick.--6.

The bill passed.

**SB 482** was referred for engrossment.

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Wilson asked unanimous consent to suspend Rule 6-4 and refer **SCR 7** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 7** by Wilson of the Senate and Brown of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 7**, which was the order.

**SCR 7** was adopted upon motion of Senator Wilson and referred for engrossment.

**GENERAL ORDER**

**SB 69** by Bass et al of the Senate and Blackwell of the House was called up for consideration.

Senator Bass moved to amend **SB 69**, Page 1, by striking the title, which amendment was declared adopted.

Senator Bass moved that **SB 69** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 69** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, 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, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson and Wilson.--42.

Excused: Adelson, Bingman, Branan, Morgan, Sweeden and Wyrick.--6.

The bill passed.

**SB 69** was referred for engrossment.

**GENERAL ORDER**

**SB 72** by Crain of the Senate and Jordan of the House was called up for consideration.

Senator Crain moved that **SB 72** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 72** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, 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, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson and Wilson.--41.

Excused: Adelson, Bingman, Branan, Morgan, Sweeden, Williamson and Wyrick.--7.

The bill passed.

**SB 72** was referred for engrossment.

**GENERAL ORDER**

**SB 498** by Paddack and Gumm of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved that **SB 498** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 498** was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Bass, 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, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Wilcoxson and Wilson.--38.

Nay: Aldridge, Brogdon, Sykes and Williamson.--4.

Excused: Adelson, Bingman, Branan, Morgan, Sweeden and Wyrick.--6.

The bill and emergency passed.

**SB 498** was referred for engrossment.

**GENERAL ORDER**

**SB 519** by Wilcoxson and Corn of the Senate and Jones of the House was called up for consideration.

Senator Wilcoxson moved that **SB 519** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 519** 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, Brown, Coates, Corn, Eason McIntyre, Johnson (C), Johnson (M), Jolley, Laster, Lerblance, Mazzei, Myers, Rabon, Reynolds, Schulz, Wilcoxson and Wilson.--20.

Nay: Ballenger, Bass, Brogdon, Burrage, Coffee, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Justice, Lamb, Laughlin, Leftwich, Nichols, Paddack, Rice, Riley, Sparks, Sykes and Williamson.--23.

Excused: Adelson, Branam, Morgan, Sweeden and Wyrick.--5.

The bill failed.

Pursuant to Rule 13-22, Senator Corn served notice that the vote be reconsidered whereby **SB 519** failed.

**GENERAL ORDER**

**SB 551** by Paddack of the Senate and Hyman of the House was called up for consideration.

Senator Paddack moved that **SB 551** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 551** was read for the third time at length.

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



Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, 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, Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson and Wilson.--42.

Excused: Adelson, Branan, Coffee, Morgan, Sweeden and Wyrick.--6.

The bill passed.

**SB 551** was referred for engrossment.

## **GENERAL ORDER**

**SB 496** by Reynolds of the Senate and Kern of the House was called up for consideration.

Senator Reynolds moved to amend **SB 496**, Page 1, Line 16, by inserting after the word "agreement" and before the word "to" the language "on or after the effective date of this act"; Page 1, Line 16, by deleting after the word "to" the word "provide" and inserting in lieu thereof the word "sell"; and Page 1, Line 18, by inserting after the period the language "Provided, nothing herein shall preclude such institution or school from providing student data as permitted by the Oklahoma Open Records Act.", which amendment was declared adopted.

Senator Reynolds moved to amend his amendment to **SB 496**, Page 1, Line 17, by deleting after the word "data" and before the second word "to" the words "or access to students", which amendment was declared adopted.

Senator Reynolds asked unanimous consent to amend **SB 496**, Page 1, by restoring the title, to which request objection was heard.

Senator Reynolds asked that his amendment to restore the title to **SB 496** be withdrawn, which was the order.

Senator Reynolds asked that **SB 496** be laid over for this legislative day, which was the order

**SB 496** remains on General Order.

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

The Senate reconvened with Senator Paddack presiding.

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

## **INTRODUCTIONS**

Senator Laughlin introduced his granddaughter, Avery Hope Bushman, to the Senate. Senator Laughlin asked unanimous consent, which was granted, that Avery be named an Honorary Page for this legislative day. Senator Paddack introduced her husband, Dr. Gary Paddack, to the Senate.

## **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Leftwich asked unanimous consent to suspend Rule 6-4 and refer **SCR 13** direct to the Calendar for consideration, which was the order.

## **GENERAL ORDER**

**SCR 13** by Leftwich of the Senate and Steele of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 13**, which was the order.

**SCR 13** was adopted upon motion of Senator Leftwich and referred for engrossment.

## **INTRODUCTION**

Senator Mazzei introduced his father, Jim Mazzei and wife, Gay, to the Senate.

## **GENERAL ORDER**

**SB 1059** by Laster of the Senate and Sullivan of the House was called up for consideration.

Senator Laster moved that **SB 1059** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1059** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, 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, Sykes, Williamson and Wilson.--42.

Excused: Adelson, Branan, Eason McIntyre, Sweeden, Wilcoxson and Wyrick.--6.

The bill passed.

**SB 1059** was referred for engrossment.

**GENERAL ORDER**

**SB 810** by Justice of the Senate and Armes of the House was called up for consideration.

Senator Justice moved that **SB 810** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 810** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, 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, Sykes, Williamson and Wilson.--42.

Excused: Adelson, Branan, Eason McIntyre, Sweeden, Wilcoxson and Wyrick.--6.

The bill passed.

**SB 810** was referred for engrossment.

**GENERAL ORDER**

**SB 55** by Anderson of the Senate and Covey of the House was called up for consideration.

Senator Corn moved to amend **SB 55**, Page 2, Line 12 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 46 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. In the event any legislation becomes effective on or after January 1, 2008, which results in a reduction in funds apportioned to the Teachers’ Retirement System Dedicated Revenue Revolving Fund pursuant to Sections 1353, 1403 or 2352 of Title 68 of the Oklahoma Statutes, a sum of money equal to the State Board of Equalization estimate of such reduction shall be apportioned annually by the Oklahoma Tax Commission to the Teachers’ Retirement System Dedicated Revenue Revolving Fund from the revenues which would otherwise be apportioned to the General Revenue Fund pursuant to subparagraph a of paragraph 1 of Section 2352 of Title 68 of the Oklahoma Statutes.

B. The State Board of Equalization shall meet not later than sixty days after the end of a Legislative session to determine if any legislation has been enacted which will result in a reduction of funds described in subsection A of this section. The State Board of Equalization shall notify the Oklahoma Tax Commission in writing of the amount of the reduction to the Teachers’ Retirement System Dedicated Revenue Revolving Fund estimated to occur as a result of such legislation.”, and by renumbering subsequent section.

Senator Mazzei moved to table the Corn amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Brogdon, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--23.

Nay: Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks and Wilson.--21.

Excused: Adelson, Branana, Sweeden and Wyrick.--4.

Senator Anderson moved that **SB 55** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 55** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson and Wilson.--41.

Nay: Brogdon, Jolley and Mazzei.--3.

Excused: Adelson, Branana, Sweeden and Wyrick.--4.

The bill passed.

**SB 55** was referred for engrossment.

## **GENERAL ORDER**

**SB 808** by Leftwich of the Senate and Wesselhoft of the House was called up for consideration.

Senator Leftwich moved that **SB 808** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 808** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson and Wilson.--39.

Nay: Crain, Johnson (M) and Reynolds.--3.

Excused: Adelson, Bingman, Branana, Rabon, Sweeden and Wyrick.--6.

The bill passed.

**SB 808** was referred for engrossment.

**GENERAL ORDER**

**SB 812** by Laster of the Senate and Sullivan of the House was called up for consideration.

Senator Laster moved to amend **SB 812**, Page 1, by striking the title, which amendment was declared adopted.

Senator Laster moved that **SB 812** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 812** was read for the third time at length.

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

Aye: Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Garrison, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Rabon, Rice, Sparks, Wilcoxson, Williamson and Wilson.--19.

Nay: Aldridge, Anderson, Ballenger, Barrington, Bass, Brogdon, Brown, Coffee, Corn, Ford, Gumm, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Paddack, Reynolds, Riley, Schulz and Sykes.--24.

Excused: Adelson, Bingman, Branan, Sweeden and Wyrick.--5.

The bill failed.

**GENERAL ORDER**

**SB 809** by Leftwich of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Leftwich moved to amend **SB 809**, Page 35, Line 13 ½, by inserting a new Section 17 to read as follows:

“SECTION 17. AMENDATORY 40 O.S. 2001, Section 418.2, as amended by Section 3, Chapter 50, O.S.L. 2002 (40 O.S. Supp. 2006, Section 418.2), is amended to read as follows:

Section 418.2.

A. There is hereby created the Worker Safety Policy Council to study and formulate reforms for worker safety that could result in lower work-related injuries and result in lower workers' compensation costs for business.

B. The Worker Safety Policy Council shall be comprised of ~~eighteen (18)~~ nineteen (19) members as follows:

1. The Commissioner of Labor or his or her designee, who shall act as chairman for the Council;
2. The Administrator of the Workers' Compensation Court or his or her designee;
3. The CompSource Oklahoma President and Chief Executive Officer or his or her designee;
4. The Insurance Commissioner or his or her designee;
5. The Director of the Department of Commerce or his or her designee;
6. A representative from the Oklahoma Safety Council who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
7. A representative from an American society or organization of safety engineers who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
8. A representative from an American industrial hygiene association who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
9. A representative from an Oklahoma labor union who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
10. A representative from the Oklahoma State Chamber of Commerce and Industry who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
11. A representative from an organization of the private sector who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
12. A representative from an organization of public employees who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
13. A representative from the Oklahoma Municipal League who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner;
14. A representative of the public schools who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner; ~~and~~
15. Four members of the Legislature of which two shall be members of the Senate who shall be appointed by the President Pro Tempore of the Senate and two shall be members of the House of Representatives who shall be appointed by the Speaker of the House of Representatives; and
16. A representative from the Oklahoma Department of Career and Technology Education who shall be appointed by the Commissioner of Labor and shall serve at the pleasure of the Commissioner.

C. Vacancies on the Council shall be filled by the Commissioner of Labor, except that legislative vacancies shall be filled in the same manner as the original appointment. A simple majority of the Council shall constitute a quorum.

D. The Department of Labor shall provide such office supplies and personnel as may be necessary to assist the Council.

E. Members of the Council shall receive no compensation for serving on the Council, but shall be reimbursed by the Department of Labor for their necessary travel expenses

incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

F. The Council shall hold at least quarterly meetings each calendar year at a place and time to be fixed by the Council. The Council shall make annual recommendations for legislative and policy changes to public and private employers to reduce worker injuries and the resulting costs associated with those injuries. Commencing September 1, 1994, and annually thereafter, the Council shall submit a report of its recommendations to the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Leftwich moved to amend **SB 809**, Page 1, by striking the title, which amendment was declared adopted.

Senator Leftwich moved that **SB 809** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 809** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, 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, Sykes, Wilcoxson, Williamson and Wilson.--43.

Excused: Adelson, Bingman, Branan, Sweeden and Wyrick.--5.

The bill passed.

**SB 809** was referred for engrossment.

### **INTRODUCTIONS**

Senator Laughlin introduced his son-in-law, Jon Bushman; and Senator Brown introduced his daughter, Dana Brown, to the Senate.

### **GENERAL ORDER**

**SB 907** by Crain of the Senate and Roan of the House was called up for consideration.



Senator Crain moved that **SB 907** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 907** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, 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, Sykes, Wilcoxson, Williamson and Wilson.--43.

Excused: Adelson, Bingman, Branan, Sweeden and Wyrick.--5.

The bill passed.

**SB 907** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1003, 1006, 1048, 1343, 1432, 1472, 1545, 1711, 1874** and **2038**.

**HB 1003** – By Carey and Pittman of the House and Paddack of the Senate.  
( mental health – Mental Health Law – transportation reimbursement requirements – effective date )

**HB 1006** – By Smithson and Braddock of the House and Wyrick of the Senate.  
An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1290.10, which relates to the Oklahoma Self-Defense Act; deleting certain prohibited condition; and providing an effective date.

**HB 1048** – By Ellis of the House and Wilson of the Senate.  
An Act relating to game and fish; amending 29 O.S. 2001, Section 4-136, as amended by Section 1, Chapter 174, O.S.L. 2002 (29 O.S. Supp. 2005, Section 4-136), which relates to special use permits; adding exemption from permitting requirements for certain persons serving in the United States Armed Services; and declaring an emergency.

**HB 1343** – By Rousselot, Banz, Smithson, Jordan, Wesselhoft, Steele, Kiesel, Collins, Inman, Roan, Hilliard, Coody, Derby, Proctor, Sherrer and Walker of the House and Garrison of the Senate.  
( holidays - Veterans' Day – terms - effective date )

**HB 1432** – By Hilliard of the House and Laughlin of the Senate.

An Act relating to counties and county officers; amending 11 O.S. 2001, Section 41-108, which relates to requirements for plat recordings; modifying specifications; amending 19 O.S. 2001, Section 155.2, which relates to destruction of records; specifying standards for destruction of certain records; amending 19 O.S. 2001, Section 347, which relates to county fiscal matters; prohibiting certain acts; amending 19 O.S. 2001, Section 421.2, which relates to disposition of certain property; modifying entities to whom property may be transferred; amending 19 O.S. 2001, Sections 1501, as last amended by Section 2, Chapter 356, O.S.L. 2005 and 1505, as amended by Section 6, Chapter 447, O.S.L. 2004 (19 O.S. Supp. 2006, Sections 1501 and 1505), which relate to county purchasing procedures; modifying the purchasing authority of the county purchasing agent; modifying procedures for processing purchase orders; amending 42 O.S. 2001, Section 147.1, as amended by Section 4, Chapter 184, O.S.L. 2003 (42 O.S. Supp. 2006, Section 147.1), which relates to liens; modifying certain fee; and providing an effective date.

**HB 1472** – By Hyman and Piatt of the House and Crutchfield of the Senate.

An Act relating to tourism and recreation; amending Section 4, Chapter 67, O.S.L. 2006 (74 O.S. Supp. 2006, Section 2276.2), which relates to the Oklahoma State Park Trust Fund; adding the State Treasurer as a custodian for the Trust Fund; directing the State Treasurer to use certain investment policy and guidelines in certain circumstances; and declaring an emergency.

**HB 1545** – By Winchester of the House and Johnson (Mike) of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7302-2.2, as amended by Section 4, Chapter 320, O.S.L. 2006 (10 O.S. Supp. 2006, Section 7302-2.2), which relates to powers and duties of the Office of Juvenile Affairs; expanding scope of duties for certain division; deleting certain division within Office of Juvenile Affairs; modifying authority to create other divisions; modifying appointment provision; and providing an effective date.

**HB 1711** – By Billy of the House and Wilson of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 6-107, as last amended by Section 11, Chapter 311, O.S.L. 2006 (47 O.S. Supp. 2006, Section 6-107), which relates to restricted licenses for unemancipated persons; providing exception to verification requirement; and providing an effective date.

**HB 1874** – By Johnson (Dennis), Dank, Kern, Coody, Banz, Cooksey, Derby, Jackson, Peterson (Pam), Terrill, Tibbs and Worthen of the House and Sykes of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 24-152, which relates to Veterans Day in public schools; designating Celebrate Freedom Week; stipulating first day of the week; directing the State Board of Education to adopt rules requiring certain instruction during Celebrate Freedom Week; specifying the study of certain ideas and history; requiring certain students to recite certain text during Celebrate Freedom Week; allowing certain students to be excused from the recitation of the text; repealing 70 O.S. 2001, Sections 24-111 and 24-112, which relate to Bill of Rights Day; providing an effective date; and declaring an emergency.

**HB 2038** – By BigHorse and McAffrey of the House and Lamb of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 143, which relates to podiatric medicine; increasing penalty for unlawful practices; and providing an effective date.

The above-numbered measures were read the first time.

### **EXECUTIVE NOMINATIONS**

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

Alexander, Joseph W., Stillwater, as Cabinet Secretary of Science and Technology - Energy and Environment

Polonchek, Amy, Stillwater, as Director of Commerce - Finance

Turpen, Susan, Oklahoma City, as a member of the State Election Board - Rules

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 1, 2007, at 9:30 a.m., which motion prevailed.

Pursuant to the Laughlin motion, the Senate adjourned at 2:25 p.m. to meet Thursday, March 1, 2007, at 9:30 a.m.