

Senate Journal

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

Nineteenth Legislative Day, Tuesday, March 6, 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—47.

Excused: Lamb.—1.

Senator Brogdon declared a quorum present.

The prayer was offered by Reverend Danny Ringer, First Baptist Church, Elk City, the guest of Senator Ivester.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 14, 22, 35, 44, 47, 51, 74, 88, 109, 140, 151, 371, 392, 423, 437, 448, 461, 472, 494, 496, 523, 524, 582, 614, 634, 659, 665, 725, 731, 747, 777, 787, 790, 868, 929 and 1104 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 12 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 136 by Crutchfield of the Senate and Hyman of the House was called up for consideration.

Senator Crutchfield moved to amend **SB 136**, Page 1, by striking the title, which amendment was declared adopted.

Senator Crutchfield moved that **SB 136** be advanced, which motion was declared adopted.

THIRD READING

SB 136 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Branan.--1.

Excused: Lamb and Rabon.--2.

The bill passed.

SB 136 was referred for engrossment.

GENERAL ORDER

SB 86 by Coates of the Senate and Peterson (Ron) of the House was called up for consideration.

Senator Coates moved that **SB 86** be advanced, which motion was declared adopted.

THIRD READING

SB 86 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, Laster, Laughlin,

Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Lamb and Rabon.--3.

The bill and emergency passed.

SB 86 was referred for engrossment.

GENERAL ORDER

SB 398 by Adelson of the Senate and Sullivan of the House was called up for consideration.

Senator Adelson moved to amend **SB 398**, Page 1, by striking the title, which amendment was declared adopted.

Senator Adelson moved that **SB 398** be advanced, which motion was declared adopted.

THIRD READING

SB 398 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--44.

Nay: Wilcoxson.--1.

Excused: Coffee, Lamb and Rabon.--3.

The bill passed.

SB 398 was referred for engrossment.

GENERAL ORDER

SB 60 by Ford of the Senate and Sears of the House was called up for consideration.

Senator Ford moved to amend **SB 60**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Ford moved that **SB 60** be advanced, which motion was declared adopted.

THIRD READING

SB 60 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, Laster, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Wilson and Wyrick.--44.

Nay: Laughlin and Williamson.--2.

Excused: Lamb and Rabon.--2.

The bill and emergency passed.

SB 60 was referred for engrossment.

GENERAL ORDER

SB 500 by Myers of the Senate and Luttrell of the House was called up for consideration.

Senator Myers moved to amend **SB 500**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute. (Copies were provided for all Senators.)

Senator Myers asked that **SB 500** be laid over temporarily, which was the order.

SB 500 remains on General Order pending consideration of the floor substitute.

GENERAL ORDER

SB 81 by Corn of the Senate and Joyner and Thompson of the House was called up for consideration.

Senator Corn moved that **SB 81** be advanced, which motion was declared adopted.

THIRD READING

SB 81 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The bill and emergency passed.

SB 81 was referred for engrossment.

GENERAL ORDER

SB 580 by Justice of the Senate and Richardson of the House was called up for consideration.

Senator Justice moved that **SB 580** be advanced, which motion was declared adopted.

THIRD READING

SB 580 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The bill and emergency passed.

SB 580 was referred for engrossment.

GENERAL ORDER

SB 739 by Myers of the Senate and Dank of the House was called up for consideration.

Senator Myers moved to amend **SB 739**, Page 1, by striking the title, which amendment was declared adopted.

Senator Myers moved that **SB 739** be advanced, which motion was declared adopted.

THIRD READING

SB 739 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wilson.--45.

Excused: Lamb, Rabon and Wyrick.--3.

The bill passed.

SB 739 was referred for engrossment.

GENERAL ORDER

SB 756 by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Easley asked to coauthor **SB 756**, which was the order.

Senator Gumm moved that **SB 756** be advanced, which motion was declared adopted.

THIRD READING

SB 756 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The bill passed.

SB 756 was referred for engrossment.

GENERAL ORDER

SB 563 by Aldridge of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved that **SB 563** be advanced, which motion was declared adopted.

THIRD READING

SB 563 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The Presiding Officer recognized Senator Rabon who advised the Chair of an apparent malfunction in his voting machine. Senator Rabon asked that the record reflect a vote of

Aye on **SB 563**, as provided in Rule 15-1E. The Chair directed the clerk to correct the roll call vote on **SB 563** as Aye: 47; Excused: 1.

The bill and emergency passed.

SB 563 was referred for engrossment.

GENERAL ORDER

SB 107 by Leftwich of the Senate and Joyner of the House was called up for consideration.

Senator Leftwich moved to amend **SB 107**, Page 1, Line 14 and Page 2, Line 5, by deleting the words "Department of Juvenile Justice" and inserting in lieu thereof the words "Office of Juvenile Affairs"; and Page 1, Lines 18 and 20 and Page 2, Line 7 by deleting the word "Department" and inserting in lieu thereof the words "Office of Juvenile Affairs", which amendment was declared adopted.

Senator Leftwich moved that **SB 107** be advanced, which motion was declared adopted.

THIRD READING

SB 107 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, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--38.

Nay: Adelson, Branan, Brogdon, Brown, Crain, Johnson (M), Jolley, Mazzei and Reynolds.--9.

Excused: Lamb.--1.

The bill passed.

SB 107 was referred for engrossment.

GENERAL ORDER

SB 430 by Jolley of the Senate and Cargill of the House was called up for consideration.

Senator Jolley moved that **SB 430** be advanced, which motion was declared adopted.

THIRD READING

SB 430 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill and emergency passed.

SB 430 was referred for engrossment.

GENERAL ORDER

SB 827 by Crutchfield of the Senate and Winchester of the House was called up for consideration.

Senator Crutchfield moved that **SB 827** be advanced, which motion was declared adopted.

THIRD READING

SB 827 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm,

Ivester, Johnson (C), Justice, Laster, Leftwich, Lerblance, Morgan, Myers, Paddack, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Williamson and Wyrick.--35.

Nay: Anderson, Brogdon, Brown, Johnson (M), Jolley, Laughlin, Mazzei, Nichols, Rabon, Reynolds, Sykes and Wilson.--12.

Excused: Lamb.--1.

The bill passed.

SB 827 was referred for engrossment.

GENERAL ORDER

SB 162 by Riley of the Senate and McCarter of the House was called up for consideration.

Senator Riley moved that **SB 162** be advanced, which motion was declared adopted.

THIRD READING

SB 162 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, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Laster, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Nay: Branan, Johnson (M), Laughlin and Myers.--4.

Excused: Coffee and Lamb.--2.

The bill passed.

SB 162 was referred for engrossment.

GENERAL ORDER

SB 98 by Barrington of the Senate and Richardson of the House was called up for consideration.

Senator Barrington moved that **SB 98** be advanced, which motion was declared adopted.

THIRD READING

SB 98 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, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Wilson and Wyrick.--40.

Nay: Branan, Johnson (M), Jolley, Laughlin, Mazzei and Williamson.--6.

Excused: Coffee and Lamb.--2.

The bill passed.

SB 98 was referred for engrossment.

GENERAL ORDER

SB 95 by Corn of the Senate and Richardson of the House was called up for consideration.

Senator Corn moved to amend **SB 95**, Page 1, by striking the title, which amendment was declared adopted.

Senator Bass moved to amend **SB 95**, Page 3, Line 10 by inserting after the semicolon and before the word "and" the following language:

"provided however, it shall be the affirmative defenses to prosecution under this subsection that:

1. Consent was given by a person holding himself or herself out to the owner, lessee, or agent of the owner or lessee of the property;
2. The person was a guest or invitee;
3. The person was required to enter upon the premises for business reasons or for health or safety reasons; or
4. The person was authorized by law to enter upon the land.

This paragraph shall not apply to law enforcement officers in the line of duty. A person who knowingly enters the real property without consent shall be guilty of a misdemeanor, upon conviction.", which amendment was withdrawn upon request of Senator Bass.

Senator Corn moved that **SB 95** be advanced, which motion was declared adopted.

THIRD READING

SB 95 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, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ford, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Wilson and Wyrick.--40.

Nay: Ballenger, Crutchfield, Garrison, Gumm, Morgan, Sweeden and Williamson.--7.

Excused: Lamb.--1.

The bill and emergency passed.

SB 95 was referred for engrossment.

GENERAL ORDER

SB 61 by Anderson of the Senate and Carey of the House was called up for consideration.

Senator Anderson moved that **SB 61** be advanced, which motion was declared adopted.

THIRD READING

SB 61 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill passed.

SB 61 was referred for engrossment.

GENERAL ORDER

SB 546 by Bass of the Senate and Rousselot of the House was called up for consideration.

Senator Bass moved that **SB 546** be advanced, which motion was declared adopted.

THIRD READING

SB 546 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill and emergency passed.

SB 546 was referred for engrossment.

GENERAL ORDER

SB 45 by Coates of the Senate and Sears of the House was called up for consideration.

Senator Coates moved that **SB 45** be advanced, which motion was declared adopted.

THIRD READING

SB 45 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The bill passed.

SB 45 was referred for engrossment.

GENERAL ORDER

SB 798 by Gumm of the Senate and Piatt of the House was called up for consideration.

Senator Gumm moved that **SB 798** be advanced, which motion was declared adopted.

THIRD READING

SB 798 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The bill passed.

SB 798 was referred for engrossment.

GENERAL ORDER

SB 449 by Jolley of the Senate and Carey of the House was called up for consideration.

Senator Jolley moved that **SB 449** be advanced, which motion was declared adopted.

THIRD READING

SB 449 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Rabon.--2.

The bill passed.

SB 449 was referred for engrossment.

GENERAL ORDER

SB 156 by Laughlin of the Senate and Blackwell of the House was called up for consideration.

Senator Bingman asked to coauthor **SB 156**, which was the order.

Senator Laughlin moved that **SB 156** be advanced, which motion was declared adopted.

THIRD READING

SB 156 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill passed.

SB 156 was referred for engrossment.

GENERAL ORDER

SB 994 by Riley of the Senate and Benge of the House was called up for consideration.

Senator Riley moved that **SB 994** be advanced, which motion was declared adopted.

THIRD READING

SB 994 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Lamb.--2.

The bill passed.

SB 994 was referred for engrossment.

GENERAL ORDER

SB 1119 by Mazzei and Corn of the Senate and Jones of the House was called up for consideration.

Senator Bingman asked to coauthor **SB 1119**, which was the order.

Senator Mazzei moved that **SB 1119** be advanced, which motion was declared adopted.

THIRD READING

SB 1119 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill passed.

SB 1119 was referred for engrossment.

GENERAL ORDER

SB 399 by Adelson of the Senate and Cox of the House was called up for consideration.

Senator Adelson moved that **SB 399** be advanced, which motion was declared adopted.

THIRD READING

SB 399 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Lamb.--2.

The bill passed.

SB 399 was referred for engrossment.

GENERAL ORDER

SB 1034 by Aldridge of the Senate and Shannon of the House was called up for consideration.

Senator Aldridge moved to amend **SB 1034**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Aldridge moved that **SB 1034** be advanced, which motion was declared adopted.

THIRD READING

SB 1034 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill passed.

SB 1034 was referred for engrossment.

GENERAL ORDER

SB 531 by Anderson of the Senate and Roan of the House was called up for consideration.

Senator Anderson moved that **SB 531** be advanced, which motion was declared adopted.

THIRD READING

SB 531 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon,

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

Excused: Lamb.--1.

The bill passed.

SB 531 was referred for engrossment.

GENERAL ORDER

SB 567 by Bass of the Senate and Ingmire of the House was called up for consideration.

Senator Bass moved that **SB 567** be advanced, which motion was declared adopted.

THIRD READING

SB 567 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill passed.

SB 567 was referred for engrossment.

GENERAL ORDER

SB 858 by Burrage of the Senate and Sherrer of the House was called up for consideration.

Senator Burrage moved to amend **SB 858**, Page 3, Lines 22 and 23, by deleting all of the language beginning with the word "The" on Page 3, Line 22 through the period on Line 23 and inserting in lieu thereof the following language:

“The Department of Veterans Affairs, the Department of Corrections, the Department of Mental Health and Substance Abuse Services, the Department of Human Services and the Department of Health shall provide administrative support to the task force upon the request of the Office of Personnel Management.”, which amendment was declared adopted.

Senator Burrage moved that **SB 858** be advanced, which motion was declared adopted.

THIRD READING

SB 858 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, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Brogdon.--1.

Excused: Coffee and Lamb.--2.

The bill and emergency passed.

SB 858 was referred for engrossment.

GENERAL ORDER

SB 612 by Coates of the Senate and McCullough of the House was called up for consideration.

Senator Coates moved that **SB 612** be advanced, which motion was declared adopted.

THIRD READING

SB 612 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, Laster, Laughlin,

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

Excused: Coffee and Lamb.--2.

The bill and emergency passed.

SB 612 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1066, 1072, 1110, 1111, 1112, 1113, 1327, 1383, 1391, 1396, 1493, 1513, 1543, 1578, 1606, 1618, 1856** and **2187**.

HB 1066 – By Wright of the House and Sweeden of the Senate.

An Act relating to sunset; amending 72 O.S. 2001, Section 241, which relates to the State Accrediting Agency; re-creating the Agency; and modifying termination date.

HB 1072 – By Wright of the House and Sweeden of the Senate.

An Act relating to sunset; amending 67 O.S. 2001, Section 305, which relates to the Archives and Records Commission; re-creating the Commission; and modifying termination date.

HB 1110 – By Benge, Miller and Jett of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to roads, bridges and ferries; requiring certain reports; amending 69 O.S. 2001, Section 302.2, which relates to the Department of Transportation Tribal Advisory Board; clarifying language; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1111 – By Benge and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to schools; requiring certain reports; amending 70 O.S. 2001, Section 6-197, which relates to teacher licensure and certification; clarifying term; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1112 – By Benge and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to the Oklahoma Capitol Improvement Authority; requiring certain reports; amending 73 O.S. 2001, Section 151, which relates to the Oklahoma Capitol Improvement Authority; clarifying language; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1113 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to state government; requiring certain reports; amending 74 O.S. 2001, Section 840-1.3, as amended by Section 3, Chapter 347, O.S.L. 2002 (74 O.S. Supp. 2006, Section 840-1.3), which relates to the Oklahoma Personnel Act; clarifying language; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1327 – By Martin (Steve) and Sears of the House and Ford of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Section 571, which relates to the Oklahoma Prison Overcrowding Emergency Powers Act; modifying certain definition; and providing an effective date.

HB 1383 – By Ingmire of the House and Reynolds of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 78, as last amended by Section 13, Chapter 271, O.S.L. 2006 (74 O.S. Supp. 2006, Section 78), which relates to Fleet Management Division; modifying list of entities exempt from oversight; and providing an effective date.

HB 1391 – By Richardson of the House and Crutchfield of the Senate.

(environment and natural resources - Blue Skyways Collaborative Grant Program - specifying certain conditions - codification - effective date – emergency)

HB 1396 – By Adkins of the House and Burrage of the Senate.

An Act relating to Corporation Commission; amending 17 O.S. 2001, Section 304, as amended by Section 2, Chapter 28, O.S.L. 2006 (17 O.S. Supp. 2006, Section 304), which relates to the Oklahoma Storage Tank Regulation Act; making certain fuel storage facilities exempt from the act; and declaring an emergency.

HB 1493 – By Sullivan of the House and Lamb of the Senate.

An Act relating to attorneys and state bar; amending 5 O.S. 2001, Section 1, which relates to persons disqualified to practice law; providing an exception; and providing an effective date.

HB 1513 – By DeWitt, Dorman, Jackson, Covey, Jett, Liebmann, Luttrell and Walker of the House and Myers of the Senate.

(revenue and taxation – tax credit – ethanol production – effective date)

HB 1543 – By Winchester, Carey and Murphey of the House and Corn of the Senate.

An Act relating to banks and trust companies; amending 6 O.S. 2001, Section 402, which relates to powers of banks and trust companies; increasing amount of certain investment; amending 6 O.S. 2001, Section 501.2, which relates to branch banks; prohibiting certain branch bank locations; defining terms; amending Section 3, Chapter 235, O.S.L. 2006 (6 O.S. Supp. 2006, Section 512), which relates to out-of-state banks; removing certain restriction on branch operations; amending 6 O.S. 2001, Section 603, which relates to emergency closing; substituting term; allowing certain emergency measures during specific situations; defining term; amending 6 O.S. 2001, Section 906,

which relates to sole beneficiary deposits; modifying scope to include credit unions; amending 6 O.S. 2001, Section 907, which relates to husband and wife deposits; modifying scope to include credit unions; amending 6 O.S. 2001, Section 2006, as amended by Section 2, Chapter 209, O.S.L. 2005 (6 O.S. Supp. 2006, Section 2006), which relates to credit union powers; modifying certain loan limitation; adding additional power to own or lease certain personal property; amending 6 O.S. 2001, Section 2025, which relates to payable on death accounts; modifying requirements controlling payable on death accounts; amending 8 O.S. 2001, Sections 163 and 166, as amended by Section 23, Chapter 48, O.S.L. 2005 (8 O.S. Supp. 2006, Section 166), which relate to cemeteries; allowing certain cemeteries to use a certificate of deposit under certain circumstances; adding certain reporting requirements; and providing an effective date.

HB 1578 – By Peters, Shelton and Braddock of the House and Paddock of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7303-5.5, as amended by Section 2, Chapter 226, O.S.L. 2005 and Section 3, Chapter 226, O.S.L. 2005 (10 O.S. Supp. 2006, Sections 7303-5.5 and 7303-5.6), which relate to the Oklahoma Juvenile Code; requiring Office of Juvenile Affairs to assist in establishment of juvenile drug courts; providing juvenile drug court guidelines; requiring performance of investigation by supervising staff; updating statutory references; defining term; and providing an effective date.

HB 1606 – By Shannon and Roan of the House and Coates of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-202, which relates to traffic control signals; authorizing drivers of motorcycles and bicycles to proceed through certain intersections; providing that certain actions do not constitute a defense; amending 47 O.S. 2001, Section 1102, as last amended by Section 2, Chapter 295, O.S.L. 2006 (47 O.S. Supp. 2006, Section 1102), which relates to definitions used in the Oklahoma Vehicle License and Registration Act; modifying certain definition; and providing an effective date.

HB 1618 – By Roan of the House and Corn of the Senate.

An Act relating to law enforcement training; amending 70 O.S. 2001, Section 3311, as last amended by Section 74 of Enrolled House Bill No. 2195 of the 1st Session of the 51st Oklahoma Legislature, which relates to the Council on Law Enforcement Education and Training; deleting certain psychological instruments used for evaluating persons being certified as police or peace officers; directing employing agencies to administer psychological instruments according to certain standards; directing the employing agencies to provide certain information; requiring a psychologist to make certain reports; limiting additional procedures or requirements; deleting duplicate language; and providing an effective date.

HB 1856 – By BigHorse and Dorman of the House and Bass of the Senate.

An Act relating to schools; amending Section 1, Chapter 55, O.S.L. 2003 (70 O.S. Supp. 2006, Section 11-103.6f), which relates to exceptions to high school graduation requirements; updating statutory language and citation; directing the State Board of

Education to adopt rules allowing certain exception to the Oklahoma history graduation requirement; providing an effective date; and declaring an emergency.

HB 2187 – By Wesselhoft, Kern, Pittman and Tibbs of the House and Schulz of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 21.1, as last amended by Section 2, Chapter 415, O.S.L. 2004 (10 O.S. Supp. 2006, Section 21.1), which relates to custody or guardianship; expanding custody proceedings; modifying procedure; modifying factors in determining if parent is unfit parent; providing for certain presumptions; prohibiting modification in certain circumstances; amending 10 O.S. 2001, Section 22.1, which relates to grandparent care of grandchildren; requiring distribution of brochure for certain assistance program; repealing 10 O.S. 2001, Section 9, which relates to abuse of parental authority; and providing an effective date.

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.

*

The Senate reconvened with Senator Williamson presiding.

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

GENERAL ORDER

SB 610 by Barrington of the Senate and Dorman of the House was called up for consideration.

Senator Barrington moved that **SB 610** be advanced, which motion was declared adopted.

THIRD READING

SB 610 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, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Leftwich,

Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Aldridge, Gumm, Lamb and Mazzei.--4.

The bill passed.

SB 610 was referred for engrossment.

GENERAL ORDER

SB 623 by Bass of the Senate and Armes of the House was called up for consideration.

Senator Williamson asked to coauthor **SB 623**, which was the order.

Senator Bass moved that **SB 623** be advanced, which motion was declared adopted.

THIRD READING

SB 623 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, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Brogdon.--1.

Excused: Anderson, Gumm and Lamb.--3.

The bill and emergency passed.

SB 623 was referred for engrossment.

GENERAL ORDER

SB 400 by Brogdon of the Senate and Liebmann of the House was called up for consideration.

Senator Brogdon moved that **SB 400** be advanced, which motion was declared adopted.

THIRD READING

SB 400 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, Bingman, Branan, Brogdon, Brown, Coffee, Crain, Crutchfield, Ford, Johnson (M), Jolley, Justice, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Williamson and Wilson.--23.

Nay: Ballenger, Barrington, Bass, Burrage, Coates, Corn, Easley, Eason McIntyre, Garrison, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilcoxson and Wyrick.--23.

Excused: Gumm and Lamb.--2.

The bill failed.

Pursuant to Rule 13-22, Senator Brogdon served notice that the vote be reconsidered whereby **SB 400** failed.

GENERAL ORDER

SB 402 by Crain of the Senate and McDaniel (Jeannie) of the House was called up for consideration.

Senator Sykes moved to amend **SB 402**, Page 10, Line 7, by inserting after the word "deferred" and before the word "judgment" the words "or suspended sentence"; Page 10, Line 7, by deleting the word "judgment"; and Page 10, Line 12, by inserting before the word "suspended" the words "deferred or".

Senator Sykes moved to amend the above amendment to **SB 402**, Page 10, Line 10, by inserting after the word "Division" and before the word "that" the words "or Community Sentencing Council", which amendment was declared adopted.

Senator Sykes pressed adoption of his amendment as amended, which amendment was declared adopted.

Senator Crain moved to amend **SB 402**, Page 1, by striking the title, which amendment was declared adopted.

Senator Crain asked that **SB 402** be laid over for this legislative day, which was the order.

SB 402 remains on General Order.

GENERAL ORDER

SB 115 by Corn of the Senate and Blackwell of the House was called up for consideration.

Senators Crutchfield and Johnson (M) moved to amend **SB 115**, Page 2, Line 14 ½, by inserting a new Section 3 to read as follows:

“SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3428 of Title 70, unless there is created a duplication in numbering, reads as follows:

The title to all buildings, improvements and real property, as described in Section 3425 of Title 70 of the Oklahoma Statutes, comprising the facility known as the George Nigh Rehabilitation Institute in Okmulgee, Oklahoma, is hereby transferred from the Oklahoma Capitol Improvement Authority to the Board of Regents of the University of Oklahoma.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Corn moved that **SB 115** be advanced, which motion was declared adopted.

THIRD READING

SB 115 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill and emergency passed.

SB 115 was referred for engrossment.

GENERAL ORDER

SB 583 by Jolley of the Senate and Miller of the House was called up for consideration.

Senator Jolley moved that **SB 583** be advanced, which motion was declared adopted.

THIRD READING

SB 583 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, Crain, Ford, Johnson (M), Jolley, Justice, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--23.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--24.

Excused: Lamb.--1.

The bill failed.

Pursuant to Rule 13-22, Senator Jolley served notice that the vote be reconsidered whereby **SB 583** failed.

GENERAL ORDER

SB 455 by Adelson of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Adelson moved that **SB 455** be advanced, which motion was declared adopted.

THIRD READING

SB 455 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Lamb and Sweeden.--2.

The Presiding Officer recognized Senator Sweeden who advised the Chair of an apparent malfunction in his voting machine. Senator Sweeden asked that the record reflect a vote of Aye on **SB 455**, as provided in Rule 15-1E. The Chair directed the clerk to correct the roll call vote on **SB 455** as Aye: 47; Excused: 1.

The bill passed.

SB 455 was referred for engrossment.

GENERAL ORDER

SB 1019 by Sykes of the Senate and Johnson (Dennis) of the House was called up for consideration.

Senator Sykes moved that **SB 1019** be advanced, which motion was declared adopted.

THIRD READING

SB 1019 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, 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Ballenger.--1.

Excused: Lamb.--1.

The bill passed.

SB 1019 was referred for engrossment.

GENERAL ORDER

SB 709 by Justice of the Senate and Hyman of the House was called up for consideration.

Senator Justice moved to amend **SB 709**, 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 Justice moved that **SB 709** be advanced, which motion was declared adopted.

THIRD READING

SB 709 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, Branan, Brogdon, Brown, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Laster, Laughlin, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Wilson and Wyrick.--38.

Nay: Adelson, Eason McIntyre, Johnson (C), Leftwich, Mazzei, Morgan, Rice and Williamson.--8.

Excused: Lamb.--1.

*Not Voting: Burrage.—1.

The bill passed.

*Senator Burrage asked to be shown not voting on **SB 709** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

Pursuant to Rule 13-22, Senator Adelson served notice that the vote be reconsidered whereby **SB 709** passed.

Senator Laster moved that the Senate recess to the call of the Chair, which motion was declared adopted.

*

The Senate reconvened with Senator Jolley presiding.

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

GENERAL ORDER

SB 368 by Laughlin of the Senate and Liebmann of the House was called up for consideration.

Senator Ford asked to coauthor **SB 368**, which was the order.

Senator Laughlin moved that **SB 368** be advanced, which motion was declared adopted.

THIRD READING

SB 368 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, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Easley, Johnson (M), Lamb and Morgan.--4.

The bill passed.

SB 368 was referred for engrossment.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Dunegan, James H., Durant, to the Transportation Commission, to serve an eight year term ending February 15, 2015, succeeding himself. (Transportation Committee) Motion to confirm made by Senator Jay Paul Gumm.

Hutchison, Tony, Oklahoma City, as Director of State Finance, to serve at the pleasure of the Governor, succeeding Claudia San Pedro. (Finance Committee) Motion to confirm made by Senator Owen Laughlin upon request of Senator Todd Lamb.

Kemp, Thomas E., Norman, to the Oklahoma Tax Commission, to serve a six year term ending January 14, 2013, succeeding himself. (Finance Committee) Motion to confirm made by Senator Jonathan Nichols.

Mabrey, Carlisle, III, Okmulgee, to the Transportation Commission, to serve an eight year term ending February 15, 2015, succeeding himself. (Transportation Committee) Motion to confirm made by Senator Roger Ballenger.

Tomlinson, Phillip D., Shawnee, as Cabinet Secretary of Transportation, to serve at the pleasure of the Governor, succeeding a new position. (Transportation Committee) Motion to confirm made by Senator Charlie Laster.

Motions to confirm the above named executive nominations were declared adopted upon roll call as follows:

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

Excused: Johnson (M), Lamb and Morgan.--3.

GENERAL ORDER

SB 138 by Corn of the Senate and Joyner of the House was called up for consideration.

Senator Corn moved that **SB 138** be advanced, which motion was declared adopted.

THIRD READING

SB 138 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, Branam, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (M), Lamb and Morgan.--3.

The bill and emergency passed.

SB 138 was referred for engrossment.

GENERAL ORDER

SB 721 by Barrington and Crutchfield of the Senate and McCarter of the House was called up for consideration.

Senator Barrington moved to amend **SB 721**, Page 1, Line 24, by deleting after the word “crows,” and before the word “under” all language; and Page 2, Line 8 by deleting after the word “period” and before the stricken language the word “of” and inserting in lieu thereof the words “up to”, and by amending the title to conform, which amendment was declared adopted.

Senator Barrington moved that **SB 721** be advanced, which motion was declared adopted.

THIRD READING

SB 721 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), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Johnson (M) and Lamb.--3.

The bill passed.

SB 721 was referred for engrossment.

GENERAL ORDER

SB 376 by Aldridge of the Senate and Piatt of the House was called up for consideration.

Senator Aldridge moved that **SB 376** be advanced, which motion was declared adopted.

THIRD READING

SB 376 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), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--45.

Excused: Johnson (M), Lamb and Wilson.--3.

The bill and emergency passed.

SB 376 was referred for engrossment.

GENERAL ORDER

SB 500 by Myers of the Senate and Luttrell of the House was called up for further consideration.

Senator Myers pressed adoption of his previous floor substitute to **SB 500**, which amendment was declared adopted.

Senator Myers moved that **SB 500** be advanced, which motion was declared adopted.

THIRD READING

SB 500 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), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Johnson (M) and Lamb.--2.

The bill and emergency passed.

SB 500 was referred for engrossment.

GENERAL ORDER

SB 626 by Brogdon of the Senate and Denney of the House was called up for consideration.

Senator Brogdon moved that **SB 626** be advanced, which motion was declared adopted.

THIRD READING

SB 626 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), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Johnson (M) and Lamb.--2.

The bill and emergency passed.

SB 626 was referred for engrossment.

GENERAL ORDER

SB 576 by Schulz of the Senate and Dorman of the House was called up for consideration.

Senator Sparks asked to coauthor **SB 576**, which was the order.

Senator Schulz moved that **SB 576** be advanced, which motion was declared adopted.

THIRD READING

SB 576 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), Jolley, Justice, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Johnson (M) and Lamb.--2.

The bill passed.

SB 576 was referred for engrossment.

GENERAL ORDER

SB 986 by Barrington of the Senate and Braddock of the House was called up for consideration.

Senator Barrington moved that **SB 986** be advanced, which motion was declared adopted.

THIRD READING

SB 986 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill and emergency passed.

SB 986 was referred for engrossment.

GENERAL ORDER

SB 704 by Schulz of the Senate and Liebmann of the House was called up for consideration.

Senator Sparks asked to coauthor **SB 704**, which was the order.

Senator Schulz moved that **SB 704** be advanced, which motion was declared adopted.

THIRD READING

SB 704 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, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Lamb.--1.

The bill and emergency passed.

SB 704 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 12**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 7, 2007, at 9:30 a.m., which motion prevailed.

SECOND READING

The following were read for the second time:

SCR 14, SR 11, HBs 1001, 1022, 1094, 1104, 1105, 1106, 1107, 1108, 1109, 1114, 1281, 1304, 1309, 1319, 1321, 1342, 1346, 1477, 1557, 1591, 1674, 1742, 1857, 1927, 1960 and 2044.

FIRST READING

The following were introduced and read the first time:

SCR 15 – By Mazzei and Brown of the Senate and Wright, Peterson (Ron), Adkins and Trebilcock of the House.

A Concurrent Resolution congratulating the Pride of Broken Arrow Marching Band for winning the Bands of America Grand Nationals competition; recognizing the school district's musical heritage; and directing distribution.

SR 12 – By Mazzei.

A Resolution congratulating the Jenks High School football team upon winning the State Class 6A Championship; praising; and directing distribution.

SR 13 – By Mazzei and Coates.

A Resolution congratulating KTUL-TV, Channel 8, in Tulsa, Oklahoma, for winning the 2006 regional Emmy Award for Investigative Report: Series Category; and directing distribution.

Pursuant to the Laster motion, the Senate adjourned at 4:10 p.m. to meet Wednesday, March 7, 2007, at 9:30 a.m.

JOURNAL CORRECTION

Page 534, Line 23, by inserting after the word “declared” and before the word “upon” the word “adopted”.