

Senate Journal

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

Twenty-first Legislative Day, Thursday, March 8, 2007

The Senate was called to order by Senator Williamson.

Roll Call:

Present: Adelson, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Bingman and Branan.—2.

Senator Williamson 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 7, 8, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 210, 211, 212, 213, 214, 215, 216, 217, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 233, 234, 235, 236, 237, 238, 239, 240, 241, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 321, 322, 323, 324, 325, 326, 327, 329, 330, 331, 332, 334, 335, 339, 341, 342, 343, 344, 345, 346, 347, 350, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 370, 378, 473, 486, 509, 521, 560, 572, 586, 654, 690, 691, 698, 738, 793, 816, 820, 833, 844, 887, 888, 889, 890, 906, 910, 923, 924, 944, 946, 951, 977, 984, 995, 997, 1014, 1028, 1048, 1091,

1121 and **1130** and **SJR**s **1** and **29** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 899 by Bass of the Senate and Billy of the House was called up for consideration.

Senator Bass moved that **SB 899** be advanced, which motion was declared adopted.

THIRD READING

SB 899 was read for the third time at length.

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

Aye: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--23.

Nay: Aldridge, Anderson, Barrington, Brogdon, Brown, Coates, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--21.

Excused: Bingman, Branan, Coffee and Morgan.--4.

The bill failed.

Pursuant to Rule 13-22, Senator Bass served notice that the vote be reconsidered whereby **SB 899** failed.

GENERAL ORDER

SB 674 by Nichols of the Senate and Armes of the House was called up for consideration.

Senator Barrington asked to coauthor **SB 674**, which was the order.

Senator Nichols moved that **SB 674** be advanced, which motion was declared adopted.

THIRD READING

SB 674 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, Brogdon, Brown, Burrage, Coates, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Excused: Bingman, Branan, Coffee, Corn and Morgan.--5.

The bill and emergency passed.

SB 674 was referred for engrossment.

GENERAL ORDER

SB 481 by Wilcoxson and Laster of the Senate and Kern of the House was called up for consideration.

Senator Wilcoxson moved to amend **SB 481**, Page 1, Line 11 through Page 2, Line 23, by deleting Section 1 and by renumbering subsequent sections, which amendment was declared adopted.

Senator Wilcoxson moved that **SB 481** be advanced, which motion was declared adopted.

THIRD READING

SB 481 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, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Bingman, Branan and Morgan.--3.

The bill and emergency passed.

SB 481 was referred for engrossment.

GENERAL ORDER

SB 553 by Sparks of the Senate and Peters of the House was called up for consideration.

Senator Sparks moved that **SB 553** be advanced, which motion was declared adopted.

THIRD READING

SB 553 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, 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: Bingman and Branan.--2.

The bill and emergency passed.

SB 553 was referred for engrossment.

GENERAL ORDER

SB 909 by Crain of the Senate and Blackwell and Roan of the House, considered on Page 750, was called up for further consideration.

Senator Crain moved to amend **SB 909**, Page 1, by striking the title, which amendment was declared adopted.

Senator Crain moved that **SB 909** be advanced, which motion was declared adopted.

THIRD READING

SB 909 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, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm,

Ivester, Johnson (C), Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--38.

Nay: Brogdon, Johnson (M), Jolley, Laughlin, Mazzei, Schulz and Wilcoxson.--7.

Excused: Bingman, Branam and Morgan.--3.

The bill passed.

SB 909 was referred for engrossment.

GENERAL ORDER

SB 504 by Paddack of the Senate and Hilliard and DeWitt of the House was called up for consideration.

Senator Paddack moved that **SB 504** be advanced, which motion was declared adopted.

THIRD READING

SB 504 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, 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: Bingman and Branam.--2.

The bill and emergency passed.

SB 504 was referred for engrossment.

GENERAL ORDER

SB 485 by Lamb of the Senate and Enns of the House was called up for consideration.

Senator Lamb moved that **SB 485** be advanced, which motion was declared adopted.

THIRD READING

SB 485 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Bingman, Branan, Johnson (M) and Morgan.--4.

The bill passed.

SB 485 was referred for engrossment.

GENERAL ORDER

SB 1032 by Easley of the Senate and Adkins of the House was called up for consideration.

Senator Easley moved that **SB 1032** be advanced, which motion was declared adopted.

THIRD READING

SB 1032 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, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Aldridge.--1.

Excused: Bingman, Branan and Morgan.--3.

The bill passed.

SB 1032 was referred for engrossment.

GENERAL ORDER

SB 796 by Jolley of the Senate and Miller of the House was called up for consideration.

Senator Jolley moved that **SB 796** be advanced, which motion was declared adopted.

THIRD READING

SB 796 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, 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, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Bingman, Branan and Morgan.--3.

The bill and emergency passed.

SB 796 was referred for engrossment.

GENERAL ORDER

SB 751 by Bass of the Senate and Armes of the House was called up for consideration.

Senators Barrington, Lerblance, Anderson, Garrison and Schulz asked to coauthor **SB 751**, which was the order.

Senator Bass moved to amend **SB 751**, Page 2, Line 13 ½, by inserting new Sections 2 through 8 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.30 of Title 74, unless there is created a duplication in numbering, reads as follows:

Sections 2 through 8 of this act shall be known and may be cited as the “Military Base Protection and Expansion Incentive Act”.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.31 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Legislature finds:

1. It is the best interest of the State of Oklahoma to ensure the continued location and expansion of established military bases and facilities in this state;

2. Growth to political subdivisions as a result of the presence and expansion of military bases and facilities requires improved and expanded municipal and school infrastructure and facilities; and

3. Political subdivisions that serve military bases are in critical need of capital improvement projects.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.32 of Title 74, unless there is created a duplication in numbering, reads as follows:

As used in the Military Base Protection and Expansion Incentive Act:

1. "Authority" means the Oklahoma Development Finance Authority;

2. "Capital project" means the acquisition, construction, expansion, replacement, or renovation of a municipal or school district facility, including real property, buildings, and other fixed assets. Capital project shall not include furnishings or equipment that is not a fixed asset; and

3. "Political subdivision" means a municipality, school district, or public trust of which a municipality or school district is the beneficiary.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.33 of Title 74, unless there is created a duplication in numbering, reads as follows:

There is hereby created a loan program, the purpose of which is to protect and retain established military bases and facilities and to support additional and expanded employment at such bases and facilities. The program shall provide funding to political subdivisions to finance capital projects needed as a result of growth due to or in connection with an established military base.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.34 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. When a political subdivision that is or will be impacted by growth at a military installation, proposes to acquire or construct a capital project, the Oklahoma Development Finance Authority may provide funding for the capital project in the form of loans, lease-purchase agreements, or other forms of indebtedness.

B. For the capital projects described in subsection A of this section, the Authority may issue bonds to provide funding:

1. To acquire real property, together with improvements thereon;

2. To construct buildings and other improvements to real property; and

3. To provide repairs, renovations, and improvements to real property and other fixed assets.

C. The Authority shall not issue bonds for loans, lease-purchase agreements, or other forms of indebtedness for a political subdivision pursuant to the Military Base Protection and Expansion Incentive Act except upon the certification by the governing body of the political subdivision that the political subdivision has received or will receive an amount sufficient to repay the indebtedness as a result of a voter-approved incentive derived from a tax levy.

D. The Authority may hold title to the new real property and improvements and place liens on improved existing real property until such time as any obligations issued for the purpose of the capital project are retired or defeased and may lease the real property and improvements to the political subdivision. Upon final redemption or defeasance of the obligations created pursuant to this section, title to the real property and improvements thereon shall be transferred from the Authority to the political subdivision.

E. The Authority may defer principal payments on loans made pursuant to the Military Base Protection and Expansion Incentive Act for a period not to exceed five (5) years.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.35 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Legislature that sufficient monies to fund the interest payments of any obligations issued by the Authority pursuant to this act during the initial five (5) years of the obligations be provided by legislative appropriation for deposit in the Military Base Protection and Expansion Bond Fund.

B. Upon the completion of the periods, if any, during which principal payments are deferred and during which interest payments are made from the Military Base Protection and Expansion Bond Fund for a political subdivision, the political subdivision shall pay all principal, interest, and other appropriate costs associated with the issuance of the obligations. Payments may be in the form of lease payments to the Authority as described in subsection D of Section 6 of this act.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5062.36 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created within the State Treasury a special fund for the Oklahoma Development Finance Authority to be designated as the "Military Base Protection and Expansion Bond Fund". All monies deposited into the fund shall be used and expended by the Authority solely for the purposes specified by the Military Base Protection and Expansion Incentive Act. The Authority shall use the monies in the fund to pay the principal, interest, and other costs associated with the issuance of obligations pursuant to the provisions of the Military Base Protection and Expansion Incentive Act.

B. The Authority may establish separate accounts within the Military Base Protection and Expansion Bond Fund as may be required to separately record transactions involving each political subdivision that applies to participate in the loan program created by this act and to provide for the distribution of monies deposited in the fund.", and by renumbering subsequent section, which amendment was declared adopted.

Senator Bass moved that **SB 751** be advanced, which motion was declared adopted.

THIRD READING

SB 751 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, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Brogdon.--1.

Excused: Bingman, Branan and Morgan.--3.

The bill and emergency passed.

SB 751 was referred for engrossment.

GENERAL ORDER

SB 979 by Crain and Johnson (Mike) of the Senate and Adkins of the House was called up for consideration.

Senator Paddack asked to coauthor **SB 979**, which was the order.

Senator Crain moved to amend **SB 979**, Page 1, by striking the title, which amendment was declared adopted.

Senator Crain moved that **SB 979** be advanced, which motion was declared adopted.

THIRD READING

SB 979 was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Sparks, Sweeden, Williamson, Wilson and Wyrick.--31.

Nay: Adelson, Aldridge, Bass, Brogdon, Brown, Garrison, Justice, Laughlin, Mazzei, Rabon, Schulz, Sykes and Wilcoxson.--13.

Excused: Bingman, Branan, Easley and Morgan.--4.

The bill passed.

SB 979 was referred for engrossment.

GENERAL ORDER

SB 554 by Sparks of the Senate and Steele of the House was called up for consideration.

Senator Sparks moved that **SB 554** be advanced, which motion was declared adopted.

THIRD READING

SB 554 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Garrison, Gumm, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Nay: Ivester.--1.

Excused: Bingman, Branan, Easley, Morgan and Rice.--5.

The bill passed.

SB 554 was referred for engrossment.

GENERAL ORDER

SB 434 by Rabon of the Senate and Dorman of the House was called up for consideration.

Senator Rabon moved that **SB 434** be advanced, which motion was declared adopted.

THIRD READING

SB 434 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Garrison, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Bingman, Branan, Easley, Gumm, Morgan and Riley.--6.

The bill passed.

SB 434 was referred for engrossment.

GENERAL ORDER

SB 424 by Adelson and Crain of the Senate and Cox of the House was called up for consideration.

Senators Riley and Wilson asked to coauthor **SB 424**, which was the order.

Senator Crain moved to amend **SB 424**, 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 Crain moved that **SB 424** be advanced, which motion was declared adopted.

THIRD READING

SB 424 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, Burrage, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Leftwich, Lerblance, Myers, Paddack, Rabon, Rice, Schulz, Sparks, Sweeden, Wilson and Wyrick.--28.

Nay: Aldridge, Brogdon, Brown, Ford, Johnson (M), Jolley, Lamb, Laughlin, Mazzei, Nichols, Reynolds, Sykes, Wilcoxson and Williamson.--14.

Excused: Bingman, Branan, Coffee, Easley, Morgan and Riley.--6.

The bill passed.

SB 424 was referred for engrossment.

INTRODUCTION

Senator Wilcoxson introduced her daughter, Stacy Salem, to the Senate.

GENERAL ORDER

SB 488 by Johnson (Constance) of the Senate and Nations of the House was called up for consideration.

Senator Johnson (Constance) moved that **SB 488** be advanced, which motion was declared adopted.

THIRD READING

SB 488 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, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Excused: Bingman, Branan, Coffee, Easley and Morgan.--5.

The bill passed.

SB 488 was referred for engrossment.

Senator Brogdon presiding.

GENERAL ORDER

SB 558 by Sparks of the Senate and Richardson of the House was called up for consideration.

Senator Sparks moved that **SB 558** be advanced, which motion was declared adopted.

THIRD READING

SB 558 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, Brogdon, Brown, Burrage, Coates, Corn, Crutchfield, 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, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Bingman, Branan, Coffee, Crain, Easley and Morgan.--6.

The bill passed.

SB 558 was referred for engrossment.

GENERAL ORDER

SB 526 by Myers of the Senate and DeWitt of the House was called up for consideration.

Senator Rice asked to coauthor **SB 526**, which was the order.

Senator Corn moved to amend **SB 526**, Page 5, Line 8 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, which amendment was declared adopted upon roll call as follows:

Aye: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--23.

Nay: Aldridge, Anderson, Barrington, Brogdon, Brown, Coates, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--21.

Excused: Bingman, Branan, Coffee and Morgan.--4.

Senator Myers moved that **SB 526** be advanced, which motion was declared adopted.

THIRD READING

SB 526 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, 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Bingman, Branan, Coffee and Morgan.--4.

The bill passed.

SB 526 was referred for engrossment.

GENERAL ORDER

SB 921 by Jolley of the Senate and Jones of the House was called up for consideration.

Senator Jolley moved that **SB 921** be advanced, which motion was declared adopted.

THIRD READING

SB 921 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, 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Bingman, Branan, Coffee and Morgan.--4.

The bill and emergency passed.

SB 921 was referred for engrossment.

GENERAL ORDER

SB 502 by Johnson (Mike) of the Senate and Winchester of the House was called up for consideration.

Senator Johnson (Mike) moved that **SB 502** be advanced, which motion was declared adopted.

THIRD READING

SB 502 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, 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Bingman, Branan, Coffee and Morgan.--4.

The bill passed.

SB 502 was referred for engrossment.

GENERAL ORDER

SB 925 by Jolley of the Senate and Miller of the House was called up for consideration.

Senator Jolley moved that **SB 925** be advanced, which motion was declared adopted.

THIRD READING

SB 925 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, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Bingman, Branan and Coffee.--3.

The bill and emergency passed.

SB 925 was referred for engrossment.

GENERAL ORDER

SB 565 by Sparks and Brown of the Senate and Armes of the House was called up for consideration.

Senator Sparks moved that **SB 565** be advanced, which motion was declared adopted.

THIRD READING

SB 565 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, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Bingman, Branam and Coffee.--3.

The bill and emergency passed.

SB 565 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1016, 1074, 1087, 1090, 1384, 1401, 1419, 1451, 1494, 1520, 1544, 1589, 1645, 1695, 1707, 1717, 1734, 1771, 1797, 1804, 1907, 1915, 1916, 1959, 2081 and 2095.**

HB 1016 – By Carey of the House and Coates of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 1105, as last amended by Section 3, Chapter 295, O.S.L. 2006 and 1110, as last amended by Section 1, Chapter 85, O.S.L. 2004 (47 O.S. Supp. 2006, Sections 1105 and 1110), which relate to certificates of title; requiring certificates of title for certain vehicles; providing for security interests in certain vehicles; and providing an effective date.

HB 1074 – By Braddock of the House and Lamb of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 123.8 as amended by Section 6, Chapter 168, O.S.L. 2003 (63 O.S. Supp. 2006, Section 123.8), which relates to the Oklahoma Explosives and Blasting Regulation Act; modifying exemptions; and providing an effective date.

HB 1087 – By Wright, Faught, Kern, McDaniel (Randy), Peterson (Pam), Terrill and Tibbs of the House and Jolley of the Senate.

An Act relating to eminent domain; amending 27 O.S. 2001, Section 16, which relates to just compensation for condemnation proceedings; providing certain method of determining property value; providing an effective date; and declaring an emergency.

HB 1090 – By Sherrer of the House and Burrage of the Senate.

An Act relating to motor vehicles; amending 21 O.S. 2001, Section 264, which relates to false personation of peace officers; making certain acts unlawful; providing penalties; providing an exception; amending 47 O.S. 2001, Section 1-103, as last amended by Section 6, Chapter 190, O.S.L. 2005 (47 O.S. Supp. 2006, Section 1-103), which relates to authorized emergency vehicle definition; modifying definition; amending 47 O.S. 2001, Sections 17-101, as amended by Section 2, Chapter 387, O.S.L. 2004 and 17-102, as amended by Section 3, Chapter 387, O.S.L. 2004 (47 O.S. Supp. 2006, Sections 17-101 and 17-102), which relate to misdemeanor and felony penalties; providing waiver under certain circumstances; and providing an effective date.

HB 1384 – By Ingmire and Dorman of the House and Johnson (Mike) of the Senate.

An Act relating to officers; authorizing higher education institutions and agencies to keep certain donor information confidential; exempting certain foundations from definition of a public body; providing for codification; and declaring an emergency.

HB 1401 – By Liebmann of the House and Branan of the Senate.

An Act relating to cities and towns; amending Section 1, Chapter 147, O.S.L. 2005, as amended by Section 2, Chapter 301, O.S.L. 2006 (11 O.S. Supp. 2006, Section 8-114), which relates to municipal officers; modifying applicability of education requirements for municipal officers; and providing an effective date.

HB 1419 – By Coody, Reynolds, Derby, Jordan, Kern and Terrill of the House and Barrington of the Senate.

(revenue and taxation – sales tax exemptions for certain organizations – surviving spouses of disabled veterans – taxable income and adjusted gross income – military retirement benefits – effective date – emergency)

HB 1451 – By Johnson (Rob) of the House and Johnson (Mike) of the Senate.

An Act relating to state government; amending Rule 257:20-1-4 of the Rules of the Ethics Commission (74 O.S. 2001, Ch. 62, App.), which relates to the Ethics Commission; modifying what constitutes misuse of office; defining term; and providing an effective date.

HB 1494 – By Sullivan, Hilliard, Sears, Winchester, Covey and Dorman of the House and Adelson of the Senate.

(revenue and taxation - sales tax exemptions - hearing aids - effective date – emergency)

HB 1520 – By Dorman of the House and Schulz of the Senate.

(agriculture - Oklahoma Controlled Burn Indemnity Fund – codification – effective date)

HB 1544 – By Winchester, Dorman, Richardson and Schwartz of the House and Branan and Barrington of the Senate.

(revenue and taxation – sales tax exemptions – certain consumer electronic goods – effective date - emergency)

HB 1589 – By Jones, Dank, Denney, Kern, Shumate, McCarter, Terrill, Tibbs, Wesselhoft and Winchester of the House and Eason McIntyre of the Senate.

(schools - Oklahoma Charter Schools Act - effective date – emergency)

HB 1645 – By Peterson (Pam) of the House and Anderson of the Senate.

An Act relating to children; amending 10 O.S. 2001, Sections 601.6a, 601.6b, as amended by Section 2, Chapter 421, O.S.L. 2004, 601.11 and 601.12, as amended by Section 3, Chapter 421, O.S.L. 2004 (10 O.S. Supp. 2006, Sections 601.6b and 601.12), which relate to services to children and youth; deleting obsolete language; updating language; deleting requirement for submission of certain fiscal report; modifying contents

of community plan for children and youth services; providing an effective date; and declaring an emergency.

HB 1695 – By Enns and Dorman of the House and Anderson of the Senate.

An Act relating to agriculture; creating the Oklahoma AgrAbility Project Act; providing legislative findings; defining terms; establishing services to disabled farmers; providing eligibility requirements; authorizing fund; requiring report under certain circumstances; providing for codification; and providing an effective date.

HB 1707 – By Billy of the House and Corn of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 151, which relates to marked automobiles owned by the state; providing exception to certain requirement; and providing an effective date.

HB 1717 – By Miller, Kern, Denney, Coody and McDaniel (Randy) of the House and Jolley of the Senate.

(schools – Oklahoma Advanced Placement Incentive Program – effective date – emergency)

HB 1734 – By Tibbs, Coody, Cooksey, Enns, Faught, Kern, Martin (Scott), Martin (Steve), Murphey, Peterson (Pam), Reynolds, Sears, Terrill, Thomsen and Worthen of the House and Jolley of the Senate.

An Act relating to elections; amending 26 O.S. 2001, Sections 7-114 and 14-115.4, as last amended by Section 8, Chapter 307, O.S.L. 2004 (26 O.S. Supp. 2006, Section 14-115.4), which relate to voting; requiring presentment of proof of identity when voting; providing for proof of identity; allowing persons without proof of identity to vote and providing procedure therefor; providing penalty for false statements; and providing an effective date.

HB 1771 – By Thompson of the House and Branan of the Senate.

An Act relating to property; amending 60 O.S. 2001, Section 836, which relates to the Residential Property Condition Disclosure Act; modifying duties of a real estate licensee; and providing an effective date.

HB 1797 – By Armes of the House and Myers of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 9-204.1, as renumbered by Section 25, Chapter 292, O.S.L. 2005 (2 O.S. Supp. 2006, Section 20-6), which relates to the Oklahoma Concentrated Animal Feeding Operations Act; modifying procedures for licensing of certain facilities; and providing an effective date.

HB 1804 – By Terrill, Sullivan, Key, Duncan, Banz, Coody, Cooksey, Dank, Derby, Faught, Hickman, Inman, Johnson (Rob), Kern, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Murphey, Peterson (Ron), Proctor, Sears, Tibbs and Worthen of the House and Williamson, Sykes, Corn and Ivester of the Senate.

An Act relating to illegal immigration; creating the Oklahoma Taxpayer and Citizen Protection Act of 2007; stating legislative purpose; making certain acts unlawful; providing

penalties; amending 21 O.S. 2001, Section 1550.42, which relates to identification documentation; requiring issuance of identification documents to certain persons; providing exceptions; stating period of validity; providing for renewal under certain circumstances; providing presumption of validity for renewal, duplication or reissuance of driver license; requiring determination of citizenship status for persons charged with certain crime; requiring verification of persons determined to be a foreign national; providing time limitation for verification; requiring notification to certain entities; providing rebuttable presumption that certain persons are a flight risk; defining terms; requiring participation in certain verification system; prohibiting certain persons from entering into contracts; providing an exception; providing for cause of action under certain circumstances; providing liability provisions for employing entities found to have violated certain prohibited act; providing exemption from liability; requiring certain agency to promulgate certain rules and regulations; requiring agencies and political subdivisions to verify lawful presence of persons applying for certain benefits; providing for nondiscriminatory treatment; excluding verification under certain circumstances; requiring execution of affidavit; requiring certain applicant to receive benefits through the Systematic Alien Verification of Entitlement Program; making certain actions subject to certain criminal penalties; authorizing adoption of variations to stated requirements; requiring certain entities to submit an annual compliance report; requiring certain entities to monitor certain program; requiring publication of annual report and certain recommendations; requiring certain entities to submit a report of errors to certain agency; requiring the withholding of percentage of state income tax under certain circumstances; providing for tax liability for noncompliance; providing an exception; directing Attorney General to negotiate terms of certain memorandum; requiring certain signatures; prohibiting certain actions by government entities; authorizing private right of action under certain circumstances; providing that certain persons shall not be eligible for postsecondary education benefits or resident tuition; establishing the Fraudulent Documents Identification Unit within the Oklahoma State Bureau of Investigation subject to availability of funding; stating purpose; stating duties; providing for employment of sufficient employees; repealing Section 1, Chapter 210, O.S.L. 2003 (70 O.S. Supp. 2006, Section 3242), which relates to eligibility for enrollment and resident tuition; providing for codification; providing for noncodification; and providing an effective date.

HB 1907 – By Shumate and Shelton of the House and Eason McIntyre of the Senate.
(Uniform Athlete Agents Act – fees – curriculum – codification - effective date)

HB 1915 – By Richardson and Winchester of the House and Justice of the Senate.
An Act relating to game and fish; amending 29 O.S. 2001, Sections 5-202 and 6-304, as amended by Sections 1 and 2, Chapter 149, O.S.L. 2006 (29 O.S. Supp. 2006, Sections 5-202 and 6-304), which relate to permission to hunt and fish upon the land of another; modifying certain exemptions; prohibiting trespass on land devoted to farming, ranching or forestry purposes; modifying penalty; and providing an effective date.

HB 1916 – By Richardson, Dorman, Hoskin, Kiesel and Renegar of the House and Justice of the Senate.

(revenue and taxation – motor fuel tax – exemption – biofuel and biodiesel producers – effective date)

HB 1959 – By Peterson (Ron) of the House and Jolley of the Senate.

An Act relating to workers' compensation; amending 85 O.S. 2001, Section 134, as last amended by Section 107, Chapter 3, O.S.L. 2003 (85 O.S. Supp. 2006, Section 134), which relates to CompSource Oklahoma; modifying authority of CompSource Oklahoma; and providing an effective date.

HB 2081 – By Piatt and Jackson of the House and Adelson of the Senate.

(schools – physical examination – submission of certification – examinations and tests – requirements – rules – codification – effective date)

HB 2095 – By Worthen and Proctor of the House and Lamb of the Senate.

An Act relating to elections; amending 26 O.S. 2001, Sections 3-101, as last amended by Section 1, Chapter 224, O.S.L. 2005, 13A-103, as last amended by Section 1, Chapter 108, O.S.L. 2004, 20-101, as amended by Section 1, Chapter 174, O.S.L. 2003 and 20-102, as amended by Section 24, Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2006, Sections 3-101, 13A-103, 20-101 and 20-102), which relate to when certain elections are held and to the Presidential Preference Primary; modifying dates of certain elections; and declaring an emergency.

The above-numbered measures were read the first time.

EXECUTIVE NOMINATION

The following executive nomination was read and referred to committee as indicated:

Watkins, Ramon Lanel, Tulsa, as a member of the State Election Board - Rules

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 12, 2007, at 10:00 a.m., which motion prevailed.

SECOND READING

The following were read for the second time:

HBs 1034, 1065, 1075, 1086, 1340, 1360, 1372, 1495, 1562, 1577, 1615, 1619, 1631, 1670, 1682, 1716, 1718, 1720, 1730, 1740, 1768, 1926, 1997 and 2082.

Pursuant to the Laster motion, the Senate adjourned at 10:55 a.m. to meet Monday, March 12, 2007, at 10:00 a.m.

JOURNAL CORRECTION

Page 753, Line 5, by inserting after the period the following language “Representative Turner asked to be retained as coauthor on **SB 1121**, which was the order.”