

# Senate Journal

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

Thirty-fifth Legislative Day, Tuesday, April 3, 2007

The Senate was called to order by Senator Jolley.

Roll Call:

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

Senator Jolley declared a quorum present.

The prayer was offered by Senator Constance Johnson.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 7** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SJR 14** was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### INTRODUCTION

Senator Nichols introduced former Senator Charles Vann to the Senate.

**FIRST READING**

The following were introduced and read the first time:

**SR 26** – By Riley.

A Resolution congratulating Melissa Soto upon her selection as Mrs. Sand Springs 2007; commending her contributions; and directing distribution.

**SR 27** – By Brown.

A Resolution commending Chastity Anderson upon her selection as Mrs. Oklahoma 2006; commending her actions as a role model; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Riley asked unanimous consent to suspend Rule 6-4 and refer **SR 26** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 26** by Riley was called up for consideration.

All other members of the Senate asked to coauthor **SR 26**, which was the order.

**SR 26** was adopted upon motion of Senator Riley and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Brown asked unanimous consent to suspend Rule 6-4 and refer **SR 27** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 27** by Brown was called up for consideration.

All other members of the Senate asked to coauthor **SR 27**, which was the order.

**SR 27** was adopted upon motion of Senator Brown and referred for enrollment.

## **MESSAGES FROM THE HOUSE**

Advising that Pursuant to Article 5, Section 30 of the Oklahoma Constitution, the House requests the Honorable Senate to grant the request of the House to adjourn for more than 3 days beginning Thursday, April 5 and ending Monday, April 9.

Advising passage of and returning the following Engrossed resolution:

**SCR 24** - coauthored by all members of the House

The above-numbered measure was referred for enrollment.

## **INTRODUCTION**

Senator Adelson introduced his wife, Julie, to the Senate.

## **GENERAL ORDER**

**HB 1914** by Richardson and Smithson of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved to amend **HB 1914**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 1914** to the engrossed version of the bill.

Senator Ballenger moved that **HB 1914** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 1914** was read for the third time at length.

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

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

Excused: Sweeden and Wilcoxson.--2.

The bill passed.

**HB 1914** was properly signed and ordered returned to the Honorable House.

### **REQUEST TO RECESS**

Senator Laster asked unanimous consent, which was granted, that the Senate grants the request of the Honorable House to adjourn for more than 3 days beginning Thursday, April 5 and ending Monday, April 9.

Senator Laster asked unanimous consent, which was granted, to request the Honorable House to consent to the adjournment of the Senate for more than three days beginning on Thursday, April 5, 2007 and ending on Monday, April 9, 2007.

### **MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 7**.

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

Advising fourth reading of and returning Enrolled **SJR 14**.

The above-numbered enrolled measure was referred to the Governor.

### **COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

**HB 1055** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**HB 1074** – Agriculture and Rural Development

Ayes: Barrington, Ford, Garrison, Ivester, Justice, Lamb, Rabon, Schulz, Sykes, Wilson, Wyrick

**HB 1346** – Transportation

Ayes: Anderson, Branan, Brogdon, Crutchfield, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

**HB 1401** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**HB 1443** – Transportation

Ayes: Anderson, Branan, Brogdon, Crutchfield, Ford, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

**HB 1477** – Education, coauthored by Jolley, Crain of the Senate

Ayes: Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Paddack, Reynolds, Riley, Sparks, Wilcoxson, Williamson  
Nays: Nichols

**HB 1556** – Education

Ayes: Corn, Eason McIntyre, Gumm, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Riley, Sparks, Wilcoxson, Williamson

**HB 1669** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**HB 1754** – Transportation

Ayes: Anderson, Branan, Brogdon, Crutchfield, Ford, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

**HB 1915** – Agriculture and Rural Development

Ayes: Barrington, Ford, Garrison, Ivester, Justice, Lamb, Rabon, Schulz, Sykes, Wyrick  
Nays: Wilson

**HB 2111** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**HB 2192** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

DO PASS, As Amended:

**SCR 10** – Business and Labor, coauthored by Key (principal House author)

Ayes: Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice  
Nays: Adelson

**HB 1051** – Education, coauthored by Gumm of the Senate

Ayes: Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Riley, Sparks, Wilcoxson, Williamson

**HB 1065** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**HB 1071** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**HB 1086** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**HB 1318** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**HB 1412** – General Government

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**HB 1497** – Business and Labor

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

**HB 1520** – Agriculture and Rural Development

Ayes: Barrington, Ford, Garrison, Ivester, Justice, Lamb, Rabon, Schulz, Sykes, Wilson, Wyrick

**HB 1557** – Education

Ayes: Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Riley, Sparks, Wilcoxson, Williamson

**CS for HB 1589** – Education

Ayes: Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Reynolds, Riley, Wilcoxson, Williamson

Nays: Corn, Paddack, Sparks

**HB 1708** – General Government, coauthored by Coffee, Johnson (Constance) of the Senate

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**HB 1753** – Business and Labor

Ayes: Adelson, Burrage, Coates, Johnson (Mike), Leftwich, Rice

Nays: Brogdon, Myers

**HB 1771** – Business and Labor

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

**HB 1777** – Transportation

Ayes: Anderson, Branan, Brogdon, Crutchfield, Ford, Justice, Leftwich, Myers, Rabon, Sweeden, Wyrick

Nays: Riley

**HB 1797** – Agriculture and Rural Development

Ayes: Barrington, Ford, Garrison, Ivester, Justice, Lamb, Rabon, Schulz, Sykes, Wyrick

Nays: Wilson

**CS for HB 1819** – Transportation

Ayes: Branan, Crutchfield, Ford, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

Nays: Anderson, Brogdon

**HB 1941** – Transportation

Ayes: Anderson, Branan, Brogdon, Crutchfield, Ford, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

**HB 2087** – Business and Labor

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

**HB 2152** – Business and Labor

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

**BILLS THAT FAILED IN COMMITTEE**

**FAILED:**

**HB 1676** – Business and Labor

Ayes: Brogdon, Johnson (Mike), Myers

Nays: Adelson, Burrage, Coates, Leftwich, Rice

**HJR 1020** – Business and Labor

Ayes: Adelson, Coates, Johnson (Mike), Rice

Nays: Brogdon, Burrage, Leftwich, Myers

**CHANGE IN COMMITTEE ASSIGNMENT**

The following bill will be reassigned as follows:

**HB 1714** – Withdrawn from Judiciary Committee and referred to Criminal Jurisprudence.

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 4, 2007, at 9:30 a.m., which motion prevailed.

**SECOND READING**

The following were read for the second time: **SRs 23, 24 and 25.**

**FIRST READING**

The following was introduced and read the first time:

**SR 28** – By Nichols.

A Resolution praising the public service career of Gary Gardenhire; wishing him well upon his retirement; and directing distribution.

Pursuant to the Laster motion, the Senate adjourned at 2:00 p.m. to meet Wednesday, April 4, 2007, at 9:30 a.m.