

# Senate Journal

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

Thirty-eighth Legislative Day, Tuesday, April 10, 2007

The Senate was called to order by Senator Williamson.

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

Excused: Rabon.—1.

Senator Williamson declared a quorum present.

The prayer was offered by Reverend Daniel Ramey, Lexington United Methodist Church, Lexington, the guest of Senator Sparks.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 567, 633 and 634** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**HBs 1021, 1340 and 1991** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

### GENERAL ORDER

**HB 1798** by Armes et al of the House and Schulz of the Senate was called up for consideration.

Senator Schulz moved that **HB 1798** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1798** 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--44.

Excused: Anderson, Johnson (C), Rabon and Wilcoxson.--4.

The bill passed.

**HB 1798** was properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE  
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

**SB 399**

**SB 593**

**SB 659** - coauthored by McCullough

**SB 1054** - coauthored by McAffrey

**SB 1091** - coauthored by McAffrey

House amendments were read on the above-numbered bills.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1527, 1645** and **2078**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising fourth reading of and returning Enrolled **SBs 567, 633** and **634**.

The above-numbered enrolled measures were referred to the Governor.

Advising the Honorable Senate that the House of Representatives is ready to convene in Joint Session.

Senator Laster moved that the Senate meet with the House in Joint Session, and that the Senate recess until 1:30 p.m., which motion was declared adopted.

\*

## **JOINT SESSION**

The Fourth Joint Session of the First Regular Session of the Fifty-first Legislature was called to order by the President of the Senate, Lieutenant Governor Jari Askins.

Senator Laster moved that the attendance roll call of the Senate be considered the attendance roll call of the Senate in Joint Session, which motion was declared adopted.

Representative Piatt moved that the attendance roll call of the House of Representatives be considered the attendance roll call of the House in Joint Session, which motion was declared adopted.

President Askins declared quorums of the Senate and House present and Joint Session duly assembled.

The invocation was offered by Pastor Joe Elam, First Baptist Church of Pauls Valley.

Representative Duncan introduced Major General Harry M. Wyatt III, Adjutant General of Oklahoma. Major General Wyatt addressed the Joint Session commemorating the 45<sup>th</sup> Infantry Division.

Major General Wyatt presented the Medal of Honor flag to Yolanda Childers, widow of Lt. Col. Ernest Childers, a WWII Medal of Honor recipient. Mrs. Childers addressed the Joint Session.

Major General Wyatt introduced Purple Heart recipients, Oklahoma Guard members Matthew Herndon and Christon Stone.

Governor Brad Henry addressed the Joint Session.

A formal proclamation from Governor Henry was read by Secretary of Veterans Affairs, Norman Lamb, and presented to Major General Wyatt.

An honor blanket was presented by Principal Chief of the Seminole Nation Kelly Haney to Major General Wyatt.

Upon motion of Representative Piatt, the Joint Session was ordered dissolved at the hour of 10:30 a.m.

\*

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.

### **UNANIMOUS CONSENT REQUEST**

Senator Crutchfield asked unanimous consent, which was granted, to suspend Senate Rule 13-4, to allow consideration of **HB 1184** before the amendment deadline.

### **GENERAL ORDER**

**HB 1184** by Bengé and Miller of the House and Crutchfield et al of the Senate was called up for consideration.

Senator Crutchfield moved to amend **HB 1184**, 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 Crutchfield moved that **HB 1184** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1184** was read for the third time at length.

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

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

Excused: Rabon.--1.

The bill and emergency passed.

**HB 1184** was referred for engrossment.

## **DEDICATION**

Senator Charles Ford presented the painting “Solomon Layton, Cornerstone of the Oklahoma State Capitol”. Senator Ford introduced the artist, Christopher Nick. Mr. Nick addressed the Senate.

Senator Ford introduced Mr. Jim Loftis from the American Institute of Architects. Mr. Loftis addressed the Senate. Mr. Loftis, on behalf of the American Institute of Architects, presented the painting to the Senate as a gift.

## **GENERAL ORDER**

**HB 1081** by Shoemake and Luttrell of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved that **HB 1081** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 1081** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Morgan, Myers, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--36.

Nay: Branan, Brogdon, Coffee, Jolley, Lamb, Laughlin, Mazzei, Nichols, Wilcoxson and Williamson.--10.

Excused: Adelson and Rabon.--2.

The bill and emergency passed.

**HB 1081** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2118** by Jett of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved to amend **HB 2118**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Aldridge moved that **HB 2118** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2118** 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, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Corn, Eason McIntyre and Schulz.--3.

Excused: Rabon.--1.

The bill passed.

**HB 2118** was referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Eason McIntyre asked unanimous consent to suspend Rule 6-4 and refer **SCR 25** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 25** by Eason McIntyre of the Senate and Shelton of the House was called up for consideration.

Senator Eason McIntyre asked that **SCR 25** be laid over for this legislative day, which was the order.

**SCR 25** remains on General Order.

### **GENERAL ORDER**

**HB 1618** by Roan of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 1618** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1618** was read for the third time at length.

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

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

Excused: Rabon.--1.

The bill passed.

**HB 1618** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1707** by Billy of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 1707** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1707** 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, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Lerblance.--1.

Excused: Rabon.--1.

The bill passed.

**HB 1707** was properly signed and ordered returned to the Honorable House.

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 11, 2007, at 9:30 a.m., which motion prevailed.

## **SECOND READING**

The following was read for the second time: **SR 29**.

## **FIRST READING**

The following were introduced and read the first time:

**SCR 26** – By Aldridge and Johnson (Constance) of the Senate and Bengé of the House.

A Concurrent Resolution congratulating the Midwest City High School Bombers boys basketball team upon winning the 2007 Class 6A State Championship; commending Head Coach Rodney Dindy for being named 2007 Conference Coach of the Year and 6A Large West All-State Coach; and directing distribution.

**SR 30** – By Sweeden.

A Senate Resolution endorsing Housing America 2007 Campaign; recommitting itself to meeting the affordable housing and community development needs; and directing distribution.

## **MESSAGE FROM THE GOVERNOR**

Advising his approval April 9, 2007, of Enrolled **SJR 14**.



Pursuant to the Laster motion, the Senate adjourned at 2:20 p.m. to meet Wednesday, April 11, 2007, at 9:30 a.m.