

Senate Journal

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

Fiftieth Legislative Day, Tuesday, May 1, 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Coffee and Leftwich.—2.

Senator Brogdon declared a quorum present.

The prayer was offered by Dr. John Benefield, Church on the Rock, Oklahoma City, the guest of Senator Laughlin.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 357, 470 and 712 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 32 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 34 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising naming House conferees as follows:

HB 1021 – Cooksey, Duncan, Shannon, Hamilton, Brannon, Smithson, Denney, Billy

HB 1375 –Schwartz, Adkins, Cox, Shannon, Morgan, Ellis, Pruett

HB 1383 - Ingmire, Liebmann, Martin (Scott), Jackson, Joyner, Thompson, Ellis, Pruett, Braddock

HB 1390– Kern, Coody, Jones, Sullivan, Brannon, Ellis

HB 1391 – Richardson, DeWitt, Smithson, Renegar, McNiel, Glenn, Miller, Johnson (Rob), Nations, Piatt, Braddock

HB 1485 – Adkins, Peterson (Ron), Johnson (Rob), Worthen, Jackson, Watson, Morgan, Lamons, Terrill, Miller, Benge, Braddock, Pruett

HB 1513 – DeWitt, Benge, Miller, Shoemake

HB 1520 – Dorman, Joyner, Rousselot, Derby, DeWitt, Armes, Piatt, Turner

HB 1716 – Miller, Johnson (Rob), Brannon, Morrissette, Peterson (Ron)

HB 1737 – Tibbs, Dorman, Lamons, Morgan, Dank, Worthen, Thompson, Peterson (Ron), Faught

HB 1739 – Adkins, Peterson (Ron), Johnson (Rob), Worthen, Jackson, Watson, Morgan, Lamons, Nations

HB 1868 – Tibbs, Roan, Duncan, Shannon, Smithson, Piatt, Cooksey, McDaniel (Jeannie), Peterson (Pam), Miller

HB 1884 – Cargill, Cox, Steele, Nations, Braddock

HB 2070 – Benge, Hickman, Key, Carey, Liebmann, Morgan, Shelton, Peterson (Ron)

HJR 1039 – Jones, Ingmire, Dorman, DeWitt, Brannon, Carey, Thomsen

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

SB 98 - Richardson, Pruett, Joyner, Auffet, Peterson (Ron), Piatt

SB 763 - Duncan, Braddock, Joyner, Roan, Shannon

SB 1092 - Jones, Benge, Thomsen, Martin (Scott), Hickman, Dorman, Ellis, McCarter, Brannon

Advising fourth reading of and transmitting for signature Enrolled **HBs 1084, 1399, 1432, 1443, 1682, 1708** and **2064**.

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

PENDING CONSIDERATION OF HAs

HAs to **SB 1049** were concurred in upon motion of Senator Anderson.

SB 1049, as amended by the Honorable House, was read 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, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Leftwich.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SBs 368, 390, 623, 626, 674, 725, 751, 780, 806, 820, 853, 909 and 1014 were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

INTRODUCTION

Senator Ivester introduced former Senator Gilmer Capps to the Senate.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Barrington asked unanimous consent to suspend Rule 6-4 and refer **SR 29** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 29 by Barrington was called up for consideration.

All other members of the Senate asked to coauthor **SR 29**, which was the order.

SR 29 was adopted upon motion of Senator Barrington and referred for enrollment.

FIRST READING

The following was introduced and read the first time:

SR 35 – By Jolley and Paddack.

A Resolution celebrating the 20th Anniversary of the Oklahoma Center for the Advancement of Science and Technology (OCAST); designating May 1, 2007, “Science and Technology Day” at the Oklahoma State Capitol; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Jolley asked unanimous consent to suspend Rule 6-4 and refer **SR 35** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 35 by Jolley and Paddack was called up for consideration.

All other members of the Senate asked to coauthor **SR 35**, which was the order.

SR 35 was adopted upon motion of Senator Paddack and referred for enrollment.

MESSAGES FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1288, 1396, 1477, 1557 and 1804**.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later:

HB 1297

HB 1327

HB 1455

HB 1562

HB 1589

HB 1621

HB 1649

HB 2019

HB 2071

PENDING CONSIDERATION OF HAS

HAs to SB 378 were concurred in upon motion of Senator Ballenger.

SB 378, as amended by the Honorable House, was read 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, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Leftwich.--2.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SBs 424 and 1019 were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

PENDING CONSIDERATION OF HAS

HAs to SB 496 were concurred in upon motion of Senator Reynolds.

Representative Terrill asked to coauthor **SB 496**, which was the order.

SB 496, as amended by the Honorable House, was read 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, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

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

The bill passed.

Senator Rabon desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 46; Excused: 2.

The emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 639 were concurred in upon motion of Senator Bass.

SB 639, as amended by the Honorable House, was read 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, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Leftwich.--2.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 32**.

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

Advising fourth reading of and returning Enrolled **SBs 357, 470 and 712**.

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

EXECUTIVE NOMINATIONS

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

Blaney, Hilarie Hefton, Oklahoma City, as a member of the Oklahoma Student Loan Authority - Education

Clark, Terry W., Tulsa, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Resources

Darby, Chuck, Broken Bow, as a member of the Board of Trustees for the McCurtain County Higher Education Program - Education

Drake, Bob, Davis, as a member of the Environmental Quality Board - Energy and Environment

Ellis, A.D., Beggs, as a member of the Oklahoma Indian Affairs Commission - Health and Human Resources

McCaffree, Mary Anne, M.D., Oklahoma City, as a member of the Board of Mental Health and Substance Abuse Services - Health and Human Resources

Newcomb, Robert, Elk City, as a member of the State Banking Board - Business and Labor

Pollard, Betty, Idabel, as a member of the Board of Trustees for the McCurtain County Higher Education Program - Education

Pope, Don G., Norman, as a member of the Oklahoma Indigent Defense System Board - Judiciary

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 2, 2007, at 1:30 p.m., which motion prevailed.

MESSAGE FROM THE GOVERNOR

Advising his approval May 1, 2007, of Enrolled **SBs 17, 825, 938** and **1026**.

Pursuant to the Laster motion, the Senate adjourned at 2:05 p.m. to meet Wednesday, May 2, 2007, at 1:30 p.m.