

Senate Journal

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

Fifty-eighth Legislative Day, Tuesday, May 15, 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, 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 Brogdon declared a quorum present.

The prayer was offered by Father Jake Clemmens, St. Mark's Episcopal Church of Hugo, Ardmore, the guest of Senator Rabon.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 95, 664, 810 and 984 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 820 – remove Morgan

SB 993 – remove GCCA and add Laster, Crutchfield, Laughlin, Coffee and Johnson (Mike)

HB 1872 – remove Morgan and add Crutchfield

HB 2100 – remove Coffee

HB 2101 – remove Coffee

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senators Laster and Laughlin, the request of the Honorable House for conference on **HB 2087** was ordered granted and Senate conferees appointed as follows: Leftwich, Ivester, Lerblance, Coates, Brogdon, Laughlin.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed measures:

SCR 28 - coauthored by Faught of the House

SCR 31 - coauthored by all other House Members

The above-numbered measures were referred for enrollment.

Advising the signing of and transmitting for signature Enrolled **HCR 1027**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable House.

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

SB 47 - Tibbs, Peterson (Pam), Reynolds, Glenn, Walker, Steele, Cox

SB 710 - Hickman, DeWitt, Armes, Hyman, Walker, Johnson (Rob)

SB 1021 - McCullough, Joyner, Pruet, Derby, Schwartz, Shannon, Jordan, Thomsen, Miller, Glenn, Smithson, Pruet, Shoemake, Shumate

Advising passage of and transmitting for consideration Engrossed **HCRs 1037** and **1038**.

HCR 1037 – By Jackson of the House and Bingman of the Senate.

A Concurrent Resolution relating to the rules of the Oklahoma Aeronautics Commission; waiving the thirty-legislative-day review period for proposed permanent rules OAC 25:20-1-6, OAC 25:20-1-7, OAC 25:20-1-8, OAC 25:20-1-9 and OAC 25:20-1-10, which relate to the aircraft excise tax dedication program, proposed amendment to permanent rule OAC 25:20, which relates to a title and proposed revocation of permanent rules OAC 25:20-1-1, OAC 25:20-1-2, OAC 25:20-1-3, OAC 25:20-1-4 and OAC 25:20-1-5, which relate to the aircraft excise tax credit program; and directing distribution.

HCR 1038 – By Wesselhoft, Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Worthen and Wright of the House and Adelson of the Senate.

A Concurrent Resolution supporting the Nation of Israel and congratulating Israel on the fifty-ninth anniversary of its founding; and directing distribution.

The above-numbered measures were read the first time.

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

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

SB 139 - coauthored by Billy, Cooksey, Dank, Enns, Faught, Kern, McDaniel (Randy), Peterson (Pam), Reynolds, Terrill, Tibbs, and Wesselhoft of the House and remove Gumm and substitute Williamson as principal Senate author and show Gumm as first coauthor

House amendments were read on the above-numbered bill.

GENERAL ORDER

SJR 32 by Coffee and Morgan of the Senate was called up for consideration.

Representative Cargill asked to be named principal House author on **SJR 32**, which was the order.

Senator Coffee moved that **SJR 32** be advanced, which motion was declared adopted.

THIRD READING

SJR 32 was read for the third time at length.

On the question of passage of the resolution, 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Anderson and Riley.--2.

The resolution passed.

SJR 32 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SBs 334, 335, 339, 341, 342, 343, 344, 346, 347, 350, 352, 353, 354, 355, 356, 358, 359, 360, 361, 362, 363, 364, 580 and 811 were rejected upon motion of Senator Laster, conference requested, and Senate conferees appointed as follows: **GCCA**.

PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE

Upon motion of Senators Laster and Laughlin, the request of the Honorable House for conference on the following bills was ordered granted and Senate conferees appointed as follows:

HB 1094 - GCCA

HJR 1039 – Mazzei, Brown, Laughlin, Sparks, Crutchfield, Laster

REPORT OF ENGROSSED AND ENROLLED MEASURE

SJR 32 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 95, 664, 810 and 984**.

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

Conferees unable to agree on the following:

HB 1696

HB 1818

EXECUTIVE NOMINATIONS

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

Carter, Wayne, Calera, as a member of the Oklahoma Horse Racing Commission - Finance

Massey, Greg, Durant, as a member of the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges - Education

Rendon, Teresa Anne, Oklahoma City, as a member of the Oklahoma Human Rights Commission - Health and Human Resources

Savage, Malcolm, Oklahoma City, as a member of the Oklahoma Horse Racing Commission - Finance

Volturo, Tom, Ada, as a member of the Oklahoma Accountancy Board - Business and Labor

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 16, 2007, at 9:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 45

SB 98

SB 371

SB 390

SB 407

SB 426

SB 447

SB 517

SB 560

SB 565 – conferees unable to agree

SB 610

SB 658

SB 704
SB 738
SB 790
SB 809
SB 859
SB 1019
SB 1021
SB 1032
SB 1069 – conferees unable to agree

Pursuant to Senate Rule 13-10A, **SBs 565** and **1069** will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

SECOND READING

The following was read for the second time: **HCR 1033**

FIRST READING

The following were introduced and read the first time:

SCR 38 – By Corn of the Senate and Brannon of the House.

A Concurrent Resolution honoring Bobby Taylor's military career and service to veterans; mourning his loss; and directing distribution.

SCR 39 – By Paddack and Morgan of the Senate and Jones of the House.

A Concurrent Resolution requesting the Oklahoma State Regents for Higher Education to conduct a study and make recommendations by certain date; providing for issues of study; providing for certain input and public hearing; and directing distribution.

SR 43 – By Burrage.

A Resolution congratulating the Sequoyah High School Eagles football team for winning the 2006 Class 3A State championship; commending the team for winning the school's first state football championship; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising his approval May 14, 2007, of Enrolled **SBs 63, 103, 145, 151, 494, 563, 590, 620, 691, 814, 861, 889, 929, 930, 945** and **1016**.

Pursuant to the Laster motion, the Senate adjourned at 1:55 p.m. to meet Wednesday, May 16, 2007, at 9:00 a.m.