

Senate Journal

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

Fourth Legislative Day, Thursday, February 7, 2008

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, 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, Riley, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—45.

Excused: Crain, Rice and Schulz.—3.

Senator Brogdon declared a quorum present.

The prayer was offered Senator Gumm.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 50 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SCR 48 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1055**.

HCR 1055 – By Shelton, Pittman, Shannon, Shumate, Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, DeWitt, Denney, Derby, 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, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen and Wright of the House and Johnson (Constance) and Eason McIntyre of the Senate.

A Concurrent Resolution celebrating the life of Opio Toure; expressing sorrow for his untimely death and extending sympathy to his family; making a permanent record; and directing distribution.

The above-numbered measure was read the first time.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Johnson (Constance) asked unanimous consent to suspend Rule 6-4 and refer **HCR 1055** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1055 by Shelton et al of the House and Johnson (Constance) and Eason McIntyre of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1055**, which was the order.

HCR 1055 was adopted upon motion of Senator Johnson (Constance) and properly signed and ordered returned to the Honorable House.

HCR 1005 was read at length as follows:

HCR 1055 – By Shelton, Pittman, Shannon, Shumate, Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, DeWitt, Denney, Derby, 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, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill,

Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen and Wright of the House and Johnson (Constance), Eason McIntyre, Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (Mike), 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 of the Senate.

A Concurrent Resolution celebrating the life of Opio Toure; expressing sorrow for his untimely death and extending sympathy to his family; making a permanent record; and directing distribution.

WHEREAS, the shadow of grief has been cast upon this state at the death of a great Oklahoman, Opio Toure, who during his too brief life fought for the rights of the citizens of this state, thereby making Oklahoma a better place to live; and

WHEREAS, Opio Toure was a dedicated champion of justice who believed that all individuals deserved to be treated with dignity and respect; and

WHEREAS, as a State Representative and Chairman of the House Judiciary Committee, Opio Toure authored many legislative measures to right wrongs, including legislation to provide compensation to innocent persons wrongfully convicted of crimes and legislation to prohibit the execution of mentally retarded persons; and

WHEREAS, during his twelve-year tenure in the Oklahoma House of Representatives, Opio Toure won the respect of his colleagues on both sides of the aisle; and

WHEREAS, Opio Toure will always be remembered as a man of integrity and fairness who treated every individual with courtesy; and

WHEREAS, Opio Toure was a man of vision who strove to make this world a better place and through his efforts, in no small measure, succeeded; and

WHEREAS, mere words on the pages of this resolution cannot adequately express our deep-felt sense of loss at the passing of such an honorable man; and

WHEREAS, although we are saddened by the loss of Opio Toure, we are thankful for his life; and

WHEREAS, although death has taken our colleague and friend from us, he will never pass from our thoughts and the pain of his loss is tempered by the memory of what he has meant to us.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature, on behalf of the people of this state, celebrates the life of a truly great Oklahoman, Opio Toure.

THAT the Oklahoma Legislature hereby expresses deepest sorrow for the untimely death of Opio Toure and extends heartfelt sympathy to the family of Opio Toure.

THAT a copy of this resolution be spread upon the pages of the Journal of the Oklahoma House of Representatives and the Journal of the Oklahoma State Senate as a permanent record of the sentiment and condolences expressed herein.

THAT duly authenticated copies of this resolution be dispatched to Opio Toure's wife, Linda, and his two children, Jelani and Jabari.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 48**.

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

Advising rejection of **CCR** to **HB 1739**, requesting further conference and House conferees to be named later.

Advising the signing of and transmitting for signature Enrolled **HCR 1055**.

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

CHANGE IN COMMITTEE ASSIGNMENT

The following bill will be reassigned as follows:

SB 1882 – Withdrawn from Appropriations Committee and referred to Education.

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 11, 2008, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORT

The following was reported by the committee named, ordered printed and placed on the Calendar:

DO PASS:

SB 1437 – Energy and Environment, coauthored by Renegar (principal House author)
Ayes: Bingman, Branan, Brogdon, Burrage, Crutchfield, Easley, Gumm, Ivester, Lerblance, Myers, Paddack, Williamson

SECOND READING

The following was read for the second time and referred to committee as indicated:

SB 1672 – Appropriations

FIRST READING

The following was introduced and read the first time:

SCR 52 – By Johnson (Constance) of the Senate and Shumate of the House.
A Concurrent Resolution memorializing Congress to enact a Homeowners and Banks Protection Act for specific purposes; and directing distribution.

Pursuant to the Laster motion, the Senate adjourned at 10:15 a.m. to meet Monday, February 11, 2008, at 1:30 p.m.