

# Senate Journal

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

**Twenty-ninth Legislative Day, Tuesday, March 25, 2008**

The Senate was called to order by Senator Williamson.

Roll Call:

Present: 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, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—45.

Excused: Adelson, Lerblance and Morgan.—3.

Senator Williamson declared a quorum present.

The prayer was offered by Senator Gumm.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SRs 54 and 58** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

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

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

**SB 1194**  
**SB 1195**  
**SB 1196**  
**SB 1197**  
**SB 1198**  
**SB 1199**

**SB 1200**

**SB 1201** - coauthored by Hoskin and Kiesel of the House

**SB 1202**

**SB 1203**

**SB 1204**

**SB 1205**

**SB 1206**

**SB 1207**

**SB 1208**

**SB 1209**

**SB 1210**

**SB 1211**

**SB 1212**

**SB 1213**

House amendments were read on the above-numbered bills.

#### **MESSAGE FROM THE HOUSE**

Advising rejection of **CCR** to the following bill, requesting further conference and House conferees to be named later with instructions as follows:

**SB 811** - Page 2, Line 3 of the Conference Committee Substitute, strike the word "defendant" and add in lieu thereof the word "person"; Page 2, Lines 6 through 9 of the Conference Committee Substitute, strike the sentence beginning with the word "Preexisting" on Line 6 through the period on Line 9 and add in lieu thereof "A preexisting condition is a condition for which the person received medical treatment or advice, or a condition which was diagnosed in the six (6) months preceding the custody of the person by the law enforcement agency. An accidental injury sustained during the six (6) months preceding the custody of that person by the law enforcement agency will also be considered a preexisting condition."

#### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Laster asked unanimous consent to suspend Rule 6-4 and refer **SR 62** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SR 62** by Lerblance was called up for consideration.

All other members of the Senate asked to coauthor **SR 62**, which was the order.

**SR 62** was adopted upon motion of Senator Laster and referred for enrollment.

## **CHANGE IN COMMITTEE ASSIGNMENTS**

The following bills will be reassigned as follows:

**HB 2547** – Withdrawn from General Government and referred to Rules.

**HB 2889** – Withdrawn from Rules and referred to Appropriations.

**HB 3341** – Withdrawn from Appropriations and referred to Public Safety and Homeland Security.

**HCR 1058** – Withdrawn from Health and Human Resources and referred to Finance.

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 26, 2008, at 1:30 p.m., which motion prevailed.

## **COMMITTEE REPORTS**

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

DO PASS:

**HB 2202** – General Government

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

**HB 2203** – General Government

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

**HB 2204** – General Government

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

**HB 2205** – General Government

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

Nays: Crain

**HB 2206** – General Government

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

**HB 2208** – General Government

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

**HB 2209** – General Government

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

**HB 2533** – Judiciary

Ayes: Adelson, Bass, Crain, Crutchfield, Eason McIntyre, Lamb, Sykes, Williamson

**HB 2958** – Judiciary

Ayes: Adelson, Bass, Crain, Crutchfield, Eason McIntyre, Lamb, Sykes, Williamson

**HB 2974** – Judiciary

Ayes: Adelson, Bass, Crain, Crutchfield, Eason McIntyre, Lamb, Sykes  
Nays: Williamson

**HB 3278** – Judiciary – coauthored by Lamb of the Senate

Ayes: Adelson, Bass, Crain, Crutchfield, Eason McIntyre, Lamb, Sykes, Williamson

DO PASS, As Amended:

**HB 2469** – Judiciary

Ayes: Adelson, Bass, Crain, Crutchfield, Eason McIntyre, Lamb, Sykes, Williamson

**HB 2530** – Judiciary

Ayes: Adelson, Bass, Crain, Crutchfield, Eason McIntyre, Sykes, Williamson

**HB 2566** – General Government

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

**SECOND READING**

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

**HB 1441** – Appropriations

**HB 1678** – Rules

**HB 2196** – Rules

**HB 2199** – Finance

**HB 2211** – Rules

**HB 2216** – Appropriations

- HB 2227** – Criminal Jurisprudence
- HB 2240** – Transportation
- HB 2458** – Judiciary
- HB 2462** – Education
- HB 2466** – General Government
- HB 2473** – Rules
- HB 2486** – Judiciary
- HB 2490** – Rules
- HB 2492** – Agriculture and Rural Development
- HB 2507** – Rules
- HB 2551** – Rules
- HB 2580** – Judiciary
- HB 2593** – Judiciary
- HB 2606** – Rules
- HB 2608** – Appropriations
- HB 2658** – Rules
- HB 2673** – Appropriations
- HB 2674** – General Government
- HB 2682** – Rules
- HB 2704** – Appropriations
- HB 2713** – Appropriations
- HB 2714** – Finance
- HB 2715** – Judiciary
- HB 2717** – Rules
- HB 2728** – Rules
- HB 2736** – Rules
- HB 2754** – Rules
- HB 2755** – Rules
- HB 2763** – Appropriations
- HB 2774** – Rules
- HB 2778** – Agriculture and Rural Development
- HB 2783** – Criminal Jurisprudence
- HB 2793** – Retirement and Insurance
- HB 2805** – Appropriations
- HB 2810** – Judiciary
- HB 2813** – Energy and Environment
- HB 2815** – Judiciary
- HB 2817** – Judiciary
- HB 2863** – Rules
- HB 2892** – Education
- HB 2948** – Finance
- HB 2953** – Rules
- HB 2954** – Rules
- HB 2955** – Judiciary

**HB 2957** – Rules  
**HB 2963** – Judiciary  
**HB 3001** – Appropriations  
**HB 3003** – Energy and Environment  
**HB 3047** – Judiciary  
**HB 3060** – Health and Human Resources  
**HB 3068** – Rules  
**HB 3070** – Business and Labor  
**HB 3076** – Public Safety and Homeland Security  
**HB 3099** – Judiciary  
**HB 3100** – Veterans and Military Affairs  
**HB 3102** – Rules  
**HB 3103** – Rules  
**HB 3109** – Retirement and Insurance  
**HB 3110** – Rules  
**HB 3115** – Retirement and Insurance  
**HB 3118** – Rules  
**HB 3121** – Appropriations  
**HB 3135** – Energy and Environment  
**HB 3142** – Appropriations  
**HB 3143** – Health and Human Resources  
**HB 3145** – Appropriations  
**HB 3149** – Finance  
**HB 3158** – Appropriations  
**HB 3159** – Criminal Jurisprudence  
**HB 3162** – Rules  
**HB 3164** – Tourism and Wildlife  
**HB 3175** – Rules  
**HB 3194** – Rules  
**HB 3196** – Rules  
**HB 3197** – Rules  
**HB 3226** – Rules  
**HB 3229** – Rules  
**HB 3236** – Appropriations  
**HB 3253** – Rules  
**HB 3268** – Tourism and Wildlife  
**HB 3273** – Judiciary  
**HB 3279** – General Government  
**HB 3303** – Energy and Environment  
**HB 3325** – Appropriations  
**HB 3326** – Rules  
**HB 3328** – Rules  
**HB 3333** – Rules  
**HB 3334** – Rules

**HB 3336** – Appropriations  
**HB 3337** – Finance  
**HB 3338** – Business and Labor  
**HB 3350** – Rules  
**HB 3355** – Rules  
**HB 3357** – Finance  
**HB 3358** – Rules  
**HB 3390** – Rules  
**HB 3391** – Appropriations  
**HB 3394** – Appropriations  
**HB 3395** – Appropriations  
**HB 3396** – Appropriations  
**HB 3397** – Appropriations  
**HJR 1053** – Rules  
**HJR 1065** – Rules  
**HJR 1077** – Rules  
**HJR 1081** – Appropriations  
**HJR 1084** – Rules  
**HJR 1089** – Rules  
**HJR 1099** – Rules

## **FIRST READING**

The following was introduced and read the first time:

**SR 64** – By Burrage.

A Resolution congratulating former Oklahoma State Senate President Pro Tempore Clem McSpadden upon receiving the Chester A. Reynolds Award; and directing distribution.

Pursuant to the Laster motion, the Senate adjourned at 1:50 p.m. to meet Wednesday, March 26, 2008, at 1:30 p.m.

## **JOURNAL CORRECTIONS**

Page 970, Line 11 by deleting the following:  
“**HB 2260** – Health and Human Resources”

Page 970, Line 18 by deleting the following:  
“**HB 2583** – Finance”