

Senate Journal

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

Thirty-fourth Legislative Day, Wednesday, April 2, 2008

The Senate was called to order by Paddack.

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 Paddack declared a quorum present.

The prayer was offered by Ken McGee, Associate Pastor, Mustang Bridge Assembly of God, Oklahoma City, the guest of Senator Wilcoxson.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCRs 66, 67 and 68 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 924 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 60 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

HB 2202 by Wright of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2202** be advanced, which motion was declared adopted.

THIRD READING

HB 2202 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 2202 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2203 by Wright of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2203** be advanced, which motion was declared adopted.

THIRD READING

HB 2203 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 2203 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2204 by Wright of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2204** be advanced, which motion was declared adopted.

THIRD READING

HB 2204 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 2204 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2205 by Wright of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2205** be advanced, which motion was declared adopted.

THIRD READING

HB 2205 was read for the third time at length.

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

Aye: Adelson, Ballenger, Barrington, Bass, Bingman, Branan, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Laughlin, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Wilson and Wyrick.--34.

Nay: Aldridge, Anderson, Brogdon, Brown, Coffee, Crain, Johnson (M), Jolley, Lamb, Mazzei, Myers, Reynolds, Sykes and Williamson.--14.

The bill passed.

HB 2205 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2206 by Wright of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2206** be advanced, which motion was declared adopted.

THIRD READING

HB 2206 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 2206 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2208 by Wright of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2208** be advanced, which motion was declared adopted.

THIRD READING

HB 2208 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 2208 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2209 by Wright and Collins of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2209** be advanced, which motion was declared adopted.

THIRD READING

HB 2209 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--47.

Excused: Wilson.--1.

The bill passed.

HB 2209 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2253 by Miller and Jones of the House and Crutchfield et al of the Senate was called up for consideration.

Senator Crutchfield asked to be removed and Senator Johnson (Mike) asked to be named principal Senate author on **HB 2253**, which was the order. Senator Crutchfield asked to be named first coauthor on **HB 2253**, which was the order. Senator Myers and Adelson will be retained as second and third co-authors on **HB 2253**, respectfully.

Senator Johnson (Mike) moved to amend **HB 2253**, 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 Johnson (Mike) asked unanimous consent, which was granted, to allow the floor substitute to **HB 2253** to have a restored title.

Senator Johnson (Mike) moved that **HB 2253** be advanced, which motion was declared adopted.

THIRD READING

HB 2253 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill and emergency passed.

HB 2253 was referred for engrossment.

GENERAL ORDER

HB 2259 by Miller and Jones of the House and Crutchfield et al of the Senate was called up for consideration.

Senator Crutchfield asked to be removed and Senator Johnson (Mike) asked to be named principal Senate author on **HB 2259**, which was the order. Senator Crutchfield asked to be named first coauthor on **HB 2259**, which was the order. Senator Myers and Adelson will be retained as second and third co-authors on **HB 2259**, respectfully.

Senator Johnson (Mike) moved to amend **HB 2259**, 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 Johnson (Mike) asked unanimous consent, which was granted, to allow the floor substitute to **HB 2259** to have a restored title.

Senator Johnson (Mike) moved that **HB 2259** be advanced, which motion was declared adopted.

THIRD READING

HB 2259 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, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill and emergency passed.

HB 2259 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 924**.

The above-numbered enrolled measure was referred to the Governor.

Advising passage of and transmitting for consideration Engrossed **HCRs 1069** and **1071**.

HCR 1069 – By Shoemake, 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, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen and Wright of the House and Ballenger of the Senate.

A Concurrent Resolution praising the career of rodeo legend Jim Shoulders; designating April 1, 2008, “Jim Shoulders Day”; and directing distribution.

HCR 1071 – By Terrill and Wesselhoft of the House and Sykes of the Senate.

A Concurrent Resolution praising the investment in Oklahoma by Bill Warren; designating April 4, 2008, “Bill Warren Day”; 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 bills as amended:

SB 1262
SB 1263
SB 1264
SB 1265
SB 1266
SB 1267
SB 1268
SB 1269
SB 1270
SB 1271
SB 1272
SB 1273
SB 1274
SB 1275
SB 1276

SB 1277
SB 1278
SB 1279
SB 1280
SB 1281
SB 1282
SB 1283
SB 1294
SB 1354
SB 1365

House amendments were read on the above-numbered bills.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 2253 and **2259** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, April 3, 2008, at 9:30 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

HB 2240 – Transportation

Ayes: Branan, Coates, Ford, Justice, Leftwich, Myers, Rabon, Sweeden, Wyrick

HB 2691 – Transportation, coauthored by Myers, Sweeden of the Senate

Ayes: Branan, Coates, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

HB 3100 – Veterans and Military Affairs, coauthored by Barrington, Sparks of the Senate

Ayes: Aldridge, Ballenger, Barrington, Bingman, Coates, Gumm, Ivester, Reynolds, Sparks

HB 3340 – Transportation

Ayes: Branan, Brogdon, Coates, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

HJR 1093 – Veterans and Military Affairs, coauthored by Barrington of the Senate
Ayes: Ballenger, Barrington, Bingman, Coates, Gumm, Ivester, Reynolds, Sparks

DO PASS, As Amended:

HB 2231 – Transportation

Ayes: Anderson, Branan, Brogdon, Coates, Crutchfield, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

HB 2474 – Transportation

Ayes: Anderson, Branan, Brogdon, Coates, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

HB 2501 – Business and Labor

Ayes: Adelson, Burrage, Coates, Johnson (Mike), Leftwich, Rice
Nays: Brogdon, Myers

HB 2662 – Business and Labor

Ayes: Adelson, Burrage, Coates, Leftwich, Rice
Nays: Brogdon, Johnson (Mike), Myers

HB 2891 – Business and Labor

Ayes: Brogdon, Coates, Leftwich, Myers, Rice

HB 3070 – Business and Labor

Ayes: Adelson, Brogdon, Coates, Johnson (Mike), Leftwich, Myers, Rice

HB 3162 – Business and Labor

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

HB 3335 – Transportation

Ayes: Branan, Coates, Ford, Garrison, Justice, Leftwich, Myers, Sweeden, Wyrick
Nays: Rabon

FAILED:

HB 3338 – Business and Labor

Ayes: Burrage, Johnson (Mike), Leftwich, Rice
Nays: Adelson, Brogdon, Coates, Myers

HB 3373 – Business and Labor

Ayes: Burrage, Johnson (Mike), Myers
Nays: Adelson, Brogdon, Coates, Leftwich, Rice

FIRST READING

The following was introduced and read the first time:

SR 69 – By Morgan and Coffee.

A Resolution congratulating the Baptist Village Retirement Communities of Oklahoma for 50 years of operating retirement villages; commending BVRC for their ministry of caring for senior adults; and directing distribution.

Pursuant to the Laughlin motion, the Senate adjourned at 2:20 p.m. to meet Thursday, April 3, 2008, at 9:30 a.m.