

# Senate Journal

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

**Forty-second Legislative Day, Wednesday, April 16, 2008**

The Senate was called to order by Senator Leftwich.

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, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—48.

Senator Leftwich declared a quorum present.

The prayer was offered by Reverend Robert Griffin, First Baptist Church, Cole, the guest of Senator Nichols.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 1392, 1418, 1622, 2074, 2242, 2583, 2731, 2732, 2821, 2889** and **3201** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 1178, 1389, 1410, 1546, 1734** and **1735** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### GENERAL ORDER

**HJR 1093** by McAffrey of the House and Rice and Barrington of the Senate was called up for consideration.

Senator Rice moved that **HJR 1093** be advanced, which motion was declared adopted.

**THIRD READING**

**HJR 1093** was read for the third time at length.

On the question of passage of the resolution, 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, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Lerblance.--1.

The resolution passed.

**HJR 1093** was properly signed and ordered returned to the Honorable House.

**MOTION TO RECONSIDER VOTE**

Senator Schulz moved to reconsider the vote whereby **HB 2547** passed.

Senator Ford moved to table the Schulz motion, which tabling motion was declared adopted.

**HB 2547** was referred for engrossment.

**GENERAL ORDER**

**HB 2462** by Ingmire et al of the House and Schulz of the Senate was called up for consideration.

Senator Schulz moved to amend **HB 2462**, 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 Schulz moved that **HB 2462** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2462** 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, 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, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Wilson and Wyrick.--44.

Nay: Branan and Williamson.--2.

Excused: Bingman and Lerblance.--2.

The bill and emergency passed.

**HB 2462** was referred for engrossment.

## **GENERAL ORDER**

**HB 2642** by Peters and Tibbs of the House and Ford of the Senate was called up for consideration.

Senator Ford moved that **HB 2642** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2642** 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, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Wilson and Wyrick.--46.

Excused: Lerblance and Williamson.--2.

The bill passed.

**HB 2642** was referred for engrossment.

**GENERAL ORDER**

**HB 3070** by Shannon et al of the House and Barrington of the Senate was called up for consideration.

Senator Barrington moved to amend **HB 3070**, Page 11, Line 4, by inserting after the word “existing” the word “combative”; and Page 11, Line 5, by inserting after the word “new” the word “combative”, which amendment was declared adopted.

Senator Barrington moved to amend **HB 3070**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Barrington moved that **HB 3070** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3070** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--40.

Nay: Wilcoxson.--1.

Excused: Adelson, Coffee, Crain, Crutchfield, Johnson (M), Lerblance and Morgan.--7.

The bill passed.

Senator Lerblance desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 41; Nay: 1; Excused: 6.

The emergency passed.

**HB 3070** was referred for engrossment.

**MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 1148**

**SB 1192** - coauthored by Pittman and Kern of the House

The above-numbered measures were referred for enrollment.

**GENERAL ORDER**

**HB 2726** by Winchester of the House and Burrage of the Senate was called up for consideration.

Senator Burrage moved to amend **HB 2726**, Page 3, Line 15, by inserting after the period the words “In no event shall such limitation extend past the date that a petition for final accounting is filed.”; and Page 3, Line 22, by inserting after the period the words “In no event shall such limitation extend past the date that a petition for final accounting is filed.”

Senator Burrage asked that **HB 2726** be laid over temporarily, which was the order.

**HB 2726** remains on General Order pending consideration of the Burrage amendment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Ivester asked unanimous consent to suspend Rule 6-4 and refer **HCR 1060** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1060** by Wesselhoft et al of the House was called up for consideration.

Senator Ivester asked to be named principal Senate author on **HCR 1060**, which was the order.

All other members of the Senate asked to coauthor **HCR 1060**, which was the order.

**HCR 1060** was adopted upon motion of Senator Ivester and properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1546** by Winchester et al of the House and Justice and Barrington of the Senate was called up for consideration.

Senator Justice moved that **HB 1546** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1546** 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, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Crutchfield, Johnson (M) and Morgan.--3.

The bill and emergency passed.

**HB 1546** was referred for engrossment.

**GENERAL ORDER**

**HB 2726** by Winchester of the House and Burrage of the Senate was called up for further consideration.

Senator Burrage asked unanimous consent, which was granted, to amend his prior amendment to read: Page 3, Line 13, by inserting after the period the words "In no event shall such limitation extend past the date that a petition for final accounting is filed."; and Page 3, Line 20, by inserting after the period the words "In no event shall such limitation extend past the date that a petition for final accounting is filed.", which amendment was declared adopted.

Senator Burrage moved to amend **HB 2726**, Page 1, by restoring the title, which amendment was withdrawn upon motion of Senator Burrage.

Senator Burrage moved that **HB 2726** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2726** 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 2726** was referred for engrossment.

### **MESSAGES FROM THE HOUSE**

Advising rejection of **SAs** to the **HBs 2941, 3123 and 3132**, requesting conference and House conferees to be named later.

Advising passage of and returning the following Engrossed bill:

**SB 2069** - coauthored by Pittman of the House

The above-numbered measure was referred for enrollment.

### **MOTION TO RECONSIDER VOTE**

Senator Coffee moved to reconsider the vote whereby **SB 1819** passed.

Senator Laughlin moved to table the Coffee motion, which tabling motion was declared adopted.

**SB 1819**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **GENERAL ORDER**

**HB 2239** by Schwartz et al of the House and Crain of the Senate was called up for consideration.

Senator Crain moved that **HB 2239** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2239** 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 2239** was referred for engrossment.

### **GENERAL ORDER**

**HB 2633** by Kern et al of the House and Jolley of the Senate was called up for consideration.

Senator Williamson asked to coauthor **HB 2633**, which was the order.

Senator Williamson moved to amend **HB 2633**, Page 1, Line 16 ½, by inserting new Sections 1 through 6, to read as follows:

“SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 27-101 of Title 70, unless there is created a duplication in numbering, reads as follows:

Sections 1 through 6 of this act shall be known and may be cited as the “Religious Viewpoints Antidiscrimination Act”.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 27-102 of Title 70, unless there is created a duplication in numbering, reads as follows:

A school district shall treat the voluntary expression by a student of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the district treats the voluntary expression by a student of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 27-103 of Title 70, unless there is created a duplication in numbering, reads as follows:

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Homework and classroom assignments shall be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school district. Students shall not be penalized or rewarded on account of the religious content of their work.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 27-104 of Title 70, unless there is created a duplication in numbering, reads as follows:

Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, or other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. Religious groups shall be given the same access to school facilities for assembling as is given to other noncurricular groups without discrimination based on the religious content of the student expression. If student groups that meet for nonreligious activities are permitted to advertise or announce meetings of the groups, the school district shall not discriminate against groups that meet for prayer or other religious speech. A school district may disclaim school sponsorship of noncurricular groups and events in a manner that neither favors nor disfavors groups that meet to engage in prayer or religious speech.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 27-105 of Title 70, unless there is created a duplication in numbering, reads as follows:

Each school district in the state shall adopt and implement a local policy regarding a limited public forum and voluntary student expression of religious viewpoints. If a school district voluntarily adopts and follows the model policy governing voluntary religious expression in public schools as provided by Section 6 of this act, the district shall be in compliance with the provisions of the Religious Viewpoints Antidiscrimination Act covered by the model policy.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 27-106 of Title 70, unless there is created a duplication in numbering, reads as follows:

This section sets forth the provisions of the Model Religious Viewpoints Antidiscrimination Policy. As used in the Religious Viewpoints Antidiscrimination Act, "model policy" means a policy adopted by a school district in the state that is substantially identical to the following:

**MODEL RELIGIOUS VIEWPOINTS ANTIDISCRIMINATION POLICY**

**ARTICLE I. STUDENT EXPRESSION OF RELIGIOUS VIEWPOINTS**

The school district shall treat the voluntary expression by a student of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the district treats the voluntary expression by a student of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

**ARTICLE II. RELIGIOUS EXPRESSION IN CLASS ASSIGNMENTS**

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of the submission by the student. Homework and classroom work shall be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. Students shall not be penalized or rewarded on account of religious content. If the assignment given by a teacher involves writing a poem, the work of a student who submits a poem in the form of a prayer, for example, a psalm, should be judged on the basis of academic standards, including literary quality, and not penalized or rewarded on account of its religious content.

#### ARTICLE III. FREEDOM TO ORGANIZE RELIGIOUS GROUPS AND ACTIVITIES

Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, and other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. Religious groups shall be given the same access to school facilities for assembling as is given to other noncurricular groups, without discrimination based on the religious content of the expression of the group. If student groups that meet for nonreligious activities are permitted to advertise or announce the group meetings, for example, by advertising in a student newspaper, putting up posters, making announcements on a student activities bulletin board or public address system, or handing out leaflets, school authorities shall not discriminate against groups that meet for prayer or other religious speech. School authorities may disclaim sponsorship of noncurricular groups and events, provided they administer the disclaimer in a manner that does not favor or disfavor groups that meet to engage in prayer or other religious speech.”, and by renumbering subsequent sections and amending the title to conform.

Senator Wilson moved that **HB 2633** be advanced, which motion failed of adoption upon roll call as follows:

Aye: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--24.

Senator Williamson pressed adoption of his prior amendment, which amendment was declared adopted upon roll call 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.

Senator Jolley moved that **HB 2239** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2633** 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.

Pursuant to Rule 13-22, Senator Wilson served notice that the vote be reconsidered whereby **HB 2633** passed.

**Senator Corn presiding.**

### **GENERAL ORDER**

**HB 2573** by Hickman and Key of the House and Myers of the Senate was called up for consideration.

Senator Lerblance moved to amend **HB 2573**, Page 6, Lines 14 through 17, by deleting all new language after the word “fees” on Line 14 and before the period on Line 17, and by amending the title to conform, which amendment failed of adoption upon roll call as follows:

Aye: Adelson, Bass, Leftwich, Lerblance and Sweeden.--5.

Nay: Aldridge, Anderson, Ballenger, Barrington, 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, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Senator Jolley moved to amend **HB 2573**, Page 8, Line 8 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 27 O.S. 2001, Section 11, is amended to read as follows:

Section 11.

Where a condemnation proceeding is instituted by any person, agency or other entity to acquire real property for use as provided in Section 9 of this title and if:

1. The final judgment is that the real property cannot be acquired by condemnation;
2. The proceeding is abandoned; ~~or~~
3. ~~If the~~ The award of the jury exceeds the award of the court-appointed commissioners by at least ten percent (10%); ~~or~~
4. The Department of Transportation is the party demanding the jury trial and the award of the jury is not at least ten percent (10%) more favorable to the Department than the award of the commissioners,

then the owner of any right, title or interest in such real property ~~may~~ shall be paid such sum as in the opinion of the court will reimburse such owner for his reasonable attorney, appraisal and engineering fees and any other reasonable expert fees or costs, actually incurred because of the condemnation proceedings. Such determination by the court shall be appealable to the Supreme Court in the same manner as any other final order. The final award of such sums will be paid by the person, agency or other entity which sought to condemn the property.”, and by renumbering subsequent section and amending the title to conform.

Senator Myers asked that **HB 2573** be laid over temporarily, which was the order.

**HB 2573** remains on General Order pending consideration of the Jolley amendment.

## GENERAL ORDER

**HB 3118** by Jones et al of the House and Williamson of the Senate was called up for consideration.

Senator Williamson moved that **HB 3118** be advanced, which motion was declared adopted.

## THIRD READING

**HB 3118** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance,

Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Johnson (C).--1.

Excused: Adelson, Coffee, Mazzei and Morgan.--4.

The bill and emergency passed.

**HB 3118** was referred for engrossment.

### **GENERAL ORDER**

**HB 2492** by Hilliard of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 2492** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2492** was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--41.

Excused: Adelson, Coates, Coffee, Eason McIntyre, Johnson (C), Mazzei and Morgan.--7.

The bill passed.

Pursuant to Rule 13-22, Senator Rabon served notice that the vote be reconsidered whereby **HB 2492** passed.

### **GENERAL ORDER**

**HB 2714** by Billy et al of the House and Paddack of the Senate was called up for consideration.

Senator Sparks moved to amend **HB 2714**, Page 1, 10 ½, by inserting new Sections 1 and 2 to read as follows:

“SECTION 1. AMENDATORY 68 O.S. 2001, Section 1004, as last amended by Section 55, Chapter 1, O.S.L. 2007 (68 O.S. Supp. 2007, Section 1004), is amended to read as follows:

Section 1004.

A. Beginning July 1, 2002, the gross production tax provided for in Section 1001 of this title is hereby levied and shall be collected and apportioned as follows:

1. For all monies collected from the tax levied on asphalt or ores bearing uranium, lead, zinc, jack, gold, silver or copper:
  - a. eighty-five and seventy-two one-hundredths percent (85.72%) shall be paid to the State Treasurer of the state to be placed in the General Revenue Fund of the state and used for the general expense of state government, to be paid out pursuant to direct appropriation by the Legislature,
  - b. seven and fourteen one-hundredths percent (7.14%) of the sum collected from natural gas and/or casinghead gas or asphalt or ores bearing uranium, lead, zinc, jack, gold, silver or copper shall be paid to the various county treasurers to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and
  - c. seven and fourteen one-hundredths percent (7.14%) shall be allocated to each county as provided for in subparagraph b of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;
2. For all monies collected from the tax levied on natural gas and/or casinghead gas at a tax rate of seven percent (7%) pursuant to the provisions of subsection B of Section 1001 of this title:
  - a. eighty-five and seventy-two one-hundredths percent (85.72%) shall be paid to the State Treasurer of the state to be placed in the General Revenue Fund of the state and used for the general expense of state government, to be paid out pursuant to direct appropriation by the Legislature,
  - b. seven and fourteen one-hundredths percent (7.14%) of the sum collected from natural gas and/or casinghead gas shall be paid to the various county treasurers to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of

production from such county in the corresponding month of the preceding year, and

- c. seven and fourteen one-hundredths percent (7.14%) shall be allocated to each county as provided for in subparagraph b of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;

3. For all monies collected from the tax levied on natural gas and/or casinghead gas at a tax rate of four percent (4%) pursuant to the provisions of subsection B of Section 1001 of this title:

- a. seventy-five percent (75%) shall be paid to the State Treasurer of the state to be placed in the General Revenue Fund of the state and used for the general expense of state government, to be paid out pursuant to direct appropriation by the Legislature,
- b. twelve and one-half percent (12.5%) of the sum collected from natural gas and/or casinghead gas shall be paid to the various county treasurers to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and
- c. twelve and one-half percent (12.5%) shall be allocated to each county as provided for in subparagraph b of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;

4. For all monies collected from the tax levied on natural gas and/or casinghead gas at a tax rate of one percent (1%) pursuant to the provisions of subsection B of Section 1001 of this title:

- a. fifty percent (50%) of the sum collected from natural gas and/or casinghead gas shall be paid to the various county treasurers to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and
- b. fifty percent (50%) shall be allocated to each county as provided for in subparagraph a of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy

- of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;
5. For all monies collected from the tax levied on oil at a tax rate of seven percent (7%) pursuant to the provisions of subsection B of Section 1001 of this title:
- a. twenty-five and seventy-two one-hundredths percent (25.72%) shall be paid to the State Treasurer to be placed in the Common Education Technology Revolving Fund created in Section 41.29c of Title 62 of the Oklahoma Statutes,
  - b. twenty-five and seventy-two one-hundredths percent (25.72%) shall be paid to the State Treasurer to be placed in the Higher Education Capital Revolving Fund created in Section 41.29d of Title 62 of the Oklahoma Statutes,
  - c. twenty-five and seventy-two one-hundredths percent (25.72%) shall be paid to the State Treasurer to be placed in the Oklahoma Tuition Scholarship Revolving Fund created in Section 41.29e of Title 62 of the Oklahoma Statutes,
  - d. four and twenty-eight one-hundredths percent (4.28%) shall be paid to the State Treasurer to be apportioned to the County Bridge and Road Improvement Fund of the State Treasury,
  - e. four and twenty-eight one-hundredths percent (4.28%) shall be paid to the State Treasurer to be apportioned to:
    - (1) the following sources and in the following amounts for the fiscal year ending June 30, 2007, through the fiscal year ending June 30, 2011:
      - (a) thirty-three and one-third percent (33 1/3%) to the Oklahoma Tourism and Recreation Department Capital Expenditure Revolving Fund created pursuant to Section 2 of this act,
      - (b) thirty-three and one-third percent (33 1/3%) to the Oklahoma Conservation Commission Infrastructure Revolving Fund created pursuant to Section 3 of this act, and
      - (c) thirty-three and one-third percent (33 1/3%) to the Community Water Infrastructure Development Revolving Fund created pursuant to Section 4 of this act, and
    - (2) the Oklahoma Water Resources Board Rural Economic Action Plan Water Projects Fund for the fiscal year ending June 30, 2012, and for each fiscal year thereafter,
  - f. seven and fourteen one-hundredths percent (7.14%) of the sum collected from oil shall be paid to the various county treasurers, to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and

- g. seven and fourteen one-hundredths percent (7.14%) shall be allocated to each county as provided in subparagraph f of this paragraph and shall be apportioned, on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction, to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction;
6. For all monies collected from the tax levied on oil at a tax rate of four percent (4%) pursuant to the provisions of subsection B of Section 1001 of this title:
- a. twenty-two and one-half percent (22.5%) shall be paid to the State Treasurer to be placed in the Common Education Technology Revolving Fund created in Section 41.29c of Title 62 of the Oklahoma Statutes,
  - b. twenty-two and one-half percent (22.5%) shall be paid to the State Treasurer to be placed in the Higher Education Capital Revolving Fund created in Section 41.29d of Title 62 of the Oklahoma Statutes,
  - c. twenty-two and one-half percent (22.5%) shall be paid to the State Treasurer to be placed in the Oklahoma Tuition Scholarship Revolving Fund created in Section 41.29e of Title 62 of the Oklahoma Statutes,
  - d. three and seventy-five one-hundredths percent (3.75%) shall be paid to the State Treasurer to be apportioned to the County Bridge and Road Improvement Fund of the State Treasury,
  - e. three and seventy-five one-hundredths percent (3.75%) shall be paid to the State Treasurer to be apportioned to:
    - (1) the following sources and in the following amounts for the fiscal year ending June 30, 2007, through the fiscal year ending June 30, 2011:
      - (a) thirty-three and one-third percent (33 1/3%) to the Oklahoma Tourism and Recreation Department Capital Expenditure Revolving Fund created pursuant to Section 2 of this act,
      - (b) thirty-three and one-third percent (33 1/3%) to the Oklahoma Conservation Commission Infrastructure Revolving Fund created pursuant to Section 3 of this act, and
      - (c) thirty-three and one-third percent (33 1/3%) to the Community Water Infrastructure Development Revolving Fund created pursuant to Section 4 of this act, and
    - (2) the Oklahoma Water Resources Board Rural Economic Action Plan Water Projects Fund for the fiscal year ending June 30, 2012, and for each fiscal year thereafter,
  - f. twelve and one-half percent (12.5%) of the sum collected from oil shall be paid to the various county treasurers, to be credited to the County Highway Fund as follows: Each county shall receive a

proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and

- g. twelve and one-half percent (12.5%) shall be allocated to each county as provided in subparagraph f of this paragraph and shall be apportioned on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction, to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction; and

7. For all monies collected from the tax levied on oil at a tax rate of one percent (1%) pursuant to the provisions of subsection B of Section 1001 of this title:

- a. fifty percent (50%) of the sum collected shall be paid to the various county treasurers, to be credited to the County Highway Fund as follows: Each county shall receive a proportionate share of the funds available based upon the proportion of the total value of production from such county in the corresponding month of the preceding year, and
- b. fifty percent (50%) shall be allocated to each county as provided for in subparagraph a of this paragraph and shall be apportioned on an average daily attendance per capita distribution basis, as certified by the State Superintendent of Public Instruction, to the school districts of the county where such pupils attend school regardless of residence of such pupil, provided the school district makes an ad valorem tax levy of fifteen (15) mills for the current year and maintains twelve (12) years of instruction.

B. Provided, notwithstanding any other provision of this section, the total amounts deposited to the Common Education Technology Revolving Fund, the Higher Education Capital Revolving Fund, the Oklahoma Tuition Scholarship Revolving Fund, the Rural Economic Action Plan Water Projects Fund, the Oklahoma Tourism and Recreation Department Capital Expenditure Revolving Fund, the Oklahoma Conservation Commission Infrastructure Revolving Fund and the Community Water Infrastructure Development Revolving Fund pursuant to paragraphs 5 and 6 of this section shall not exceed One Hundred Fifty Million Dollars (\$150,000,000.00) in any fiscal year. All sums in excess of One Hundred Fifty Million Dollars (\$150,000,000.00) in any fiscal year which would otherwise be deposited in such funds shall be placed by the State Treasurer in the General Revenue Fund of the state.

C. 1. Beginning July 1, 2009, prior to the apportionment of any tax as provided for in subsection A of this section, an amount specified in paragraph 2 of this subsection of the gross production tax levied and collected pursuant to Section 1001 of this title shall be paid to the State Treasurer to be placed in the Bootstrap Endowment Fund as created in Section 2 of this act.

2. As provided in paragraph 1 of this subsection, a portion of the gross production tax shall be placed in the Bootstrap Endowment Fund as follows:

- a. One percent (1%) for the fiscal year beginning on July 1, 2009;

- b. Two percent (2%) for the fiscal year beginning on July 1, 2010;
- c. Three percent (3%) for the fiscal year beginning on July 1, 2011;
- d. Four percent (4%) for the fiscal year beginning on July 1, 2012; and
- e. Five percent (5%) for the fiscal year beginning on July 1, 2013 and all fiscal years thereafter.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 53 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created an endowment fund to be known as the “Bootstrap Endowment Fund”. The endowment fund principal shall consist of funds apportioned pursuant to subsection C of Section 1004 of Title 68 of the Oklahoma Statutes for the purpose of creating an endowment for the operations of state government. Notwithstanding any other provisions of law, income and investment return on endowment fund principal shall accrue to the endowment fund.

B. The Bootstrap Endowment Fund shall be invested by the State Treasurer as authorized in Section 89.2 of Title 62 of the Oklahoma Statutes; provided, investments in obligations of state and local governments, pursuant to paragraph 6 of subsection A of Section 89.2, shall not exceed five percent (5%) of the cash available for investment.

C. There is hereby created in the State Treasury a revolving fund to be designated the "Bootstrap Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all such transfers made pursuant to subsection D of this section. All monies accruing to the credit of such fund are hereby appropriated and may be budgeted and expended beginning with the fiscal year beginning July 1, 2025, and each fiscal year thereafter, for operations of state government in the same manner as the General Revenue Fund is budgeted and expended. No more than five percent (5%) of monies from the Bootstrap Revolving Fund shall be budgeted or expended for debt service payments of principal and interest due on outstanding bonds or other financing instruments issued by the State of Oklahoma, any Oklahoma counties, municipalities, state agencies, authorities, commissions, political subdivisions or any other governmental entities. Monies from the Bootstrap Revolving Fund shall not be dedicated or earmarked for a specific use outside the appropriations process. Expenditures from such fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

D. On July 1, 2025, and on July 1 each year thereafter, four percent (4%) of the total balance of the Bootstrap Endowment Fund shall be transferred to the Bootstrap Revolving Fund and shall be certified by the State Board of Equalization as part of the total amount of revenue which will accrue during the last applicable fiscal year.”, and by renumbering subsequent sections , which amendment was declared adopted.

Senator Rabon moved to amend **HB 2714**, Page 33, Line 8 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2357.95 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. For taxable years beginning after December 31, 2008, there shall be allowed a credit against the tax imposed pursuant to Section 2355 or 2370 of Title 68 of the Oklahoma Statutes or against the tax imposed pursuant to Section 624 or 628 of Title 36 of the Oklahoma Statutes or against the tax imposed pursuant to Section 1001 of Title 68 of the Oklahoma Statutes for tax credits originally issued to a qualified housing component manufacturing facility located in Oklahoma. The credit may be used in the payment of estimated tax payments for the tax imposed by Section 624 or 628 of Title 36 of the Oklahoma Statutes.

B. The credit authorized by this section shall be in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) for each residence for which the initial recipient has provided components. The owner of any credit claimed shall present with each credit an affidavit or certificate, in such form as may be prescribed for such purpose by the Oklahoma Tax Commission, indicating that the credit is based upon providing components from the facility. The credits authorized by this section may be claimed by any taxpayer on a quarterly basis for any tax as provided by subsection A of this section that is paid on a quarterly basis.

C. The total amount of credits authorized to be claimed pursuant to this section shall not exceed Four Million Dollars (\$4,000,000.00). Credits in the amount of Four Million Dollars (\$4,000,000.00) shall be issued directly to a qualified housing component manufacturing facility upon certification by the Oklahoma Tax Commission that the applicant for such credits is a qualified initial recipient; provided, the total amount of credits that may be claimed in any fiscal year shall not exceed One Million Dollars (\$1,000,000.00).

D. As used in this section:

1. "Qualified housing component manufacturing facility" means real property and related personal property used exclusively for the manufacture of components or systems to be incorporated into the structure of residential dwellings, including, but not limited to, wooden house frame components or sections, plumbing assemblies, electrical wiring systems, roof assemblies or subassemblies or such other assemblies, components or systems that are designed to be mass-produced by the facility to achieve cost efficiencies for builders of residences. As used in this paragraph, "qualified housing component manufacturing facility" does not mean a facility engaged in the production of manufactured homes as defined by 42 U.S.C., Section 5401 et seq., and rules promulgated pursuant thereto; and

2. "Qualified initial recipient" means a person, firm, partnership, corporation, limited liability company or other legal entity organized pursuant to the laws of the State of Oklahoma which has as its principal business purpose and activity the manufacture of components, assemblies, structures or systems for incorporation into a finished structure consisting of a residential dwelling and which, after the sale of the credits authorized by this section, will own real property in the state to be used for the manufacture of such components, assemblies, structures or systems.

E. For purposes of this section, the qualified housing component manufacturing facility may receive the tax credits authorized by subsection A of this section prior to the date as of which actual manufacturing activity at a qualified facility begins. In order for the Oklahoma Tax Commission to issue credits to a qualified initial recipient, the applicant shall be required to demonstrate that it is a legally recognized business entity authorized to

do business in the state and that its principal business purpose meets the requirements of paragraph 1 of subsection D of this section.

F. In order to be eligible for receipt of any tax credits authorized by this section, the entity making application shall present to the Oklahoma Tax Commission, in the form of an affidavit executed by a principal representing the applicant, whether a member of the board of directors or officer of a corporation, or a manager or member of a limited liability company, stating that the person executing the affidavit is either a member of the board of directors or an officer of the applicant or both, in the case of a corporation, or a manager or member or both, in the case of a limited liability company, and that the affiant is an individual who has at least ten (10) years of experience in the business of producing, within the State of Oklahoma, wall panels, plumbing assemblies and electrical wiring components, or any such combination of subassembly components that will be manufactured by the applicant. The presentation of a duly executed affidavit pursuant to this subsection shall be sufficient documentation of the requirements for the principal acting on behalf of the applicant for receipt of the tax credits and no further documentation related to the factual recitations of the affidavit shall be required.

G. The credits authorized by this section shall not be claimed against any income tax, bank privilege tax or insurance premium tax liability prior to July 1, 2009.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Sparks moved to amend **HB 2714**, Page 33, Line 8 ½, by inserting a new Section 2 amending 68 O.S. Supp. 2007, Section 2358, and by renumbering subsequent sections, which amendment failed of adoption upon division of the question. (Copies were provided for all Senators.)

Senator Paddack moved that **HB 2714** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2714** 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, 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.--47.

Excused: Eason McIntyre.--1.

The bill and emergency passed.

**HB 2714** was referred for engrossment.

Senator Laughlin moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

\*

The Senate reconvened with Senator Paddack presiding.

Senator Paddack questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

### **CONFERENCE COMMITTEE REPORT SUBMITTED**

Conference committee report was read on the following bill:

**SB 811 (2ND CCR)**

### **GENERAL ORDER**

**HB 3396** by Bengé et al of the House and Coffee et al of the Senate was called up for consideration.

Senator Johnson (Constance) asked to coauthor **HB 3396**, which was the order.

Senator Corn moved to amend **HB 3396**, Page 4, Line 5 ½, by inserting new Sections 2, 3 and 4 amending 3A O.S. Supp. 2007, Sections 263 and 280 and 70 O.S. Supp. 2007, Section 3951, and by renumbering subsequent sections, which amendment was declared adopted. (Copies were provided to all Senators.)

Senator Coffee moved that **HB 3396** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 3396** 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, 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, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Wilson and Wyrick.--45.

Excused: Anderson, Reynolds and Williamson.--3.

The bill and emergency passed.

**HB 3396** was referred for engrossment.

Senator Laughlin moved that the Senate recess to the call of the Chair, which motion was declared adopted.

\*

The Senate reconvened with Senator Paddack presiding.

Senator Paddack questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

## **GENERAL ORDER**

**HB 2891** by Bengé and Sherrer of the House and Bingman of the Senate was called up for consideration.

Senator Bingman moved that **HB 2891** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2891** was read for the third time at length.

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

Aye: 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, Wilson and Wyrick.--46.

Excused: Adelson and Williamson.--2.

The bill passed.

**HB 2891** was referred for engrossment.

### **GENERAL ORDER**

**HB 2573** by Hickman and Key of the House and Myers of the Senate was called up for further consideration.

Senator Jolley pressed adoption of his prior amendment, which amendment was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Branan, Brogdon, Brown, Coates, Coffee, Crain, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Rabon, Reynolds, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson and Williamson.--32.

Nay: Ballenger, Bass, Bingman, Burrage, Corn, Crutchfield, Easley, Laster, Leftwich, Lerblance, Morgan, Paddack, Rice, Wilson and Wyrick.--15.

Excused: Adelson.--1.

Senator Myers moved that **HB 2573** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2573** was read for the third time at length.

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

Aye: 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, Laughlin, Leftwich, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson and Williamson.--42.

Nay: Laster, Lerblance, Morgan, Wilson and Wyrick.--5.

Excused: Adelson.--1.

The bill passed.

**HB 2573** was referred for engrossment.

**GENERAL ORDER**

**HB 2585** by Hyman of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 2585** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2585** was read for the third time at length.

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

Aye: 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.--47.

Excused: Adelson.--1.

The bill and emergency passed.

**HB 2585** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2638** by Peters of the House and Leftwich of the Senate was called up for consideration.

Senator Leftwich asked unanimous consent, which was granted, to suspend Senate Rule 13-4 as it pertains to **HB 2638**.

Senator Leftwich moved to amend **HB 2638**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2638** to the engrossed version of the bill.

Senator Leftwich moved that **HB 2638** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2638** was read for the third time at length.

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

Aye: 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson, Coffee and Morgan.--3.

The bill and emergency passed.

**HB 2638** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2587** by Braddock and Sherrer of the House and Lerblance of the Senate was called up for consideration.

Senator Lerblance moved that **HB 2587** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2587** was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Williamson, Wilson and Wyrick.--41.

Nay: Brogdon, Brown and Sykes.--3.

Excused: Adelson, Aldridge, Coffee and Morgan.--4.

The bill passed.

**HB 2587** was referred for engrossment.

### **GENERAL ORDER**

**HB 2662** by McDaniel (Randy) of the House and Leftwich of the Senate was called up for consideration.

Senator Leftwich asked unanimous consent, which was granted, to suspend Senate Rule 13-4 as it pertains to **HB 2662**.

Senator Leftwich moved to amend **HB 2662**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2662** to the engrossed version of the bill.

Senator Leftwich moved that **HB 2662** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2662** was read for the third time at length.

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

Aye: 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson, Coffee and Morgan.--3.

The bill and emergency passed.

**HB 2662** was properly signed and ordered returned to the Honorable House.

**Senator Leftwich presiding.**

### **GENERAL ORDER**

**HB 3112** by Peterson (Ron) et al of the House and Mazzei of the Senate was called up for consideration.

Senator Laughlin moved to amend **HB 3112**, Page 23, Line 4 ½, by inserting a new Section 5 to read as follows;

“SECTION 5. AMENDATORY 20 O.S. 2001, Section 92.5, is amended to read as follows:

Section 92.5. District No. 4.

The counties of Dewey, Blaine, Kingfisher, Garfield, Major, Woodward, Woods, Alfalfa and Grant. The district shall have three (3) district judges to be nominated and elected as follows: A candidate for office No. 1 shall be ~~nominated and elected at large and~~ a legal resident of Dewey, Woods, Major, Woodward or Alfalfa County, and shall be nominated and elected from those counties; a candidate for office No. 2 shall be ~~nominated and elected at large and~~ a legal resident of Blaine, Kingfisher, Garfield or Grant County, and shall be nominated and elected from those counties; and a candidate for office No. 3 shall be ~~nominated and elected at large and~~ a legal resident of Garfield or Grant County, and shall be nominated and elected from those counties.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Mazzei moved that **HB 3112** be advanced, which motion was declared adopted.

### THIRD READING

**HB 3112** was read for the third time at length.

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

Aye: 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson, Coffee and Morgan.--3.

The bill and emergency passed.

**HB 3112** was referred for engrossment.

### MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1065**.

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

## **GENERAL ORDER**

**HB 3100** by Banz et al of the House and Reynolds et al of the Senate was called up for consideration.

Senators Adelson, Ballenger, Bass, Burrage, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Johnson (Constance), Laster, Leftwich, Lerblance, Paddack, Rice, Riley, Rabon, Sweeden, Wilson and Wyrick asked to coauthor **HB 3100**, which was the order.

Senator Reynolds moved that **HB 3100** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 3100** was read for the third time at length.

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

Aye: 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson, Coffee and Morgan.--3.

The bill passed.

**HB 3100** was properly signed and ordered returned to the Honorable House.

## **GENERAL ORDER**

**HB 3003** by Johnson (Rob) and Worthen of the House and Bingman and Branan of the Senate was called up for consideration.

Senator Bingman moved that **HB 3003** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 3003** was read for the third time at length.

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

Aye: 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson, Coffee and Morgan.--3.

The bill and emergency passed.

**HB 3003** was referred for engrossment.

### **GENERAL ORDER**

**HB 2763** by Cox of the House and Ford of the Senate was called up for consideration.

Senator Ford moved to amend **HB 2763**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Ford moved that **HB 2763** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2763** was read for the third time at length.

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

Aye: 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson, Coffee and Morgan.--3.

The bill and emergency passed.

**HB 2763** was referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bill:

**SB 1468**

The above-numbered measure was referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HCRs 1045 and 1074**.

**HCR 1045** – By Covey, Kiesel, BigHorse, Brannon, Brown, Hyman, Luttrell, McMullen, Pittman, Rousselot, Shoemake, Smithson and Walker of the House and Schulz of the Senate.

A Concurrent Resolution supporting the “25 by 25” initiative and the increased production of renewable energy by the agricultural community; and directing distribution.

**HCR 1074** – By Hoskin, 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, 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, Morrissette, 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, Wesselhoft, Winchester, Worthen and Wright of the House and Burrage of the Senate.

A Concurrent Resolution recognizing and congratulating Mr. Clem McSpadden on the occasion of his being presented the Chester A. Reynolds Memorial Award; expressing appreciation for his years of service to this state; and directing distribution.

The above-numbered measures were read the first time.

**GENERAL ORDER**

**HB 2238** by Schwartz of the House and Johnson (Mike) of the Senate was called up for consideration.

Senator Johnson (Mike) moved to amend **HB 2238**, Page 1, by striking the title, which amendment was declared adopted.

Senator Johnson (Mike) moved that **HB 2238** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2238** 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Morgan.--2.

The bill and emergency passed.

**HB 2238** was referred for engrossment.

### **GENERAL ORDER**

**HB 2247** by Shoemake et al of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger asked unanimous consent, which was granted, to suspend Senate Rule 13-4 as it pertains to **HB 2247**.

Senator Ballenger moved to amend **HB 2247**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2247** to the engrossed version of the bill.

Senator Ballenger moved that **HB 2247** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2247** 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 2247** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2725** by Winchester of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 2725** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2725** 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 2725** was referred for engrossment.

### **GENERAL ORDER**

**HB 3187** by DeWitt and Jett of the House and Justice of the Senate was called up for consideration.

Senator Rice asked to coauthor **HB 3187**, which was the order.

Senator Justice asked unanimous consent, which was granted, to suspend Senate Rule 13-4 as it pertains to **HB 3187**.

Senator Justice moved to amend **HB 3187**, Page 3, Line 1, by deleting after the word “beginning” and before the numeral “1” the word “June” and inserting “July”; Page 3, Line 2 by deleting after the word “ending” and before the word “of” the words “May 31” and inserting “June 30”; Page 3, Line 4 by deleting after the word “any” the words “oil producing seed or crop” and inserting “seed or crop grown primarily or mainly for oil”; and Page 14, Lines 5 & 6, by deleting after the word “fee” the words “of three cents (\$0.03) per hundredweight (CWT)” and inserting “to be determined by each oilseed subcommittee”, and by amending the title to conform.

Senator Justice asked that **HB 3187** be laid over temporarily, which was the order.

**HB 3187** remains on General Order pending consideration of the Justice amendment.

## **GENERAL ORDER**

**HB 3114** by Peterson (Ron) and Jett of the House and Mazzei of the Senate was called up for consideration.

Senator Mazzei moved that **HB 3114** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 3114** 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 3114** was referred for engrossment.

## GENERAL ORDER

**HB 2735** by Renegar et al of the House and Lerblance of the Senate was called up for consideration.

Senator Lerblance moved to amend **HB 2735**, Page 1, Line 13 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 29 O.S. 2001, Section 4-111, as amended by Section 3, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2007, Section 4-111), is amended to read as follows:

Section 4-111

§29-4-111. Fur dealer's license.

A. No person may buy, barter or deal in any fur or pelt of furbearers in this state without having first procured a license for such from the Director.

B. Fur dealers must provide advance notice of each and every place where such business is transacted. Such notice shall be to the Director in the manner prescribed by the Commission.

C. It shall be illegal and punishable under the provisions of this section, for anyone not having a current fur dealer's license to sell, barter or deal in any fur or pelt of furbearers in this state for shipment of said fur or pelt out of state without having obtained a current license and without reporting said sale to the Director.

D. The fee for a license under this section shall be ~~Twenty-five Dollars (\$25.00)~~ One Hundred Dollars (\$100.00) for residents or nonresidents. The fee for a license under this section for nonresidents who reside in a state which charges a fee for a fur dealer's license shall be equivalent to that state's nonresident fee. If no equivalent fee exists in a state where a nonresident resides, the fee for an Oklahoma nonresident fur dealer's license shall be Three Hundred Dollars (\$300.00).

E. All licenses issued pursuant to this section shall expire on June 30 of each year.

F. Any person convicted of violating the provisions of this section shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Lerblance moved that **HB 2735** be advanced, which motion was declared adopted.

## THIRD READING

**HB 2735** 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, Lerblance, Mazzei, Myers, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Leftwich.--1.

Excused: Morgan and Nichols.--2.

The bill and emergency passed.

**HB 2735** was referred for engrossment.

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 1178, 1389, 1410, 1546, 1734** and **1735**.

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

Advising passage of and returning the following Engrossed bills:

**SB 1506**

**SB 1554**

**SB 1648** - coauthored by Tibbs

The above-numbered measures were referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1820, 2778** and **2863**.

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

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

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

**SB 70** - remove Hyman and substitute Shoemake as principal House author and show Hyman as first coauthor and add the following House coauthors: Armes, DeWitt, Denney, Hickman, McNiell, Renegar, Richardson, Brannan, Cannaday, Hoskin, Kiesel and Smithson

**SB 539** - remove Liebmann and substitute Dorman as principal House author

**SB 1384**

**SB 1403** - coauthored by Jackson

**SB 1423**

**SB 1453**

**SB 1529**

**SB 1547**

**SB 1577** - remove Cox and substitute Derby as principal House author

**SB 1580**

**SB 1675** - coauthored by Pittman and Kern

**SB 1754** - coauthored by Jett and Reynolds

**SB 1766**

**SB 1794**

**SB 1795**

**SB 1841**

**SB 1855**

**SB 1859** - coauthored by Jett and Shoemake

**SB 1863**

**SB 1922**

**SB 1950** - coauthored by Reynolds and Tibbs

**SB 1992** - coauthored by Reynolds and Tibbs

**SB 1998** - coauthored by DeWitt, Hickman, Luttrell, McMullen, Collins, Brannon, Pruett and Smithson

**SB 2028**

**SB 2122**

**SB 2186** - coauthored by Johnson (Dennis), McDaniel (Randy), Rousselot and McAffrey

**SB 2194**

House amendments were read on the above-numbered bills.

**GENERAL ORDER**

**HB 2822** by Sullivan and Sherrer of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 2822** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2822** 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 2822** was referred for engrossment.

**GENERAL ORDER**

**HB 3193** by Denney and Sherrer of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 3193** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 3193** 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 3193** was properly signed and ordered returned to the Honorable House.

## **GENERAL ORDER**

**HB 3187** by DeWitt and Jett of the House and Justice of the Senate was called up for further consideration.

Senator Justice asked unanimous consent, which was granted, to amend his previous amendment to read as follows: Page 3, Lines 5 and 6, by deleting after the word “beginning” on Line 5 and before the numeral “1” on Line 6 the word “June” and inserting “July”; Page 3, Line 6 by deleting after the word “ending” and before the word “of” the words “May 31” and inserting “June 30”; Page 3, Line 9 by deleting after the word “any” the words “oil producing seed or crop” and inserting “seed or crop grown primarily or mainly for oil”; and Page 16, Lines 15 & 16, by deleting after the word “fee” the words “of three cents (\$0.03) per hundredweight (CWT)” and inserting “to be determined by each oilseed subcommittee”, and by amending the title to conform, which amendment was declared adopted.

Senator Justice moved that **HB 3187** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 3187** 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 3187** was referred for engrossment.

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, April 17, 2008, at 9:00 a.m., which motion prevailed.

Pursuant to the Laughlin motion, the Senate adjourned at 4:05 p.m. to meet Thursday, April 17, 2008, at 9:00 a.m.