

Senate Journal

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

Twelfth Legislative Day, Wednesday, February 18, 2009

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—46.

Excused: Mazzei and Rice.—2.

Senator Sykes declared a quorum present.

The prayer was offered by Pastor Tony Lambert, First Southern Baptist Church, Oklahoma City, the guest of Senator Russell.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SB 281, 585 and **903** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 48 by Anderson and Ellis of the Senate and Jackson of the House was called up for consideration.

Senators Gumm, Crain, Bingman, Leftwich, Stanislawski, Garrison, Sweeden, Lerblance, Newberry, Brown, Brogdon, Halligan, Ballenger, Easley, Justice, Branan, Reynolds, Barrington and Myers asked to coauthor **SB 48**, which was the order.

Senator Anderson moved that **SB 48** be advanced, which motion was declared adopted.

THIRD READING

SB 48 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Mazzei and Rice.--2.

The bill and emergency passed.

SB 48 was referred for engrossment.

INTRODUCTION

Senator Ivester introduced his son, Jackson, to the Senate. Senator Ivester moved that Jackson be named an Honorary Page for this legislative day, which was the order.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Adelson asked unanimous consent to refer **SR 8** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 8 by Adelson and Rice was called up for consideration.

Senators Sweeden, Johnson (Constance) and Easley asked to coauthor **SR 8**, which was the order.

SR 8 was adopted upon motion of Senator Adelson and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Johnson (Constance) asked unanimous consent to refer **SR 12** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 12 by Johnson (Constance) was called up for consideration.

SR 12 was adopted upon motion of Senator Johnson (Constance) and referred for enrollment.

GENERAL ORDER

SB 450 by Corn and Ellis of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved that **SB 450** be advanced, which motion was declared adopted.

THIRD READING

SB 450 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Ellis, Ford, Gumm, Halligan, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--37.

Nay: Adelson, Branan, Crutchfield, Easley, Eason McIntyre, Garrison and Johnson (C).--7.

Excused: Ivester, Mazzei, Rice and Wilson.--4.

The bill and emergency passed.

SB 450 was referred for engrossment.

GENERAL ORDER

SB 506 by Barrington of the Senate and Armes of the House was called up for consideration.

Senator Bass asked to coauthor **SB 506**, which was the order.

Senator Barrington moved to amend **SB 506**, Page 1, by striking the title, which amendment was declared adopted.

Senator Barrington moved that **SB 506** be advanced, which motion was declared adopted.

THIRD READING

SB 506 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, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Reynolds, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--35.

Nay: Adelson, Brogdon, Garrison, Laster, Lerblance, Paddack, Russell, Sweeden and Wilson.--9.

Excused: Coffee, Ivester, Mazzei and Rice.--4.

The bill passed.

SB 506 was referred for engrossment.

GENERAL ORDER

SB 478 by Jolley of the Senate and Peters of the House was called up for consideration.

Senator Johnson (Constance) asked to coauthor **SB 478**, which was the order.

Senator Jolley moved that **SB 478** be advanced, which motion was declared adopted.

THIRD READING

SB 478 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Ivester, Mazzei and Rice.--4.

The bill passed.

SB 478 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1004, 1059, 1065, 1079, 1080, 1467, 1491, 1791, 1865, 1999, 2055, 2148 and 2266.**

HB 1004 – By Morgan of the House and Coates of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 1850.2, as last amended by Section 1, Chapter 83, O.S.L. 2002 (59 O.S. Supp. 2008, Section 1850.2), which relates to the Mechanical Licensing Act; modifying definition; and providing an effective date.

HB 1059 – By Nations of the House and Nichols of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 328.31a, which relates to the State Dental Act; modifying requirements for use of trade names; directing the Board to promulgate rules; and providing an effective date.

HB 1065 – By Faught, Dank and Martin (Steve) of the House and Crain of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Sections 1-890.2, as amended by Section 1, Chapter 347, O.S.L. 2007 and 1-890.3 (63 O.S. Supp. 2008, Section 1-890.2), which relate to the Continuum of Care and Assisted Living Act; adding definition; requiring development of certain consumer guide; requiring results of certain inspections be posted on website; and providing an effective date.

HB 1079 – By Lamons of the House and Crain of the Senate.

An Act relating to consumer protection; amending Section 3, Chapter 107, O.S.L. 2007 (15 O.S. Supp. 2008, Section 776.22), which relates to the Anti-Caller ID Spoofing Act; adding certain definitions; making it unlawful to sell certain spoofing calling cards and services; providing penalties; providing for codification; and providing an effective date.

HB 1080 – By Glenn of the House and Wyrick of the Senate.

An Act relating to roads, bridges and ferries; designating the TSGT Jason Norton Memorial Bridge; providing for placement of permanent markers; providing for codification; and declaring an emergency.

HB 1467 – By Sanders, Jackson and Moore of the House and Barrington of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-200, as last amended by Section 2, Chapter 152, O.S.L. 2008 (70 O.S. Supp. 2008, Section 6-200), which relates to professional development institutes; authorizing institutes in mathematics for certain elementary grade teachers; providing an effective date; and declaring an emergency.

HB 1491 – By Wright (Harold) and DeWitt of the House and Anderson of the Senate.
(motor vehicles – amending 47 O.S., Section 156.1 – state-owned vehicles – effective date)

HB 1791 – By Hoskin, Inman, Christian, Wesselhoft, Luttrell, Sherrer, Reynolds, Martin (Scott) and Dank of the House and Ballenger of the Senate.
(soldiers and sailors – amending 72 O.S., Section 7 – veteran benefits – effective date)

HB 1865 – By Hickman, Sullivan, Terrill, Murphey, Sherrer and McMullen of the House and Anderson of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1288, which relates to the purchase of firearms by Oklahoma residents from contiguous states; deleting requirement that certain purchases be made in a state contiguous to Oklahoma; providing statutory references; and declaring an emergency.

HB 1999 – By Wright (Harold) of the House and Schulz of the Senate.

An Act relating to elections; amending 26 O.S. 2001, Section 8-114, as amended by Section 14, Chapter 545, O.S.L. 2004 (26 O.S. Supp. 2008, Section 8-114), which relates to certifications and contests; providing that the county election board have certain authority in recounts; and providing an effective date.

HB 2055 – By Thompson and McMullen of the House and Bingman of the Senate.

An Act relating to the Uniform Commercial Code; creating the Oil and Gas Owner's Sales Protection Act; providing definitions; granting a security interest to certain interest owners; providing for the nature, extent, and duration of an oil and gas security interest; providing for the perfection of an oil and gas security interest; providing for the continuation of an oil and gas security interest when commingled with other production; establishing priority of an oil and gas security interest over first purchasers and buyers;

making an oil and gas security interest a purchase money security interest; specifying the rights of an operator are not impaired in certain circumstances; making certain rights cumulative; providing for codification; and declaring an emergency.

HB 2148 – By Armes of the House and Anderson of the Senate.

An Act relating to cooperatives; creating the Uniform Limited Cooperative Association Act of 2009; providing short title; defining terms; making certain associations subject to modification or repeal of the Uniform Limited Cooperative Association Act of 2009; specifying the nature of a limited cooperative association; providing allowable purpose and duration of a limited cooperative association; providing powers; providing governing law; providing supplemental principals of law; providing for requirements of other laws; providing relation to restraint of trade and antitrust laws; authorizing the use of the term cooperative; providing requirements for the name of a limited cooperative association; providing for enforcement; providing procedure for authorization to use a name that is not available; providing for reservation of name; providing for effect of organic rules; providing for variances; requiring certain information to be maintained by a limited cooperative association; allowing a member to lend money to and transact other business with a limited cooperative association, subject to certain limitations; allowing for dual interests; requiring designated office and designated agent for service of process; providing procedure and requirements for change of designated office, agent for service of process, or address; providing procedure and requirements for resignation of agent for service of process; providing duties of agent for service of process; providing that the Secretary of State is agent for service of process in certain circumstances; providing procedure for service of process; providing when service is effected; requiring Secretary of State to maintain certain records regarding service of process; providing for service of process in any manner provided by law; requiring signing of certain records; providing for filing and signing of records pursuant to judicial order; providing requirements for records delivered to the Secretary of State; providing for certified copies; authorizing specification of effective time and delayed effective date; providing effective time and date if not specified; providing procedure and requirements for correcting filed records; providing when correction is effective; providing liability for filing of inaccurate information; providing procedure and requirements for obtaining certificate of good standing; requiring annual reports to the Secretary of State and specifying contents; providing time of delivery of annual report; providing procedure if annual report does not contain required information; providing procedure if a limited cooperative association fails to deliver an annual report; providing filing fee; providing requirements and procedure for formation of limited cooperative association; providing requirements for articles of organization; allowing additional provisions; providing for effective time and date; providing for statements of cancellation; providing for organizational meetings; providing for initial directors; providing requirements for bylaws; providing for amendment of organic rules and bylaws; providing that organic rules do not give members vested property right, unless otherwise provided in organic rules; providing procedure and requirements for amendment of organic rules; providing method of voting on amendment of organic rules; providing procedures if organic rules provide for voting by district or class; providing requirements for approval of amendments to the articles of organization; authorizing restated articles of organization; providing requirements for amendment or restatement of articles of organization; providing

for members; requiring minimum number of members; providing methods of becoming a member; providing that a member is not liable for debts, obligations, or other liability of a limited cooperative association; providing for right of member and former member to information; providing procedure for obtaining information; authorizing association to decline to provide certain information more than once during certain period of time; providing procedure for association to provide or decline to provide information; authorizing limited cooperative association to impose restrictions on use of information; authorizing association to charge fees for costs associated with providing the information; allowing organic rules to require provision of additional information; requiring annual meetings; allowing members to attend or conduct meetings through any means of communication under certain circumstances; providing for special meetings; providing for notice to members of meeting; requiring notice within certain time; requiring notice of purpose of special meeting; authorizing waiver of notice; providing for a quorum; providing for determination of voting power of patron member; providing for voting by investor members; providing voting requirements if association has both patron and investor members; providing manner of voting; prohibiting voting by proxy unless authorized by the organic rules of the association; authorizing organic rules to provide for voting by mail or other means; authorizing taking of action without meeting if members entitled to vote consent, subject to organic rules; authorizing organic rules to require that action be taken only at member meetings; authorizing organic rules to provide for formation of geographic districts of patron members; stating purposes; providing for voting power of a district delegate; authorizing the organic rules to provide for the establishment of classes of members; stating purposes; providing for voting power of a class delegate; providing interest of member in limited cooperative association; providing interest of patron and investor members; providing for transferability of interest; providing for creation of enforceable security interest in certain rights; prohibiting creation of enforceable security interest in certain right unless otherwise provided in the organic rules; authorizing the organic rules to provide for certain security interest; prohibiting member from compelling certain offset, subject to the organic rules providing otherwise; providing for charging orders for judgment creditor of a member or transferee; providing authority of the court; providing for extinguishment of charging order; authorizing the limited cooperative association or members not subject to the charging order to pay the judgment creditor; requiring certain consent; making charging order procedures the exclusive remedy of the judgment creditor of a member or transferee; providing for marketing contracts; providing for transfer of title under marketing contract; authorizing certain provisions in marketing contract; providing for provisions relating to marketing contract in organic rules; providing for duration of marketing contract; authorizing marketing contracts to be self-renewing; limiting initial duration and duration of renewal; providing for termination of marketing contract; providing remedies for breach of contract; providing for directors and officers; requiring a board of directors; providing for number of directors; providing for management of the association; authorizing adoption of policies and procedures; providing that being a director does not make an individual an agent for the association; providing that director is not liable for debt, obligation or other liability of association solely by reason of being a director; providing for qualifications of directors; providing for nonmember directors if provided for in the organic rules; providing for composition and election of the board of directors; authorizing appointment if a class of members consists of a single member;

prohibiting cumulative voting for directors, unless provided for in the organic rules; requiring member directors to be elected at annual members meeting, with exceptions; providing for term of director; providing for resignation of director; providing for removal of director; providing for suspension of director by the board; providing reasons for suspension; providing duration of suspension; providing for filling of vacancy on board of directors; providing for remuneration of directors and nondirector committee members; providing for meetings of board of directors; requiring annual meeting; authorizing meetings outside state; permitting directors to attend or conduct board meetings through use of any means of communication under certain circumstances; providing for taking of action by the board without a meeting, if each member consents in a record; providing for withdrawal of consent before a certain time; providing for scheduling of regular board meetings; requiring notice of special meetings within a certain time, unless otherwise provided in the organic rules; specifying contents of notice; limiting special meeting to matters contained in statement of purpose; providing for waiver of notice; providing for objections; providing for a quorum; providing for voting; providing for creation of committees; providing rights, duties, and obligations of committee members; providing for powers of a committee; prohibiting committees from taking certain actions; providing for standards of conduct and liability of directors and members of committees; providing for conflicts of interest; providing factors directors may consider in determining the best interests of a limited cooperative association; authorizing directors and members of committees to obtain, inspect and copy certain information; providing for officers of a limited cooperative association; providing for appointment or election of officers; providing for designation of officer for preparing records; providing for duties of officers; providing that election or appointment of officer does not create a contract between the association and the officer; authorizing holding of more than one office, subject to the organic rules; providing for removal and resignation of officers; providing for indemnification; providing for contributions, allocations and distributions; providing for establishment of certain contribution requirements; providing type of property that may be contributed; requiring certain information regarding contributions to be reflected in the records of the association; providing for determination of value of contribution; providing rules that apply to agreements to make contribution; allowing for agreement to provide otherwise; providing for allocations of profits and losses; providing for distributions to members; providing for redemption or repurchase of property distributed to members; providing restrictions on distributions; providing allowable distributions; providing for determination of effect of distribution; providing for indebtedness issued as distribution; limiting scope of distribution; providing liability for improper distributions; authorizing director against whom an action is commenced for improper distribution to implead others; providing statute of limitation on actions for improper distribution; providing exemption from securities law; providing for dissociation of a member; providing when dissociation is wrongful; providing liability of person who wrongfully dissociates; providing when member is dissociated from the association; providing effect of dissociation of a member; providing for rights of personal representative or other legal representative of member dissociated for certain reasons; providing for dissolution and winding up; providing for nonjudicial dissolution; providing for judicial dissolution; providing for voluntary dissolution before commencement of activity; providing procedure for voluntary dissolution by board of directors and members; providing for winding up of activities;

authorizing judicial supervision of winding up of the association; providing for appointment of person to wind up the activities of the association; requiring amendment to articles of organization to reflect appointment of person to wind up the activities of the association; providing for distribution of assets in winding up of business of the association; defining term; providing for disposition of known claims against dissolved association; providing for notification of known claimants; providing requirements for notice; providing when claims are barred; providing for other claims against dissolved association; providing for publication of notice; providing requirement of notice; providing for judicial proceeding; providing for notice of proceeding; authorizing court to appoint representative for claimants; providing that provision for security as ordered by the court satisfies the obligations of the association with respect to certain claims; providing for administrative dissolution by the Secretary of State; providing for reinstatement following administrative dissolution; providing when reinstatement becomes effective; providing procedure if Secretary of State denies reinstatement; authorizing appeal of the denial; providing for statement of dissolution; providing contents of statement of dissolution; providing for statement of termination; providing contents of statement of termination; authorizing members to maintain a derivative action in certain circumstances; requiring proper plaintiff; providing for determination of proper plaintiff; providing for substituting another plaintiff if original plaintiff dies while action is pending; requiring court approval to discontinue or settle a derivative action; providing for distribution of proceeds of derivative action; authorizing the court to award successful plaintiff reasonable expenses; providing for foreign cooperatives; providing governing law; authorizing foreign cooperatives to apply for certificate of authority; providing procedure; providing application requirements; providing activities that do not constitute transacting business in this state; providing for issuance of certificate of authority; requiring foreign cooperative that has noncomplying name to adopt alternative name; authorizing the Secretary of State to revoke certificate of authority of foreign cooperative under certain circumstances; providing procedure; providing procedure for cancellation of certificate of authority of foreign cooperative; providing effect of failure to have certificate of authority; providing that the Secretary of State is the agent for service of process if a foreign cooperative does not have a certificate of authority; providing for disposition of assets; providing that disposition of assets in the usual and regular course of business does not require member approval unless otherwise provided in the articles of organization; providing circumstances in which member approval is required; providing procedure for approval of disposition of assets; providing approval requirements; providing for variance by organic rules; authorizing amendment to disposition; specifying that voting requirements are applicable for approval of disposition of assets; providing for conversion and merger; defining terms; authorizing conversion under certain circumstances; requiring a plan of conversion; providing requirements for plan of conversion; providing procedure and requirements for action on plan of conversion; providing required filings for conversion; providing requirements for articles of conversion; providing requirements for articles of organization; providing when conversion becomes effective; providing effect of conversion; authorizing merger under certain circumstances; providing requirements and procedures for merger; providing for plan of merger; providing requirements for approval of plan of merger; providing for variance by organic rules; authorizing amendment to plan of merger; authorizing abandonment of planned merger; specifying that voting requirements are applicable to approval of merger; providing filings

required for merger; specifying contents of articles of merger; providing when merger becomes effective; providing effect of merger; authorizing consolidation; providing that all provisions governing merger apply to consolidation; providing for conversion or merger pursuant to other law; providing for uniformity of application and construction; providing relation to the Electronic Signatures in Global and National Commerce Act; providing savings clause; providing that the Uniform Limited Cooperative Association Act of 2009 is an amendment to, and alteration of, certain provisions of the Constitution of the State of Oklahoma; amending 18 O.S. 2001, Section 435, which relates to cooperatives; modifying permissibility of use of term cooperative; repealing Sections 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168 and 169, Chapter 382, O.S.L. 2008 (18 O.S. Supp. 2008, Sections 440-101, 440-102, 440-103, 440-104, 440-105, 440-106, 440-107, 440-108, 440-109, 440-110, 440-111, 440-112, 440-113, 440-114, 440-115, 440-116, 440-117, 440-118, 440-119, 440-120, 440-201, 440-202, 440-203, 440-204, 440-205, 440-206, 440-207, 440-208, 440-301, 440-302, 440-303, 440-304, 440-401, 440-402, 440-403, 440-404, 440-405, 440-406, 440-407, 440-501, 440-502, 440-503, 440-504, 440-505, 440-506, 440-507, 440-508, 440-509, 550-510, 440-511, 440-512, 440-513, 440-514, 440-515, 440-516, 440-517, 440-601, 440-602, 440-603, 440-604, 440-605, 440-701, 440-702, 440-703, 440-704, 440-801, 440-802, 440-803, 440-804, 440-805, 440-806, 440-807, 440-808, 440-809, 440-810, 440-811, 440-812, 440-813, 440-814, 440-815, 440-816, 440-817, 440-818, 440-819, 440-820, 440-821, 440-822, 440-823, 440-901, 440-1001, 440-1002, 440-1003, 440-1004, 440-1005, 440-1006, 440-1007, 440-1008, 440-1009, 440-1101, 440-1102, 440-1103, 440-1201, 440-1202, 440-1203, 440-1204, 440-1205, 440-1206, 440-1207, 440-1208, 440-1209, 440-1210, 440-1211, 440-1212, 440-1213, 440-1214, 440-1215, 440-1301, 440-1302, 440-1303, 440-1304, 440-1305, 440-1401, 440-1402, 440-1403, 440-1404, 440-1405, 440-1406, 440-1407, 440-1408, 440-1501, 440-1502, 440-1503, 440-1504, 440-1601, 440-1602, 440-1603, 440-1604, 440-1605, 440-1606, 440-1607, 440-1608, 440-1609, 440-1610, 440-1611, 440-1612, 440-1701, 440-1702, 440-1703 and 440-1704), which relate to the Uniform Limited Cooperative Association Act; repealing Section 170, Chapter 382, O.S.L. 2008, which relates to the use of the word “cooperative”; providing for codification; and providing an effective date.

HB 2266 – By Christian, Sullivan, Terrill and Wright (John) of the House and Reynolds of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 2002, as amended by Section 23, Chapter 460, O.S.L. 2002 (22 O.S. Supp. 2008, Section 2002), which relates to the Oklahoma Criminal Discovery Code; providing exception to certain disclosure requirement; and providing an effective date.

The above-numbered measures were read the first time.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

SB 592 – Withdrawn from Rules Committee and referred to Appropriations

SB 638 – Withdrawn from Rules Committee and referred to Energy and Environment

SB 956 – Withdrawn from Judiciary Committee and referred to Health and Human Services

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 19, 2009, 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:

SB 671 – General Government, coauthored by Wright (John) (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Nichols, Sweeden, Wilson

SB 684 – General Government, coauthored by Joyner (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Sweeden, Wilson

Nays: Nichols

SB 805 – General Government, remove Lamb and substitute Aldridge as principal Senate author, and coauthored by Liebmann (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Nichols, Sweeden, Wilson

SB 871 – General Government, coauthored by Johnson (Constance) of the Senate, and coauthored by Enns (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Johnson (Constance), Nichols, Sweeden, Wilson

SB 1150 – Public Safety and Homeland Security, coauthored by Thomsen (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis

Nays: Russell

SB 1160 – Public Safety and Homeland Security, coauthored by Terrill (principal House author)

Ayes: Barrington, Easley, Ellis, Halligan, Russell

Nays: Ballenger

DO PASS, As Amended:

SB 26 – Finance, coauthored by Ivester of the Senate, and coauthored by Enns (principal House author)

Ayes: Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Mazzei, Reynolds, Rice, Sparks, Stanislawski, Wilson

Nays: Adelson

CS for SB 278 – Tourism and Wildlife, coauthored by Jackson (principal House author)

Ayes: Anderson, Barrington, Eason McIntyre, Ellis, Ford, Garrison, Justice, Marlatt, Reynolds, Schulz, Sweeden

Nays: Paddack, Wyrick

SB 301 – Finance, coauthored by Thompson (principal House author)

Ayes: Adelson, Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Mazzei, Reynolds, Rice, Sparks, Stanislawski, Wilson

Nays: Nichols

SB 346 – Appropriations, coauthored by Ritze (principal House author)

Ayes: Anderson, Bass, Bingman, Brogdon, Corn, Crain, Crutchfield, Easley, Halligan, Johnson (Mike), Justice, Laster, Leftwich, Lerblance, Myers, Paddack, Reynolds, Stanislawski, Sykes, Wilson

SB 479 – Appropriations, remove Lamb and substitute Crain as principal Senate author, and coauthored by Lamb of the Senate, and coauthored by Jackson (principal House author)

Ayes: Anderson, Bass, Bingman, Brogdon, Crain, Ford, Gumm, Halligan, Johnson (Mike), Justice, Laster, Leftwich, Lerblance, Myers, Reynolds, Stanislawski, Sykes, Wilson

SB 576 – Business and Labor, coauthored by Thompson (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Leftwich, Newberry, Rice, Russell

SB 586 – Education, coauthored by Shumate (principal House author)

Ayes: Branan, Brown, Eason McIntyre, Ford, Halligan, Jolley, Paddack, Reynolds

Nays: Corn, Easley, Lerblance, Sparks, Stanislawski

SB 646 – Appropriations, coauthored by Mazzei and Brogdon of the Senate, and coauthored by Benge (principal House author)

Ayes: Anderson, Bass, Bingman, Brogdon, Coffee, Corn, Crain, Crutchfield, Ford, Gumm, Halligan, Johnson (Mike), Justice, Laster, Leftwich, Lerblance, Myers, Paddack, Reynolds, Stanislawski, Sykes, Wilson

CS for SB 676 – Education, coauthored by Coody (principal House author)

Ayes: Branan, Brown, Corn, Easley, Eason McIntyre, Ford, Halligan, Jolley, Lerblance, Paddack, Reynolds, Sparks, Stanislawski

SB 834 – Education, coauthored by Jones (principal House author)

Ayes: Branan, Brown, Ford, Halligan, Jolley, Reynolds, Stanislawski

Nays: Corn, Easley, Eason McIntyre, Lerblance, Paddack, Sparks

CS for SB 979 – Public Safety and Homeland Security, coauthored by Cox (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

CS for SB 1168 – Education, coauthored by Coody (principal House author)

Ayes: Branan, Brown, Corn, Easley, Eason McIntyre, Ford, Halligan, Jolley, Lerblance, Paddack, Reynolds, Sparks, Stanislawski

CS for SB 1185 – Public Safety and Homeland Security, coauthored by Easley of the Senate, and coauthored by Christian (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

CS for SB 1192 – Public Safety and Homeland Security, coauthored by Armes (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

CS for SB 1206 – Public Safety and Homeland Security, coauthored by Trebilcock (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

SJR 34 – Education, coauthored by Armes (principal House author)

Ayes: Branan, Brown, Corn, Easley, Eason McIntyre, Ford, Halligan, Jolley, Lerblance, Paddack, Reynolds, Sparks, Stanislawski

FAILED:

SB 838 – General Government

Ayes: Ballenger, Bass, Johnson (Constance), Sweeden, Wilson

Nays: Aldridge, Bingman, Crain, Johnson (Mike), Nichols

SB 1046 – Finance

Ayes: Ford, Gumm, Ivester, Mazzei, Sparks

Nays: Adelson, Aldridge, Crutchfield, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Stanislawski, Wilson

Pursuant to the Lamb motion, the Senate adjourned at 2:25 p.m. to meet Thursday, February 19, 2009, at 9:30 a.m.