

Senate Journal

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

Twentieth Legislative Day, Wednesday, March 4, 2009

The Senate was called to order by Senator Aldridge.

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, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—48.

Senator Aldridge declared a quorum present.

The prayer was offered by Dr. Everett Piper, First Wesleyan Church, Bartlesville, the guest of Senator Ford.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SR 16 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

SBs 38, 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, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 221, 223, 224, 225, 226, 227, 228, 229, 230, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 268, 394, 397, 401, 458, 496, 500, 572, 582, 655, 658, 670, 671, 695, 712, 736, 804, 841, 859, 889, 934, 980, 987, 1062, 1156,

1170 and **1231** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 602 by Bingman of the Senate and Martin (Steve) of the House was called up for consideration.

Senator Bingman moved that **SB 602** be advanced, which motion was declared adopted.

THIRD READING

SB 602 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, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski and Sykes.--39.

Nay: Crutchfield, Eason McIntyre, Johnson (C), Lerblance, Rice, Wilson and Wyrick.-7.

Excused: Gumm and Sweeden.--2.

The bill passed.

SB 602 was referred for engrossment.

GENERAL ORDER

SB 832 by Bingman of the Senate and Shannon of the House was called up for consideration.

Senator Branan asked to coauthor **SB 832**, which was the order.

Senator Bingman moved that **SB 832** be advanced, which motion was declared adopted.

THIRD READING

SB 832 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, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Gumm and Sweeden.--2.

The bill and emergency passed.

SB 832 was referred for engrossment.

GENERAL ORDER

SB 833 by Bingman of the Senate and Thompson of the House was called up for consideration.

Senators Bass and Garrison asked to coauthor **SB 833**, which was the order.

Senator Bingman moved that **SB 833** be advanced, which motion was declared adopted.

THIRD READING

SB 833 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Gumm and Sweeden.--2.

The bill passed.

SB 833 was referred for engrossment.

GENERAL ORDER

SB 335 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved that **SB 335** be advanced, which motion was declared adopted.

THIRD READING

SB 335 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Anderson, Gumm and Sweeden.--3.

The bill passed.

SB 335 was referred for engrossment.

GENERAL ORDER

SB 391 by Paddack of the Senate and Sullivan of the House was called up for consideration.

Senator Paddack moved that **SB 391** be advanced, which motion was declared adopted.

THIRD READING

SB 391 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Gumm and Sweeden.--2.

The bill passed.

SB 391 was referred for engrossment.

GENERAL ORDER

SB 1016 by Paddack of the Senate and Hickman of the House was called up for consideration.

Senators Ellis, Stanislawski, Mazzei and Ford asked to coauthor **SB 1016**, which was the order.

Senator Paddack moved that **SB 1016** be advanced, which motion was declared adopted.

THIRD READING

SB 1016 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, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Gumm and Sweeden.--3.

The bill passed.

SB 1016 was referred for engrossment.

GENERAL ORDER

SB 702 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved to amend **SB 702**, Page 4, Line 21 ½, by inserting a new Section 3 to read as follows:

“SECTION 3. AMENDATORY 21 O.S. 2001, Section 1111.1, as amended by Section 17, Chapter 261, O.S.L. 2007 (21 O.S. Supp. 2008, Section 1111.1), is amended to read as follows:

Section 1111.1 Rape by instrumentation is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is at least (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section, or where the victim is under the legal custody or supervision of a state, federal, county, municipal or political subdivision and engages in conduct prohibited by this section with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or political subdivision that exercises authority over the victim, consent shall not be an element of the crime. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Paddack moved that **SB 702** be advanced, which motion was declared adopted.

THIRD READING

SB 702 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Mazzei, Myers,

Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--40.

Nay: Eason McIntyre, Johnson (C), Laster, Lerblance and Wilson.--5.

Excused: Coffee, Gumm and Sweeden.--3.

The bill and emergency passed.

SB 702 was referred for engrossment.

GENERAL ORDER

SB 981 by Mazzei of the Senate and Hickman of the House was called up for consideration.

Senator Ivester asked to coauthor **SB 981**, which was the order.

Senator Mazzei moved that **SB 981** be advanced, which motion was declared adopted.

THIRD READING

SB 981 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Gumm and Sweeden.--2.

The bill passed.

Pursuant to Rule 12-21, Senator Jolley served notice that the vote be reconsidered whereby **SB 981** passed.

GENERAL ORDER

SB 318 by Mazzei et al of the Senate and Hickman of the House was called up for consideration.

Senator Mazzei moved to amend **SB 318**, Page 12, Line 9, by inserting after the second comma the language “and all subsequent fiscal years,” which amendment was declared adopted.

Senator Mazzei moved that **SB 318** be advanced, which motion was declared adopted.

THIRD READING

SB 318 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, Coffee, Corn, Crain, Easley, Ellis, Ford, Garrison, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Mazzei, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--38.

Nay: Coates, Crutchfield, Eason McIntyre, Halligan, Johnson (M), Lerblance, Myers and Wilson.--8.

Excused: Gumm and Sweeden.--2.

The bill and emergency passed.

SB 318 was referred for engrossment.

GENERAL ORDER

SB 748 by Jolley and Ford of the Senate and Jones of the House was called up for consideration.

Senator Jolley moved that **SB 748** be advanced, which motion was declared adopted.

THIRD READING

SB 748 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, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--26.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--20.

Excused: Gumm and Sweeden.--2.

The bill passed and the emergency failed.

Pursuant to Rule 12-21, Senator Jolley served notice that the vote be reconsidered whereby **SB 748** passed.

GENERAL ORDER

SB 738 by Coffee of the Senate and Bengel of the House was called up for consideration.

Senator Jolley asked to coauthor **SB 738**, which was the order.

Senator Jolley moved to amend **SB 738**, 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 Jolley moved that **SB 738** be advanced, which motion was declared adopted.

THIRD READING

SB 738 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Gumm and Sweeden.--2.

The bill passed.

SB 738 was referred for engrossment.

GENERAL ORDER

SJR 5 by Reynolds of the Senate and Dank of the House was called up for consideration.

Senator Reynolds moved to amend **SJR 5**, by striking the title, the enacting clause and the entire body of the resolution and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Reynolds moved that **SJR 5** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--26.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--20.

Excused: Gumm and Sweeden.--2.

THIRD READING

SJR 5 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--27.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--19.

Excused: Gumm and Sweeden.--2.

The resolution passed.

Pursuant to Rule 12-21, Senator Reynolds served notice that the vote be reconsidered whereby **SJR 5** passed.

GENERAL ORDER

SB 827 by Schulz of the Senate and Blackwell of the House was called up for consideration.

Senator Schulz moved that **SB 827** be advanced, which motion was declared adopted.

THIRD READING

SB 827 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, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Gumm, Mazzei, Rice and Sweeden.--4.

The bill and emergency passed.

SB 827 was referred for engrossment.

GENERAL ORDER

SB 971 by Sparks of the Senate and Schwartz of the House was called up for consideration.

Representative Nations asked to coauthor **SB 971**, which was the order.

Senator Sparks moved that **SB 971** be advanced, which motion was declared adopted.

THIRD READING

SB 971 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Eason McIntyre, Gumm, Mazzei, Rice and Sweeden.--5.

The bill and emergency passed.

SB 971 was referred for engrossment.

GENERAL ORDER

SB 288 by Wyrick of the Senate and Glenn of the House was called up for consideration.

Senator Wyrick moved that **SB 288** be advanced, which motion was declared adopted.

THIRD READING

SB 288 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, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Eason McIntyre, Gumm, Mazzei, Rice and Sweeden.--5.

The bill and emergency passed.

SB 288 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1021, 1026, 1048, 1057, 1081, 1130, 1297, 1322, 1362, 1371, 1424, 1450, 1520, 1569, 1618, 1627, 1641, 1784, 1826, 1837, 1842, 1866, 1871, 1873, 1882, 1897, 1958, 1959, 2026, 2032, 2040, 2078, 2080, 2092, 2161 and 2187** and **HJR 1005**.

HB 1021 – By Faught, Reynolds, Kern, Tibbs, Dank and Williams of the House and Newberry of the Senate.

An Act relating to the Compulsory Insurance Law; limiting recovery for damages or claims against insurer for liability for motor vehicle accidents in certain circumstances; providing exceptions; providing for who may assert limitation; providing for codification; and providing an effective date.

HB 1026 – By Wright (John), Nelson, Reynolds, Faught, Terrill, Kern, Sherrer, Moore, Holland and Sanders of the House and Crain of the Senate.

An Act relating to marriage and family; amending 43 O.S. 2001, Sections 1, 5, as last amended by Section 1, Chapter 313, O.S.L. 2008, 6, as amended by Section 3, Chapter 311, O.S.L. 2006 and 101 (43 O.S. Supp. 2008, Sections 5 and 6), which relate to marriage; providing for covenant marriages; defining term; specifying conditions and process; providing for designation of covenant marriages on marriage applications; specifying contents; clarifying and updating language; providing for declarations of intent to contract a covenant marriage; providing contents and attachments; requiring certain counseling; providing for construction of section; authorizing certain exemption; providing for compliance with other marriage laws not in conflict; providing for execution of a declaration of intent to designate an existing marriage as a covenant marriage; providing for procedures; providing for declaration and contents; specifying grounds for termination of a covenant marriage; providing for development and printing of the “Guide for Covenant Marriages” by the Administrative Director of the Courts; providing for contents; providing for codification; and providing effective dates.

HB 1048 – By Banz of the House and Aldridge of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Sections 3106, as last amended by Section 2, Chapter 82, O.S.L. 2008, 3113, as amended by Section 3, Chapter 82, O.S.L. 2008 and 3131, as amended by Section 17, Chapter 447, O.S.L. 2004 (68 O.S. Supp. 2008, Sections 3106, 3113 and 3131), which relate to the collection of delinquent taxes; modifying notice of sale; defining term; modifying certain time limit for resale return; and providing an effective date.

HB 1057 – By Glenn and Hoskin of the House and Wyrick of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 9-132, which relates to livestock auctions; increasing required amount for certain corporate surety bond or account; providing for designation of trustee; and providing an effective date.

HB 1081 – By Buck and Dorman of the House and Gumm of the Senate.
(elections - amending 26 O.S., Section 1-105 – candidates - effective date)

HB 1130 – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.
(appropriations - stating purpose - emergency)

HB 1297 – By Ownbey, Inman, Terrill and Shumate of the House and Crutchfield of the Senate.
(revenue and taxation - amending 68 O.S., Sections 1357.10, 1370, 1377 and 2701 - sales tax - effective date – emergency)

HB 1322 – By Reynolds and Faught of the House and Sykes of the Senate.
(officers - amending 51 O.S., Section 10 – vacancies – noncodification – effective date - ballot title - directing filing)

HB 1362 – By Cooksey of the House and Brogdon of the Senate.
An Act relating to marriage and family; amending 43 O.S. 2001, Section 5, as last amended by Section 1, Chapter 313, O.S.L. 2008 (43 O.S. Supp. 2008, Section 5), which relates to marriage license applications; prohibiting entities from requiring, requesting or using social security numbers for marriage license applications; and providing an effective date.

HB 1371 – By Smithson of the House and Corn of the Senate.
An Act relating to professions and occupations; amending 59 O.S. 2001, Section 1306, as last amended by Section 1, Chapter 135, O.S.L. 2006 (59 O.S. Supp. 2008, Section 1306), which relates to bail bondsmen; modifying requirement for release and return of deposit; and providing an effective date.

HB 1424 – By Proctor, Derby, Peterson and Tibbs of the House and Brogdon of the Senate.
An Act relating to zoning; amending 11 O.S. 2001, Sections 43-104 and 43-106, which relate to municipal zoning; providing for certain notice requirements; providing for payment of certain costs; amending 19 O.S. 2001, Sections 863.26, 865.66 and 866.29, which relate to city-county zoning; providing for certain notice requirements; providing for payment of certain costs; and providing an effective date.

HB 1450 – By McMullen and Dorman of the House and Justice of the Senate.
An Act relating to agriculture; creating an income tax credit for livestock auction operations that install certain equipment; providing amount of credit; providing for carryover; providing certain limitation; providing for codification; and providing an effective date.

HB 1520 – By Peterson and Kern of the House and Crain of the Senate.
An Act relating to marriage and family; defining term; establishing disclosure requirements for court experts in proceedings involving children; providing parties an

opportunity to object to the appointment of court experts in certain circumstances; providing for codification; and providing an effective date.

HB 1569 – By Schwartz, Sullivan, Ritze and Peterson of the House and Crain of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 725.1, 725.2, as amended by Section 5, Chapter 543, O.S.L. 2004 and 725.3 (59 O.S. Supp. 2008, Section 725.2), which relate to the designation of branch of healing arts; requiring certain letters or words to be appended to certain names; adding certain designations to be used; defining term; requiring certain written notice of certain license; authorizing certain rule-making authority to certain entities; requiring identification of type of license in certain advertisements; requiring certain documents to be included in certain advertisements; making certain acts unlawful; specifying violations and punishments; providing for separate offenses; requiring certain agencies to refer certain violations to the Attorney General; and providing an effective date.

HB 1618 – By Sullivan of the House and Jolley of the Senate.

An Act relating to banks and trust companies; amending 6 O.S. 2001, Section 201, as last amended by Section 1, Chapter 275, O.S.L. 2008 (6 O.S. Supp. 2008, Section 201), which relates to Banking Department organization and duties; providing for a main office location; amending 6 O.S. 2001, Section 422, which relates to electronic consumer banking facilities; requiring that certain persons file a registration statement and pay certain fees; eliminating requirement that certain entities provide nondiscriminatory access to certain facilities; eliminating authority for certain reciprocal agreements; amending 6 O.S. 2001, Section 709, which relates to shareholder rights to receive certain dividends; limiting right to receive dividends to certain circumstances; specifying dividends to be paid in the event of a bank or trust company liquidation; amending 8 O.S. 2001, Section 168, which relates to Perpetual Care Fund Act exceptions; removing certain entities from exception; amending 8 O.S. 2001, Section 302, which relates to Cemetery Merchandise Trust Act definitions; modifying definitions; amending 8 O.S. 2001, Section 303, which relates to permit requirements for certain cemetery contracts; requiring approval of Banking Commissioner and payment of fees for certain transactions; allowing use of surety bonds for certain transactions; amending 8 O.S. 2001, Section 304, as amended by Section 27, Chapter 57, O.S.L. 2003 (8 O.S. Supp. 2008, Section 304), which relates to contract requirements of Cemetery Merchandise Trust Act; providing certain requirements on the sale of the opening or closing of burial spaces; amending 8 O.S. 2001, Section 307, which relates to surety bonds as alternative to trust requirements in Cemetery Merchandise Trust Act; providing restrictions on use of surety bonds; providing an effective date; and declaring an emergency.

HB 1627 – By Pittman, Sherrer and Wright (John) of the House and Crain, Johnson (Constance) and Eason McIntyre of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-1939, as amended by Section 2, Chapter 429, O.S.L. 2003 (63 O.S. Supp. 2008, Section 1-1939), which relates to the Nursing Home Care Act; requiring certain acts be reported

immediately; providing for preservation of the crime scene; providing for certain examination; and providing an effective date.

HB 1641 – By Inman, Kiesel and Shumate of the House and Ivester of the Senate.

An Act relating to trusts; providing for the validity of a certain trust; providing for liberal construction of certain trust; providing for admissibility of evidence to prove intent of transferor; providing for court appointment of trustee in certain circumstance; providing for payment of certain fees and expenses; requiring certain care of animal; allowing employment of certain individuals; providing for enforcement of trust; requiring accounting; providing exception; providing for transfer of certain unexpended trust property; providing for codification; and providing an effective date.

HB 1784 – By Tibbs of the House and Barrington of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 2-143, as amended by Section 7, Chapter 461, O.S.L. 2003 (47 O.S. Supp. 2008, Section 2-143), which relates to the Department of Public Safety Patrol Vehicle Revolving Fund; clarifying purpose of revolving fund; amending 47 O.S. 2001, Section 6-117, as last amended by Section 10, Chapter 326, O.S.L. 2007 (47 O.S. Supp. 2008, Section 6-117), which relates to records and reports maintained by the Department of Public Safety; increasing fee amount for collision reports; directing the deposit of collision report fees into certain revolving funds; providing format for the issuance of Motor Vehicle Reports; prohibiting the issuance of Motor Vehicle Reports to certain persons or entities; providing for the remittance of Motor Vehicle Report fees into certain revolving funds; providing for the adoption of rules for certain notification; deleting requirement that certain monies be remitted to the State Treasurer; and providing an effective date.

HB 1826 – By Johnson, Sullivan, Kern and Dorman of the House and Sykes of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 24-105, which relates to clubs, fraternities, and sororities; requiring schools to adopt policies and procedures to annually notify parents or guardians about school clubs and organizations; listing notification method and content; providing for supplemental notification; requiring policies to have a means for parents or guardians to withhold permission; limiting application of policy; providing parents or guardians are responsible for preventing student from participating if permission is withheld; providing parents or guardians are responsible for retrieving student from attendance if permission is withheld; providing definitions; and providing an effective date.

HB 1837 – By Hamilton, Shelton and Shumate of the House and Eason McIntyre of the Senate.

(schools - Oklahoma Commission for Teacher Preparation - Inner City Schools Rescue program – codification - effective date – emergency)

HB 1842 – By Duncan, McDaniel (Randy), Faught and McDaniel (Jeannie) of the House and Sykes of the Senate.

An Act relating to professions and occupations; creating the Oklahoma Licensed Interpreter Act; defining terms; creating the Oklahoma Board of Licensed Interpreters for the Deaf and Hard-of-Hearing; providing for membership, qualifications, and terms of office for the Board; providing for powers and duties of the Board; providing for investigators of the Board; providing for meetings and notice of meetings of the Board; providing licensure requirements; providing for reinstatement of suspended license; providing for renewal of license; defining practice of interpreting; providing for exceptions; providing for disciplinary actions; providing for inability to practice in certain circumstances; providing for reporting of certain information; providing for good Samaritan application; providing for citations and fines; creating the Oklahoma Licensed Interpreters for the Deaf and Hard-of-Hearing Fund; providing for confidentiality of certain information; providing for codification; and providing an effective date.

HB 1866 – By Hickman of the House and Anderson of the Senate.

An Act relating to court costs; amending 28 O.S. 2001, Section 153, as last amended by Section 21, Chapter 3, O.S.L. 2008 (28 O.S. Supp. 2008, Section 153), which relates to costs in criminal cases; reducing amount of certain court costs; adding new categories of court costs for certain convictions; amending 47 O.S. 2001, Section 12-417, as last amended by Section 10, Chapter 190, O.S.L. 2005 (47 O.S. Supp. 2008, Section 12-417), which relates to the Oklahoma Mandatory Seat Belt Use Act; modifying penalty; and providing an effective date.

HB 1871 – By Hickman of the House and Brown of the Senate.

An Act relating to public lands; amending 64 O.S. 2001, Section 51, which relates to the investment of school funds; modifying provisions related to investment of permanent school fund; providing for investment in accordance with requirements of the Oklahoma Constitution; modifying provisions related to investment advisers; providing an effective date; and declaring an emergency.

HB 1873 – By Sears, Hickman, McMullen and Faught of the House and Justice of the Senate.

An Act relating to trespass; amending Section 4, Chapter 268, O.S.L. 2006, as amended by Section 1, Chapter 85, O.S.L. 2008 (21 O.S. Supp. 2008, Section 1835.2), which relates to trespass on lands primarily devoted to farming, ranching or forestry purposes; modifying penalties; amending Section 2, Chapter 63, O.S.L. 2008 (29 O.S. Supp. 2008, Section 7-209), which relates to trespass on lands licensed pursuant to the Oklahoma Farmed Cervidae Act or commercial hunting areas; modifying penalty for first offense; and providing an effective date.

HB 1882 – By Jordan, Kern and Shumate of the House and Schulz of the Senate.

An Act relating to schools; amending Section 2, Chapter 368, O.S.L. 2007 (70 O.S. Supp. 2008, Section 3241.1), which relates to higher education instructional materials; deleting certain findings; modifying definitions; adding definitions; modifying requirement

to submit a list of revisions to instructional materials; providing an effective date; and declaring an emergency.

HB 1897 – By Cox and Ritze of the House and Ford of the Senate.

An Act relating to professions and occupations; creating the Allied Professional Peer Assistance Program; stating purpose; providing for powers and duties of the Board; providing for fees; providing for placement of funds; providing for records and management; providing for immunity; providing for suspension of license; requiring certain information to be confidential; defining terms; amending 59 O.S. 2001, Sections 493.2, as last amended by Section 4, Chapter 523, O.S.L. 2004, 493.3, 506, 509, as amended by Section 9, Chapter 523, O.S.L. 2004, 509.1, as last amended by Section 10, Chapter 523, O.S.L. 2004 and 3006 (59 O.S. Supp. 2008, Sections 493.2, 509 and 509.1), which relate to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act and the Orthotics and Prosthetics Practice Act; modifying the requirements of licensure for certain persons; modifying requirements for issuance of certain license; modifying authority for suspension of license; modifying definition of unprofessional conduct; modifying disciplinary actions; authorizing Board to issue temporary license; providing for codification; providing an effective date; and declaring an emergency.

HB 1958 – By Benge of the House and Anderson of the Senate.

An Act relating to civil procedure; creating the Civil Justice Reform Act of 2009; providing for noncodification; and providing an effective date.

HB 1959 – By Benge of the House and Anderson of the Senate.

An Act relating to attorneys and the state bar; amending 5 O.S. 2001, Section 7, which relates to contingency fees; clarifying language; and providing an effective date.

HB 2026 – By Steele, McAffrey, Walker, Faught and Shumate of the House and Crain of the Senate.

(public health - Health Care for Oklahomans Act - amending 56 O.S., Section 1010.1 – Medicaid – codification - effective dates)

HB 2032 – By Steele, Sherrer, McAffrey, Kern, Pittman and Wright (Harold) of the House and Justice of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 601.6, as last amended by Section 1, Chapter 293, O.S.L. 2008 (10 O.S. Supp. 2008, Section 601.6), which relates to the Office of Juvenile System Oversight; specifying type of monitoring to be performed by the Office; modifying number of unannounced inspections of certain facilities; modifying certain duty of the Office; and providing an effective date.

HB 2040 – By Steele and Shelton of the House and Laster of the Senate.

An Act relating to public health and safety; authorizing the State Commissioner of Health to issue certain order in certain circumstances; specifying purpose; providing for certain notice and hearing; providing for immunity from liability for certain persons; providing for codification; and providing an effective date.

HB 2078 – By Wesselhoft of the House and Stanislawski of the Senate.

An Act relating to appropriations; making appropriation to Employment Security Administration Fund; specifying amount and purposes of appropriation; requiring expenditure by certain date; requiring certain federal standards; requiring compliance with Social Security Act; and providing an effective date.

HB 2080 – By Wesselhoft, Reynolds, Morrisette and Johnson of the House and Sykes of the Senate.

An Act relating to gangs; amending 21 O.S. 2001, Section 856, which relates to contributing to the delinquency of minors; making certain acts unlawful; providing penalties; defining terms; and providing an effective date.

HB 2092 – By Kirby and Roan of the House and Anderson of the Senate.

An Act relating to torts; amending 76 O.S. 2001, Section 5A, as amended by Section 1, Chapter 127, O.S.L. 2004 (76 O.S. Supp. 2008, Section 5A), which relates to immunity from civil liability for medical care or treatment by use of an automated external defibrillator; modifying exemption from civil liability for good-faith use of automated external defibrillators; modifying qualifications for immunity; modifying definitions; and providing an effective date.

HB 2161 – By Kern, Reynolds and Enns of the House and Stanislawski of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 5-117, as last amended by Section 6, Chapter 472, O.S.L. 2005 (70 O.S. Supp. 2008, Section 5-117), which relates to the powers and duties of a board of education; and prohibiting certain speakers from speaking at certain teacher meetings for political purposes.

HB 2187 – By Nelson, Johnson and Reynolds of the House and Aldridge of the Senate.

An Act relating to state officials; amending 21 O.S. 2001, Section 360, which relates to crimes against state property and revenue; prohibiting certain persons from soliciting licensees regarding legislation; providing exception; and providing an effective date.

HJR 1005 – By Lamons and Sullivan of the House and Adelson of the Senate.

A Joint Resolution relating to human services; authorizing the sale of the Laura Dester property in Tulsa County; describing the property; specifying contingency for sale; directing the transfer of sale proceeds to certain funds; and providing an effective date.

The above-numbered measures were read the first time.

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

*

The Senate reconvened with Senator Bingman presiding.

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

INTRODUCTION

Senator Newberry introduced his daughter, Claire, to the Senate. Senator Newberry asked unanimous consent, which was granted, that Claire be named an Honorary Page for this legislative day.

GENERAL ORDER

SB 741 by Jolley of the Senate and Trebilcock of the House was called up for consideration.

Senator Jolley moved that **SB 741** be advanced, which motion was declared adopted.

THIRD READING

SB 741 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, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Gumm, Mazzei and Sweeden.--4.

The bill passed.

SB 741 was referred for engrossment.

GENERAL ORDER

SB 1132 by Anderson of the Senate and Sherrer of the House was called up for consideration.

Senator Ivester asked to coauthor **SB 1132**, which was the order.

Senator Anderson moved to amend **SB 1132**, 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 Anderson moved that **SB 1132** be advanced, which motion was declared adopted.

THIRD READING

SB 1132 was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Schulz, Sparks, Stanislawski, Wilson and Wyrick.--38.

Nay: Aldridge, Bass, Brogdon, Nichols, Reynolds, Russell and Sykes.--7.

Excused: Gumm, Mazzei and Sweeden.--3.

The bill passed.

SB 1132 was referred for engrossment.

GENERAL ORDER

SB 857 by Ballenger of the Senate and Jackson of the House was called up for consideration.

Senator Ballenger moved that **SB 857** be advanced, which motion was declared adopted.

THIRD READING

SB 857 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, Crain, Crutchfield, Easley, Eason McIntyre,

Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Corn, Leftwich, Mazzei, Reynolds and Sweeden.--5.

The bill and emergency passed.

SB 857 was referred for engrossment.

GENERAL ORDER

SB 509 by Ford and Corn of the Senate and Coody of the House was called up for consideration.

Senator Marlatt asked to coauthor **SB 509**, which was the order.

Senator Ford moved that **SB 509** be advanced, which motion was declared adopted.

THIRD READING

SB 509 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Corn, Leftwich, Mazzei, Reynolds and Sweeden.--5.

The bill and emergency passed.

SB 509 was referred for engrossment.

GENERAL ORDER

SB 1031 by Sparks of the Senate and Schwartz of the House was called up for consideration.

Senator Sparks moved that **SB 1031** be advanced, which motion was declared adopted.

THIRD READING

SB 1031 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Corn, Leftwich, Mazzei, Reynolds and Sweeden.--5.

The bill and emergency passed.

SB 1031 was referred for engrossment.

GENERAL ORDER

SB 1168 by Ford of the Senate and Coody of the House was called up for consideration.

Senator Ford moved to amend **SB 1168**, Page 3, Line 5, by inserting after the period the language "The Chair of the House Committee on Common Education shall serve as vice-chair of the task force.", and by amending the title to conform, which amendment was declared adopted.

Senator Ford moved that **SB 1168** be advanced, which motion was declared adopted.

THIRD READING

SB 1168 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Corn, Leftwich, Mazzei and Sweeden.--4.

The bill and emergency passed.

SB 1168 was referred for engrossment.

GENERAL ORDER

SB 886 by Stanislawski and Gumm of the Senate and Jordan of the House was called up for consideration.

Senator Stanislawski moved to amend **SB 886**, Page 2, Line 1, by restoring all stricken language; Page 2, Line 2, by restoring the stricken word “years”; and Page 2, Line 2, by inserting after the stricken word “thirteen (13)” and before the restored word “years” the word “eighteen (18)”, which amendment was declared adopted.

Senator Stanislawski moved that **SB 886** be advanced, which motion was declared adopted.

THIRD READING

SB 886 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Corn, Leftwich, Mazzei and Sweeden.--5.

The bill and emergency passed.

SB 886 was referred for engrossment.

GENERAL ORDER

SB 564 by Wyrick of the Senate and Glenn of the House was called up for consideration.

Senator Wyrick moved that **SB 564** be advanced, which motion was declared adopted.

THIRD READING

SB 564 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, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Coffee, Mazzei and Sweeden.--3.

The bill passed.

SB 564 was referred for engrossment.

GENERAL ORDER

SB 1065 by Wyrick of the Senate and Cox of the House was called up for consideration.

Senator Garrison asked to coauthor **SB 1065**, which was the order.

Senator Wyrick moved to amend **SB 1065**, 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 Wyrick moved that **SB 1065** be advanced, which motion was declared adopted.

THIRD READING

SB 1065 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, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Mazzei, Reynolds and Sweeden.--3.

The bill and emergency passed.

SB 1065 was referred for engrossment.

GENERAL ORDER

SB 989 by Anderson of the Senate and Enns of the House was called up for consideration.

Senator Anderson moved that **SB 989** be advanced, which motion was declared adopted.

THIRD READING

SB 989 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Mazzei and Sweeden.--2.

The bill passed.

SB 989 was referred for engrossment.

GENERAL ORDER

SB 1147 by Gumm of the Senate and Dorman of the House was called up for consideration.

Senator Gumm moved to amend **SB 1147**, 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 Gumm asked unanimous consent, which was granted, to amend the floor substitute to **SB 1147**, Page 1, by restoring the title.

Senator Gumm moved that **SB 1147** be advanced, which motion was declared adopted.

THIRD READING

SB 1147 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--46.

Excused: Mazzei and Sweeden.--2.

The bill passed.

SB 1147 was referred for engrossment.

Senator Sykes presiding.

GENERAL ORDER

SJR 13 by Brogdon of the Senate and Terrill of the House was called up for consideration.

Senator Adelson moved to amend **SJR 13**, Page 1, Line 17, by deleting after the word “and” and before the word “per” the word “eight” and inserting in lieu thereof the word “five”; Page 1, Line 18, by deleting after the word “and” and before the word “per” the word “fifteen” and inserting in lieu thereof the word “ten”; and by amending the ballot title to conform”, which amendment was declared adopted.

Senator Brogdon moved that **SJR 13** be advanced, which motion was declared adopted.

THIRD READING

SJR 13 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, 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, Sykes, Wilson and Wyrick.--44.

Excused: Eason McIntyre, Mazzei, Rice and Sweeden.--4.

The resolution passed.

SJR 13 was referred for engrossment.

Senator Bingman presiding.

GENERAL ORDER

SJR 11 by Brogdon of the Senate and Dank of the House was called up for consideration.

Senators Jolley and Newberry asked to coauthor **SJR 11**, which was the order.

Senator Brogdon moved that **SJR 11** be advanced, which motion was declared adopted.

THIRD READING

SJR 11 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Eason McIntyre, Mazzei and Sweeden.--3.

The resolution passed.

SJR 11 was referred for engrossment.

GENERAL ORDER

SB 539 by Reynolds of the Senate and Tibbs of the House was called up for consideration.

Senator Reynolds moved that **SB 539** be advanced, which motion was declared adopted.

THIRD READING

SB 539 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--45.

Excused: Eason McIntyre, Mazzei and Sweeden.--3.

The bill and emergency passed.

SB 539 was referred for engrossment.

GENERAL ORDER

SJR 10 by Brogdon of the Senate and Key of the House was called up for consideration.

Senator Newberry asked to coauthor **SJR 10**, which was the order.

Senator Brogdon moved that **SJR 10** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coffee, Crain, Ford, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Burrage, Coates, Corn, Crutchfield, Easley, Ellis, Garrison, Gumm, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--19.

Excused: Bass, Eason McIntyre, Mazzei and Sweeden.--4.

THIRD READING

SJR 10 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coffee, Crain, Ford, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Burrage, Corn, Crutchfield, Easley, Garrison, Gumm, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Wilson and Wyrick.--17.

Excused: Bass, Coates, Eason McIntyre, Ellis, Mazzei and Sweeden.--6.

The resolution passed.

SJR 10 was referred for engrossment.

GENERAL ORDER

SB 409 by Johnson (Mike) of the Senate and Jackson of the House was called up for consideration.

Senator Johnson (Mike) moved that **SB 409** be advanced, which motion was declared adopted.

THIRD READING

SB 409 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, Bingman, Branan, Brogdon, Brown, Burrage, Coffee, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich,

Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--43.

Excused: Bass, Coates, Eason McIntyre, Mazzei and Sweeden.--5.

The bill passed.

SB 409 was referred for engrossment.

GENERAL ORDER

SB 546 by Halligan of the Senate and Williams of the House was called up for consideration.

Senator Halligan moved to amend **SB 546**, Page 1, by striking the title, which amendment was declared adopted.

Senator Halligan moved that **SB 546** be advanced, which motion was declared adopted.

THIRD READING

SB 546 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, Bingman, Branan, Brogdon, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Bass, Coates, Coffee, Eason McIntyre, Mazzei and Sweeden.--6.

The bill passed.

SB 546 was referred for engrossment.

GENERAL ORDER

SB 277 by Schulz of the Senate and Armes of the House was called up for consideration.

Senator Schulz moved that **SB 277** be advanced, which motion was declared adopted.

THIRD READING

SB 277 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, Bingman, Branan, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Bass, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei and Sweeden.--7.

The bill passed.

SB 277 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Corn asked unanimous consent to refer **SR 10** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 10 by Corn was called up for consideration.

SR 10 was adopted upon motion of Senator Corn and referred for enrollment.

GENERAL ORDER

SB 749 by Jolley and Stanislawski of the Senate and Cooksey of the House was called up for consideration.

Senator Jolley asked unanimous consent, which was granted, to amend **SB 749**, Page 1, by restoring the title.

Senator Jolley moved that **SB 749** be advanced, which motion was declared adopted.

THIRD READING

SB 749 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, Bingman, Branan, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Bass, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei and Sweeden.--7.

The bill passed.

SB 749 was referred for engrossment.

GENERAL ORDER

SB 1127 by Jolley of the Senate and Duncan of the House was called up for consideration.

Representative Pittman asked to coauthor **SB 1127**, which was the order.

Senator Jolley moved that **SB 1127** be advanced, which motion was declared adopted.

THIRD READING

SB 1127 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, Bingman, Branan, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Bass, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei and Sweeden.--7.

The bill passed.

SB 1127 was referred for engrossment.

GENERAL ORDER

SB 1234 by Jolley of the Senate and Cooksey of the House was called up for consideration.

Senator Jolley moved that **SB 1234** be advanced, which motion was declared adopted.

THIRD READING

SB 1234 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, Bingman, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--39.

Excused: Bass, Branam, Brogdon, Coates, Coffee, Eason McIntyre, Gumm, Mazzei and Sweeden.--9.

The bill passed.

SB 1234 was referred for engrossment.

GENERAL ORDER

SB 828 by Marlatt and Branam of the Senate and Blackwell of the House was called up for consideration.

Senators Garrison, Johnson (Constance) and Burrage asked to coauthor **SB 828**, which was the order.

Senator Marlatt moved that **SB 828** be advanced, which motion was declared adopted.

THIRD READING

SB 828 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, Bingman, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--39.

Excused: Bass, Branan, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei, Sweeden and Wilson.--9.

The bill and emergency passed.

SB 828 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Justice moved to reconsider the vote whereby **SB 635** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--39.

Excused: Bass, Branan, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei, Sweeden and Wilson.--9.

THIRD READING

SB 635 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, Bingman, Branan, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--40.

Excused: Bass, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei, Sweeden and Wilson.--8.

The bill and emergency passed.

SB 635 was referred for engrossment.

GENERAL ORDER

SJR 34 by Marlatt of the Senate and Armes of the House was called up for consideration.

Senator Marlatt moved that **SJR 34** be advanced, which motion was declared adopted.

THIRD READING

SJR 34 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, Bingman, Branan, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--40.

Excused: Bass, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei, Sweeden and Wilson.--8.

The resolution passed.

SJR 34 was referred for engrossment.

GENERAL ORDER

SB 1184 by Marlatt of the Senate and Thompson of the House was called up for consideration.

Senator Marlatt moved that **SB 1184** be advanced, which motion was declared adopted.

THIRD READING

SB 1184 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, Barrington, Bingman, Branan, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--39.

Nay: Ballenger.--1.

Excused: Bass, Brogdon, Coates, Coffee, Eason McIntyre, Mazzei, Sweeden and Wilson.--8.

The bill passed.

SB 1184 was referred for engrossment.

EXECUTIVE NOMINATION

The following executive nomination was read and referred to committee as indicated:

Benbrook, Bruce, Woodward, as a member of the Transportation Commission -
Transportation

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 5, 2009, at 9:00 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 18 – By Brogdon.

A Resolution memorializing Congress to pass legislation to protect American citizens against potential losses due to recent increases in the money supply by restoring gold and silver money in accordance with the Constitution; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 4:30 p.m. to meet Thursday, March 5, 2009, at 9:00 a.m.