

Senate Journal

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

Twenty-fourth Legislative Day, Wednesday, March 11, 2009

The Senate was called to order by Senator Brogdon.

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, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—47.

Excused: Russell.—1.

Senator Brogdon declared a quorum present.

The prayer was offered by Reverend Wally Johnson, First Presbyterian Church, Sapulpa, the guest of Senator Bingman.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 4, 283, 313, 378, 384, 411, 428, 479, 486, 503, 533, 536, 541, 571, 586, 588, 597, 605, 609, 610, 615, 643, 645, 646, 665, 692, 748, 760, 820, 831, 834, 844, 888, 894, 899, 901, 904, 909, 920, 932, 938, 956, 957, 991, 1022, 1033, 1047, 1103, 1111, 1119, 1120, 1125, 1137, 1167, 1185, 1206 and 1242 and SJRs 6, 25, 27 and 35 and SCR 8 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 380 by Laster of the Senate and Lamons of the House was called up for consideration.

Senator Laster moved that **SB 380** be advanced, which motion was declared adopted.

THIRD READING

SB 380 was read for the third time at length.

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

Aye: Adelson, Ballenger, Bass, Bingman, Branan, Brown, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Mazzei, Newberry, Sparks, Stanislawski, Wilson and Wyrick.--29.

Nay: Barrington, Brogdon, Crain, Garrison, Johnson (M), Marlatt, Myers, Reynolds, Schulz and Sykes.--10.

Excused: Aldridge, Anderson, Coates, Coffee, Nichols, Paddack, Rice, Russell and Sweeden.--9.

The bill passed.

Senators Crain, Myers, Marlatt and Barrington desired to vote Aye and Senator Brown desired to vote Nay on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 7; Excused: 9.

The emergency passed.

SB 380 was referred for engrossment.

GENERAL ORDER

SB 1088 by Newberry of the Senate and Jordan of the House was called up for consideration.

Senator Newberry moved to amend **SB 1088**, Page 8, Line 13, by inserting after the word "Statutes" and before the period the words "; provided, no tax credits transferred pursuant to this subsection shall be used to reduce the amount of insurance premium tax revenue apportioned to the Oklahoma Firefighters Pension and Retirement System, the Oklahoma Police Pension and Retirement System or the Oklahoma Law Enforcement Retirement System".

Senator Newberry moved to amend the previous amendment to **SB 1088**, 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 Newberry pressed adoption of his previous amendment as amended, which amendment was declared adopted.

Senator Newberry moved that **SB 1088** be advanced, which motion was declared adopted.

THIRD READING

SB 1088 was read for the third time at length.

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

Aye: Adelson, Ballenger, Barrington, Bass, Bingman, Burrage, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Sparks, Stanislawski, Wilson and Wyrick.--34.

Nay: Brogdon, Brown, Ivester, Johnson (M), Schulz and Sykes.--6.

Excused: Aldridge, Anderson, Branan, Coates, Coffee, Paddack, Russell and Sweeden.--8.

The bill passed.

SB 1088 was referred for engrossment.

GENERAL ORDER

SB 929 by Halligan of the Senate and Denney of the House was called up for consideration.

Representative Williams asked to coauthor **SB 929**, which was the order.

Senator Halligan moved to amend **SB 929**, 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 Halligan moved that **SB 929** be advanced, which motion was declared adopted.

THIRD READING

SB 929 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, Ballenger, Barrington, Bass, Bingman, Burrage, 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, Reynolds, Rice, Sparks, Stanislawski, Wilson and Wyrick.--36.

Nay: Brogdon, Brown, Schulz and Sykes.--4.

Excused: Aldridge, Anderson, Branan, Coates, Coffee, Paddack, Russell and Sweeden.--8.

The bill and emergency passed.

SB 929 was referred for engrossment.

GENERAL ORDER

SB 891 by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved that **SB 891** be advanced, which motion was declared adopted.

THIRD READING

SB 891 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, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Aldridge, Anderson, Coates, Coffee, Paddack, Russell and Sweeden.--7.

The bill and emergency passed.

SB 891 was referred for engrossment.

GENERAL ORDER

SB 218 by Johnson (Mike) and Myers of the Senate and Miller and Martin (Scott) of the House was called up for consideration.

Senator Johnson (Mike) moved to amend **SB 218**, Page 1, by striking the title, which motion was declared adopted.

Senator Johnson (Mike) moved that **SB 218** be advanced, which motion was declared adopted.

THIRD READING

SB 218 was read for the third time at length.

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

Aye: Adelson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Aldridge, Anderson, Coates, Coffee, Paddack, Russell and Sweeden.--7.

The bill passed.

SB 218 was referred for engrossment.

GENERAL ORDER

SB 219 by Johnson (Mike) and Myers of the Senate and Miller and Martin (Scott) of the House was called up for consideration.

Senator Johnson (Mike) moved to amend **SB 219**, Page 1, by striking the title, which motion was declared adopted.

Senator Johnson (Mike) moved that **SB 219** be advanced, which motion was declared adopted.

THIRD READING

SB 219 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Coffee, Paddack, Russell and Sweeden.--6.

The bill passed.

SB 219 was referred for engrossment.

GENERAL ORDER

SB 220 by Johnson (Mike) and Myers of the Senate and Miller and Martin (Scott) of the House was called up for consideration.

Senator Johnson (Mike) moved to amend **SB 220**, Page 1, by striking the title, which motion was declared adopted.

Senator Johnson (Mike) moved that **SB 220** be advanced, which motion was declared adopted.

THIRD READING

SB 220 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Coffee, Paddack, Russell and Sweeden.--6.

The bill passed.

SB 220 was referred for engrossment.

GENERAL ORDER

SB 222 by Johnson (Mike) and Myers of the Senate and Miller and Martin (Scott) of the House was called up for consideration.

Senator Johnson (Mike) moved to amend **SB 222**, Page 1, by striking the title, which motion was declared adopted.

Senator Johnson (Mike) moved that **SB 222** be advanced, which motion was declared adopted.

THIRD READING

SB 222 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Aldridge, Coates, Coffee, Justice, Paddack, Russell and Sweeden.--7.

The bill passed.

SB 222 was referred for engrossment.

GENERAL ORDER

SB 231 by Johnson (Mike) and Myers of the Senate and Miller and Martin (Scott) of the House was called up for consideration.

Senator Johnson (Mike) moved to amend **SB 231**, Page 1, by striking the title, which motion was declared adopted.

Senator Johnson (Mike) moved that **SB 231** be advanced, which motion was declared adopted.

THIRD READING

SB 231 was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Adelson, Aldridge, Coates, Coffee, Paddack, Russell and Sweeden.--7.

The bill passed.

SB 231 was referred for engrossment.

GENERAL ORDER

SB 757 by Burrage and Johnson (Constance) of the Senate and Steele of the House was called up for consideration.

Senator Burrage moved that **SB 757** be advanced, which motion was declared adopted.

THIRD READING

SB 757 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Coffee, Paddack, Russell and Sweeden.--6.

The bill passed.

SB 757 was referred for engrossment.

GENERAL ORDER

SB 1201 by Gumm and Paddack of the Senate and Carey of the House was called up for consideration.

Senators Garrison, Johnson (Constance), Easley and Marlatt asked to coauthor **SB 1201**, which was the order.

Senator Gumm moved that **SB 1201** be advanced, which motion was declared adopted.

THIRD READING

SB 1201 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Coffee, Paddack, Russell and Sweeden.--6.

The bill passed.

SB 1201 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Anderson moved to reconsider the vote whereby **SB 24** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Corn, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Aldridge, Coates, Coffee, Easley, Newberry, Paddack, Russell and Sweeden.-
-8.

THIRD READING

Senator Anderson moved to reconsider the vote whereby **SB 24** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 24 by Ford of the Senate and Sears of the House was called up for consideration.

Senator Ford asked to be removed and Senator Anderson asked to be named principal Senate author on **SB 24**, which was the order. Senator Ford asked to coauthor **SB 24**, which was the order.

Senator Anderson asked that **SB 24** be laid over for this legislative day, which was the order.

SB 24 remains on General Order.

GENERAL ORDER

SB 726 by Barrington of the Senate and Armes of the House was called up for consideration.

Senator Barrington moved that **SB 726** be advanced, which motion was declared adopted.

THIRD READING

SB 726 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, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Excused: Aldridge, Coates, Coffee, Justice, Paddock, Russell and Sweeden.--7.

The bill and emergency passed.

SB 726 was referred for engrossment.

GENERAL ORDER

SB 54 by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved that **SB 54** be advanced, which motion was declared adopted.

THIRD READING

SB 54 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, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Coffee, Paddack, Russell and Sweeden.--6.

The bill and emergency passed.

SB 54 was referred for engrossment.

GENERAL ORDER

SB 672 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 672** be advanced, which motion was declared adopted.

THIRD READING

SB 672 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Mazzei, Paddack, Russell and Sweeden.--6.

The bill passed.

SB 672 was referred for engrossment.

GENERAL ORDER

SB 678 by Laster et al of the Senate and Jett of the House was called up for consideration.

Senator Laster moved that **SB 678** be advanced, which motion was declared adopted.

THIRD READING

SB 678 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, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Aldridge, Coates, Mazzei, Paddack, Russell and Sweeden.--6.

The bill and emergency passed.

SB 678 was referred for engrossment.

GENERAL ORDER

SB 530 by Ellis of the Senate and Thomsen of the House was called up for consideration.

Senator Ellis asked unanimous consent to suspend Senate Rules to amend **SB 530**, Page 1, by restoring the title. The amendment was withdrawn upon request of Senator Ellis.

Senator Ellis moved that **SB 530** be advanced, which motion was declared adopted.

THIRD READING

SB 530 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, Coffee, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Rice, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--36.

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

Excused: Coates, Gumm, Mazzei, Paddack, Reynolds, Russell and Sweeden.--7.

The bill passed.

SB 530 was referred for engrossment.

GENERAL ORDER

SB 344 by Crain of the Senate and Cox of the House was called up for consideration.

Senator Crain asked unanimous consent, which was granted, to amend **SB 344**, Page 1, by striking the title.

Senator Crain moved that **SB 344** be advanced, which motion was declared adopted.

THIRD READING

SB 344 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--39.

Excused: Coates, Coffee, Gumm, Johnson (M), Mazzei, Paddack, Reynolds, Russell and Sweeden.--9.

The bill passed.

SB 344 was referred for engrossment.

GENERAL ORDER

SB 455 by Sykes of the Senate and Wright (John) of the House was called up for consideration.

Senator Rice asked to coauthor **SB 455**, which was the order.

Senator Rice moved to amend **SB 455**, Page 2, Line 13, by deleting after the word “constituent” and before the word “lobbyist” the word “or” and inserting a comma; Page 2, Line 13, by inserting after the word “lobbyist” and before the word “request” the words “or lobbyist principal”; Page 2, Line 18, by inserting after the word “lobbyist” and before the comma the words “or lobbyist principal”; Page 3, Line 18, by deleting after the word “constituent” and before the word “lobbyist” the word “or” and inserting a comma; Page 3, Line 18, by inserting after the word “lobbyist” and before the word “request” the words “or lobbyist principal”; Page 3, Line 19, by deleting after the word “entity” and before the word “requesting” all language; Page 3, Line 20, by deleting after the word “agency” and before the word “request” all language; and Page 3, Line 22, by inserting after period and before the second word “The” the words “Each registered lobbyist shall notify the Office of State Finance of any requests made by such registered lobbyist, or any lobbyist principal by whom the lobbyist is employed or retained, of a member of the Legislature to introduce a lobbyist or lobbyist principal request bill, no later than five (5) business days after the bill or joint resolution is introduced.”, which amendment was declared adopted.

Senator Sykes moved that **SB 455** be advanced, which motion was declared adopted.

THIRD READING

SB 455 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, Bass, Branan, Brogdon, Brown, Burrage, Corn, Easley, Eason McIntyre, Ellis, Garrison, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--34.

Nay: Anderson, Barrington, Bingman, Crain, Crutchfield and Ford.--6.

Excused: Coates, Coffee, Gumm, Johnson (M), Mazzei, Paddack, Russell and Sweeden.--8.

The bill passed.

SB 455 was referred for engrossment.

GENERAL ORDER

SB 994 by Sparks of the Senate and Sullivan of the House was called up for consideration.

Senator Sparks moved that **SB 994** be advanced, which motion was declared adopted.

THIRD READING

SB 994 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Coates, Coffee, Gumm, Johnson (M), Mazzei, Paddack, Russell and Sweeden.--8.

The bill passed.

SB 994 was referred for engrossment.

GENERAL ORDER

SB 1064 by Barrington of the Senate and Shannon of the House was called up for consideration.

Senator Barrington moved to amend **SB 1064**, Page 3, Line 5, by inserting after the word "who" and before the comma the word: "knowingly"; Page 3, Line 5, by inserting after the first comma the words "willfully and"; Page 3, Line 5, by deleting the comma after the word "authority"; Page 3, Line 6, by inserting after the word "any" and before the word "jail" the words "secure area of a"; and Page 3, Line 6, by inserting after the word "other" the word "secure" , which amendment was declared adopted.

Senator Barrington moved that **SB 1064** be advanced, which motion was declared adopted.

THIRD READING

SB 1064 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, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--36.

Nay: Corn, Eason McIntyre, Johnson (C) and Wilson.--4.

Excused: Coates, Coffee, Gumm, Johnson (M), Mazzei, Paddack, Russell and Sweeden.--8.

The bill and emergency passed.

SB 1064 was referred for engrossment.

GENERAL ORDER

SB 805 by Aldridge of the Senate and Liebmann of the House was called up for consideration.

Senator Aldridge asked unanimous consent, which was granted, to amend **SB 805**, Page 1, by striking the title.

Senator Aldridge moved that **SB 805** be advanced, which motion was declared adopted.

THIRD READING

SB 805 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes and Wilson.--40.

Nay: Wyrick.--1.

Excused: Coates, Coffee, Johnson (M), Mazzei, Paddack, Russell and Sweeden.--7.

The bill passed.

SB 805 was referred for engrossment.

GENERAL ORDER

SB 524 by Aldridge and Russell of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved to amend **SB 524**, Page 1, Line 18, by inserting after the word “paid” the word “leave”; Page 1, Line 18, by deleting the word “available” and inserting in lieu thereof the word “accumulated”; and Page 1, Line 18, by inserting after the words “unpaid leave” the following language “if the employee has no paid leave accumulated,”, which amendment was declared adopted.

Senator Aldridge moved that **SB 524** be advanced, which motion was declared adopted.

THIRD READING

SB 524 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, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--44.

Excused: Coates, Paddack, Russell and Sweeden.--4.

The bill and emergency passed.

SB 524 was referred for engrossment.

GENERAL ORDER

SB 467 by Corn of the Senate and Christian of the House was called up for consideration.

Senator Bass moved to amend **SB 467**, Page 2, Line 14 ½, by inserting new Sections 2 through 5 to read as follows:

“SECTION 2. AMENDATORY 70 O.S. 2001, Section 2602, as amended by Section 7, Chapter 278, O.S.L. 2006 (70 O.S. Supp. 2008, Section 2602), is amended to read as follows:

Section 2602. There is hereby created the Oklahoma Higher Learning Access Program. The program shall also be known as “Oklahoma’s Promise”. The purpose of the program is to provide an award to students who meet the criteria set forth in the Oklahoma Higher Learning Access Act, Section 2601 et seq. of this title, and who are pursuing studies in this state leading to an associate or baccalaureate degree or who are pursuing studies in a postsecondary vocational-technical program or course offered pursuant to a duly approved cooperative agreement between a technology center school and an institution of The Oklahoma State System of Higher Education, and who are in good academic standing in the institution of higher education or technology center school in which enrolled, to relieve them of the burden of paying resident tuition, mandatory fees, and a portion of the cost of required textbooks at institutions of The Oklahoma State System of Higher Education, to relieve them of the burden of paying tuition, mandatory fees, and a portion of the cost of required textbooks for enrollment in postsecondary programs of the technology center districts, or to relieve them of some portion of the burden of paying such fees or tuition, mandatory fees, and a portion of the cost of required textbooks pursuant to the provisions of ~~this act~~ the Oklahoma Higher Learning Access Act, as may be required of enrollees at private institutions of higher education which are accredited pursuant to Section 4103 of this title. The further purpose of this program is to establish and maintain a variety of support services whereby a broader range of the general student population of this state will be prepared for success in postsecondary endeavors.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 2603, as last amended by Section 2, Chapter 350, O.S.L. 2008 (70 O.S. Supp. 2008, Section 2603), is amended to read as follows:

Section 2603. A. To be eligible to participate in the Oklahoma Higher Learning Access Program and to qualify for an award which includes payment of an amount equivalent to resident tuition or other tuition, mandatory fees, and a portion of the cost of required textbooks pursuant to Section 2604 of this title for the first semester or other academic unit of postsecondary enrollment, a student shall:

1. Be a resident of this state or be enrolled in a school district located in this state that serves students who reside in both this state and an adjacent state pursuant to a contract as authorized in Section 5-117.1 of this title;

2. Be a United States citizen or lawfully present in the United States. A student who is not a United States citizen or lawfully present in the United States shall not be eligible to participate in the Oklahoma Higher Learning Access Program and to qualify for an award notwithstanding the provisions of Section 3242 of this title. The provisions of this paragraph shall not apply to any student who was enrolled in the Oklahoma Higher Learning Access Program prior to the end of the 2006-2007 school year;

3. Have a record of satisfactory compliance with agreements executed pursuant to Section 2605 of this title;

4. a. have graduated within the previous three (3) years from a high school accredited by the State Board of Education, or the Oklahoma School of Science and Mathematics with a minimum 2.5 cumulative grade point average on a 4.0 scale for all work attempted in grades nine through twelve,
- b. have graduated within the previous three (3) years from a high school not accredited by the State Board of Education with a minimum 2.5 cumulative grade point average on a 4.0 scale for all work attempted in grades nine through twelve and have achieved a composite score of 22 or higher on the ACT test, or
- c. have satisfactorily completed within the previous three (3) years an educational program that was provided through a means other than a public or private school and have achieved a composite score of 22 or higher on the ACT test;

5. Have completed the curricular requirements for admission to an institution within The Oklahoma State System of Higher Education and one additional unit or set of competencies in a course that meets college admission requirements. The curriculum requirements shall include two units or sets of competencies in foreign or non-English language or technology courses that meet the college admission requirements and one unit or set of competencies of a fine arts course. Students shall also have attained a 2.5 grade point average in the core curriculum courses. Students who attended a high school which did not offer all the core curriculum courses or students who were educated by other means and were not offered all the core curriculum courses shall be allowed to satisfy this curriculum requirement by participating in a program approved by the State Regents for remediation of high school curricular deficiencies;

6. Have satisfied admission standards as determined by the Oklahoma State Regents for Higher Education for first-time-entering students for the appropriate type of institution, or, if attending a private institution, have satisfied admission standards as determined by the private institution. No student participating in the Oklahoma Higher Learning Access Program shall be admitted into an institution of higher education by special admission standards;

7. Have secured admission to, and enrolled in, an institution which is a member of The Oklahoma State System of Higher Education, a postsecondary vocational-technical program offered pursuant to a duly approved cooperative agreement between a technology center school and an institution of The Oklahoma State System of Higher Education, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of this title; and

8. Have established financial need according to the provisions of Section 2605 of this title and standards and provisions promulgated by the Oklahoma State Regents for Higher Education.

B. To retain eligibility while pursuing the program of higher learning in which enrolled, the student shall:

1. Achieve a minimum cumulative grade point average of 2.0 on a 4.0 scale or its equivalent for courses taken through the student's sophomore year and achieve a minimum grade point average of 2.5 on a 4.0 scale or its equivalent for courses taken during the student's junior year and thereafter. The provisions of this paragraph shall not apply to any

student who has received an Oklahoma Higher Learning Access Program benefit award prior to the 2010-2011 school year;

2. Maintain good academic standing and satisfactory academic progress according to standards of the Oklahoma State Regents for Higher Education;

3. Comply with the standards related to maintenance of eligibility as promulgated by the Oklahoma State Regents for Higher Education; and

4. Refrain from conduct that leads to expulsion or suspension of more than one semester from an institution of higher education. A student who violates the provisions of this paragraph shall permanently lose eligibility for program benefits. The provisions of this paragraph shall become effective January 1, 2008.

C. The Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education shall promulgate rules relating to maintenance of eligibility under this act by a student.

D. It is the intent of the Legislature that students in the ninth grade for the 1992-93 school year who are determined to be eligible Oklahoma Higher Learning Access students pursuant to this act shall be the first students eligible for benefits from the Oklahoma Higher Learning Access Trust Fund.

E. The Oklahoma State Regents for Higher Education are authorized to study, develop and propose criteria for determining award eligibility based upon the completion of seven (7) semesters of high school coursework by a student.

SECTION 4. AMENDATORY 70 O.S. 2001, Section 2604, as amended by Section 3, Chapter 350, O.S.L. 2008 (70 O.S. Supp. 2008, Section 2604), is amended to read as follows:

Section 2604. A. 1. Subject to the availability of funds, an amount equivalent to the resident tuition and mandatory fees for which an eligible Oklahoma Higher Learning Access Program student is obligated at an institution of The Oklahoma State System of Higher Education shall be awarded by allocation from the Oklahoma Higher Learning Access Trust Fund.

~~B.~~ 2. Subject to the availability of funds, for each eligible Oklahoma Higher Learning Access Program student enrolled at a private institution of higher learning located within this state and accredited pursuant to Section 4103 of this title, the Oklahoma State Regents for Higher Education shall award from the Oklahoma Higher Learning Access Trust Fund an amount equivalent to the amount of resident tuition and mandatory fees for which the student would be eligible if the student were enrolled in a comparable program at a comparable institution of The Oklahoma State System of Higher Education. Comparability shall be determined by the State Regents.

~~C.~~ 3. Subject to the availability of funds, an amount equivalent to the tuition and mandatory fees for any eligible Oklahoma Higher Learning Access Program student enrolled in a public postsecondary vocational-technical program or course for the purpose set forth in Section 2602 of this title shall be awarded by allocation from the Oklahoma Higher Learning Access Trust Fund. Provided, such allocation shall not exceed the amount a student would have received for comparable enrollment at a two-year institution within The Oklahoma State System of Higher Education.

B. Subject to the availability of funds, an amount equivalent to the cost of required textbooks, not to exceed One Thousand Dollars (\$1,000.00) per academic year, shall be awarded to each Oklahoma Higher Learning Access Program student by allocation from the

Oklahoma Higher Learning Access Trust Fund; provided, any textbooks received with funds pursuant to this subsection shall be returned to the institution attended by the student and the student shall be afforded the opportunity to purchase the textbooks at the time of return.

~~D. C.~~ 1. An award allowed by this section shall not be allowed for courses or other postsecondary units taken in excess of the requirements for completion of a baccalaureate program or taken more than five (5) years after the student's first semester of postsecondary enrollment. The Oklahoma State Regents for Higher Education may award the Oklahoma Higher Learning Access Program benefits for courses of postsecondary units taken more than five (5) years after the student's first semester of postsecondary enrollment only in hardship circumstances; provided, however, no Oklahoma Higher Learning Access Program participant may receive benefits beyond a cumulative time period of five (5) years.

2. The Oklahoma State Regents for Higher Education may award the Oklahoma Higher Learning Access Program benefits for a student's first semester or other academic unit of postsecondary enrollment taken more than three (3) years after the student graduates from high school or completes an educational program equivalent to high school graduation as authorized in Section 2603 of this title if the student is a member of the Armed Forces of the United States, the Reserve Corps of the Armed Forces of the United States, or the Oklahoma National Guard, and is ordered to active duty or active duty for special work or training and due to the duty commitment the student is unable to enroll prior to the end of the three-year period. Such three-year period shall be extended by the length of the term of duty.

3. The Oklahoma State Regents for Higher Education may establish a maximum limit on the number of courses or other postsecondary units to which Oklahoma Higher Learning Access Program benefits will apply.

4. An award for eligible Oklahoma Higher Learning Access Program students enrolled in cooperative programs pursuant to agreements between technology center schools and institutions of The Oklahoma State System of Higher Education shall be satisfied for both vocational-technical and college work in which enrolled pursuant to such cooperative program.

~~E. D.~~ Benefits awarded under the Oklahoma Higher Learning Access Program shall be awarded to all eligible applicants without any limitation on the number of awards in any year other than the amount of funds available for the program and the number of eligible applicants. Subject to the provisions of subsection ~~F. E.~~ of this section, if funds are not sufficient to provide awards for all eligible applicants, the Oklahoma State Regents for Higher Education shall make awards on the basis of need. Provided, the Oklahoma State Regents for Higher Education shall take into consideration other grants and scholarships received by an eligible applicant when making awards.

~~F. E.~~ The Oklahoma State Regents for Higher Education may, at the time an award is made on behalf of an Oklahoma Higher Learning Access Program student, set aside in the Oklahoma Higher Learning Access Trust Fund funds for the full commitment made to such Higher Learning Access Program student. For all academic years, students who have previously received awards under the provisions of the Oklahoma Higher Learning Access Act, Section 2601 et seq. of this title, and who have continued at all times to fulfill the requirements for eligibility to receive awards provided pursuant to this program shall be given an absolute priority for continued financial support by the Oklahoma Higher Learning

Access Program superior to any students who are applying for such benefits for the first time.

SECTION 5. AMENDATORY 70 O.S. 2001, Section 3953.1, as amended by Section 8, Chapter 355, O.S.L. 2007 (70 O.S. Supp. 2008, Section 3953.1), is amended to read as follows:

Section 3953.1 A. There is hereby created a trust fund to be known as the "Oklahoma Higher Learning Access Trust Fund". The Oklahoma State Regents for Higher Education shall be the trustees of said Trust Fund.

B. The State Regents shall utilize said Trust Fund to implement the provisions of Sections 2601 through 2604 of this title.

C. The Trust Fund principal shall consist of monies the Legislature appropriates or transfers to the Oklahoma State Regents for Higher Education for the Trust Fund and any monies or assets contributed to the Trust Fund from any other source, public or private. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the State Regents. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

D. Notwithstanding other provisions of law, income and investment return on Trust Fund principal shall accrue to the Trust Fund for use as provided by authorization of the trustees for the purposes provided in Sections 2601 through 2604 of this title. The State Regents may also utilize the Trust Fund principal for the purposes provided in Sections 2601 through 2604 of this title. Except as otherwise provided by law, no such income or investment return or principal shall be used for administrative expenses; expenses incurred by the State Regents in the administration of the Trust Fund and of the Oklahoma Higher Learning Access Program established by the Oklahoma Higher Learning Access Act shall be paid from monies appropriated to the State Regents coordinating board for their general operating budget.

E. The Regents shall adopt rules for accomplishing transfer of funds from the Oklahoma Higher Learning Access Trust Fund to the appropriate institutional Educational and General Operations Revolving Funds, as provided in Section 3901 of this title, to private institutions, and to the appropriate technology center school district to cover general enrollment fees or tuition, mandatory fees, and a portion of the cost of required textbooks for eligible students pursuant to the Oklahoma Higher Learning Access Act. Allocations from the Trust Fund may be made only for the purpose of covering the general enrollment fees or tuition, mandatory fees, and a portion of the cost of required textbooks of eligible students. No portion of the Trust Fund may be used or allocated for administrative or operating expenses of any higher education institution or technology center school.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Corn moved that **SB 467** be advanced, which motion was declared adopted.

THIRD READING

SB 467 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coates, Coffee, Johnson (M), Paddack, Russell and Sweeden.--6.

The bill and emergency passed.

SB 467 was referred for engrossment.

GENERAL ORDER

SB 959 by Coffee of the Senate and Carey of the House was called up for consideration.

Senator Aldridge moved that **SB 959** be advanced, which motion was declared adopted.

THIRD READING

SB 959 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coates, Coffee, Johnson (M), Paddack, Russell and Sweeden.--6.

The bill and emergency passed.

SB 959 was referred for engrossment.

GENERAL ORDER

SB 1178 by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved that **SB 1178** be advanced, which motion was declared adopted.

THIRD READING

SB 1178 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coates, Coffee, Johnson (M), Paddock, Russell and Sweeden.--6.

The bill passed.

SB 1178 was referred for engrossment.

GENERAL ORDER

SB 988 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 988** be advanced, which motion was declared adopted.

THIRD READING

SB 988 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Schulz, Stanislawski and Sykes.--23.

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

Excused: Coates, Coffee, Paddack, Russell and Sweeden.--5.

The bill failed.

Pursuant to Rule 12-21, Senator Crain served notice that the vote be reconsidered whereby **SB 988** failed.

INTRODUCTION

Senator Ivester introduced former Senator Gilmer Capps and his wife, Shirley Capps, to the Senate.

MOTION TO RECONSIDER VOTE

Senator Corn moved to reconsider the vote whereby **SB 1152** passed.

Senator Barrington moved to table the Corn motion, which tabling motion was declared adopted.

SB 1152 was referred for engrossment.

GENERAL ORDER

SB 565 by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved that **SB 565** be advanced, which motion was declared adopted.

THIRD READING

SB 565 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, Corn, Crain, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster,

Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--42.

Excused: Coates, Coffee, Crutchfield, Paddack, Russell and Sweeden.--6.

The bill passed.

SB 565 was referred for engrossment.

GENERAL ORDER

SB 711 by Sykes of the Senate and Wesselhoft of the House was called up for consideration.

Senator Sykes moved to amend **SB 711**, Page 3, Line 5, by inserting after the word "Hundred" and before the word "Thousand" the word "Five", which amendment was declared adopted.

Senator Sykes asked that **SB 711** be laid over for this legislative day, which was the order.

SB 711 remains on General Order.

GENERAL ORDER

SB 1042 by Jolley of the Senate and Blackwell of the House was called up for consideration.

Senator Jolley moved that **SB 1042** be advanced, which motion was declared adopted.

THIRD READING

SB 1042 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Corn, 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, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--41.

Nay: Adelson and Crain.--2.

Excused: Coates, Coffee, Paddock, Russell and Sweeden.--5.

The bill passed.

SB 1042 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1097, 1422, 1483, 1487, 1488, 1506, 1509, 1512, 1513, 1570, 1576, 1648, 1661, 1662, 1676, 1717, 1734, 1737, 1790, 1795, 1802, 1813, 1834, 1845, 1864, 1892, 1934, 1956, 1963, 2004, 2015, 2056, 2062, 2071, 2089, 2154, 2174, 2204, 2210, 2245 and 2246** and **HJR 1017**.

HB 1097 – By Dank, Terrill, Denney, Watson, Dorman, Kern and Faught of the House and Brogdon of the Senate.

An Act relating to revenue and taxation; creating the Task Force for the Study of Transferable Tax Credits; providing for membership of Task Force; requiring organizational meeting; providing for quorum; providing for cochairs; requiring study of certain tax credits; defining scope of study; providing Task Force subject to certain statutory provisions; providing for staff assistance; requiring final report; providing for termination of Task Force; providing for codification; and declaring an emergency.

HB 1422 – By Proctor, Dorman, Cannaday, Hilliard, Kern, Morrissette, Martin (Scott), Duncan, Christian, Sanders, Bailey, Hoskin, Morgan, Brannon, Sears, Dank, Nelson, Inman, Smithson, Roan, Buck, Murphey and Renegar of the House and Crain of the Senate.

(schools - tuition waivers at state institutions – codification - effective date)

HB 1483 – By DeWitt, McMullen, Fields and Denney of the House and Justice of the Senate.

An Act relating to waters and water rights; amending 82 O.S. 2001, Section 105.12, which relates to water permit applications; clarifying statutory language; giving priority to certain in-state applications for certain purpose; and declaring an emergency.

HB 1487 – By DeWitt of the House and Bingman of the Senate.

(environment and natural resources – codification – effective date)

HB 1488 – By DeWitt, Sherrer, Dorman, Hickman, Roan, Denney, Walker and Fields of the House and Justice of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 3603, as last amended by Section 3, Chapter 406, O.S.L. 2008 (68 O.S. Supp. 2008, Section 3603), which relates to the Oklahoma Quality Jobs Program Act; modifying definition; and providing an effective date.

HB 1506 – By Blackwell of the House and Marlatt of the Senate.

(public lands - amending 62 O.S., Section 194 - State Land Reimbursement Fund – codification - effective date)

HB 1509 – By Blackwell of the House and Bass of the Senate.

An Act relating to sex offenders; amending 21 O.S. 2001, Section 440, which relates to harboring criminals and fugitives; making certain acts unlawful; providing penalties; updating language; amending 57 O.S. 2001, Sections 582, as last amended by Section 22, Chapter 261, O.S.L. 2007, Section 24, Chapter 261, O.S.L. 2007, 583, as last amended by Section 2, Chapter 94, O.S.L. 2008 and 584, as last amended by Section 28, Chapter 261, O.S.L. 2007 (57 O.S. Supp. 2008, Sections 582, 582.2, 583 and 584), which relate to the Sex Offenders Registration Act; adding certain crimes to list of offenses that require registration; clarifying scope of registration requirements; modifying statutory references; authorizing local law enforcement authorities to determine and assign numeric risk levels; requiring transient sex offenders to report to local law enforcement authorities; and providing an effective date.

HB 1512 – By Blackwell of the House and Johnson (Mike) of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 13-101, which relates to special services for exceptional children; establishing the responsibility of the school to determine methodology for providing certain services; requiring certain conditions; and providing an effective date.

HB 1513 – By Jackson of the House and Jolley of the Senate.

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Sections 163.2 and 163.18E, which relate to low-point beer and the Low-Point Beer Distribution Act; adding definitions; providing exemption; prohibiting the termination of certain agreements between certain manufacturers and wholesalers unless certain conditions are met; providing certain exceptions; providing for when such termination is null and void; providing reasons for such termination; authorizing termination; requiring certain notice; providing procedures for transfer of a particular brand of low-point beer from a manufacturer to a successor manufacturer; making a successor manufacturer obligated to certain terms and conditions; making certain provisions applicable; giving a successor manufacturer certain right to contractually require a wholesaler to comply with certain standards of performance; allowing certain termination agreement for certain purpose under certain circumstances; requiring certain notice; providing for certain negotiations on fair market value; authorizing certain distribution under certain circumstances; providing for certain arbitration; providing for notice of arbitration, conclusion, location, arbitrator, award, cost and written decision; making certain decision final and binding; providing for enforcement of award; prohibiting certain appeal; providing for nonparticipation in arbitration; authorizing certain actions if settlement or award is not paid; prohibiting certain wholesaler from receiving certain award or settlement; providing for recovery of damages for certain violations and settlement of certain disputes; construing provisions; prohibiting certain waiver compliance; making act applicable to certain agreements or contracts; and declaring an emergency.

HB 1570 – By Schwartz of the House and Paddock of the Senate.

An Act relating to torts; requiring that certain affidavit be attached to petition in any civil action for professional negligence; providing requirements for affidavit; providing consequences if action is filed without affidavit; authorizing extension of time to file affidavit; providing consequences if affidavit is not filed during extension period; requiring plaintiff to provide certain information to defendant; providing consequences if plaintiff fails to comply; providing for codification; and providing an effective date.

HB 1576 – By Joyner, Luttrell and Sherrer of the House and Aldridge of the Senate.

An Act relating to amusements and sports; amending 3A O.S. 2001, Sections 602, as amended by Section 2, Chapter 329, O.S.L. 2008, 606, as last amended by Section 7, Chapter 329, O.S.L. 2008 and 616, as last amended by Section 16, Chapter 329, O.S.L. 2008 (3A O.S. Supp. 2008, Sections 602, 606 and 616), which relate to the Oklahoma State Athletic Commission; modifying and adding definitions; expanding jurisdiction to include certain mixed martial arts contests; increasing limit on certain fund; and declaring an emergency.

HB 1648 – By Rousselot and Blackwell of the House and Wilson and Brogdon of the Senate.

(waters and water rights - Grand River Dam Authority – codification – emergency)

HB 1661 – By Williams and Dorman of the House and Leftwich of the Senate.

An Act relating to revenue and taxation; providing income tax checkoff for the Oklahoma Y.M.C.A. Youth and Government program; allowing taxpayer to designate portion of tax liability into fund; limiting amount that can be designated; directing placement of funds; creating the Oklahoma Youth and Government Revolving Fund; allowing State Department of Education to distribute monies in fund; specifying method of payment of funds; allowing refund for certain donations; providing time limit for refund; providing for expiration of income tax checkoffs unless reauthorized; providing for codification; and providing an effective date.

HB 1662 – By Dorman and Reynolds of the House and Sykes of the Senate.

An Act relating to crimes and punishments; prohibiting the exhibit of certain materials in vehicles; defining terms; providing penalty; providing for codification; and providing an effective date.

HB 1676 – By Ownbey of the House and Coffee of the Senate.

(criminal justice - transferring Criminal Justice Resource Center to Oklahoma State Bureau of Investigation and Office of Attorney General - providing for transfer of funds, property, records, personnel and financial obligations or encumbrances - providing for transfer of certain personnel and status thereof - amending sections in Titles 10, 20, 21, 22 and 57 - repealing 63 O.S., Section 1-250 – codification - effective date – emergency)

HB 1717 – By Ownbey, Roan and Hickman of the House and Crutchfield of the Senate.

An Act relating to motor vehicles; amending Section 14, Chapter 504, O.S.L. 2004, as last amended by Section 25, Chapter 44, 2nd Extraordinary Session, O.S.L. 2006 (47 O.S. Supp. 2008, Section 1135.5), which relates to special license plates; modifying apportionment of certain fees; and providing an effective date.

HB 1734 – By Peters, Nelson, McCullough and Kern of the House and Crain of the Senate.

(children - amending 12 sections in Title 10 - Oklahoma Child Care Facilities Licensing Act – codification - effective date)

HB 1737 – By Peters, Denney and McDaniel (Jeannie) of the House and Burrage of the Senate.

(schools - Oklahoma School for the Visual and Performing Arts - Oklahoma School for the Visual and Performing Arts Revolving Fund - amending 51 O.S., Section 6 - dual office holding – codification)

HB 1790 – By Shannon of the House and Barrington of the Senate.

(prisons and reformatories - amending 57 O.S., Section 21 - contraband in jails or penal institutions - effective date)

HB 1795 – By Hoskin, Luttrell, Ownbey, Dorman and Roan of the House and Bass of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-202, which relates to traffic control signals; establishing conditions under which motorcyclists and bicyclists may proceed through red traffic signals; specifying conditions under which motorcyclists and bicyclists shall not have a defense for certain violations; and providing an effective date.

HB 1802 – By Martin (Steve), Sherrer, Reynolds, Sears and Walker of the House and Ford of the Senate.

(revenue and taxation - amending 68 O.S., Section 1356 - exemptions from sales tax - effective date – emergency)

HB 1813 – By Shannon of the House and Branan of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 14-109, as last amended by Section 2, Chapter 69, O.S.L. 2008 (47 O.S. Supp. 2008, Section 14-109), which relates to the permissible weight of loads; increasing maximum load if certain equipment is present; limiting amount of increase; requiring equipment function properly; requiring written proof of weight; and providing an effective date.

HB 1834 – By Hamilton, Cooksey and Wesselhoft of the House and Leftwich of the Senate.

An Act relating to crimes and punishments; making certain acts unlawful; providing penalties; providing exceptions; providing for the revocation of certain professional licenses; providing for codification; and providing an effective date.

HB 1845 – By Sears, Duncan, Inman and Wright (John) of the House and Sykes of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Sections 381 and 382, which relate to bribes; expanding scope of crime; making language gender neutral; updating language; amending 22 O.S. 2001, Section 1402, which relates to the Oklahoma Corrupt Organizations Prevention Act; modifying definition of racketeering activity; and providing an effective date.

HB 1864 – By Hickman, Billy, Denney, Ownbey, Wright (Harold), Hilliard, Thomsen, Kern, Cannaday, Shumate, Fields, Holland, Cox, Shelton, McDaniel (Jeannie) and Hoskin of the House and Brown of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1-109, as last amended by Section 1, Chapter 250, O.S.L. 2006 (70 O.S. Supp. 2008, Section 1-109), which relates to length of the school year; providing for calculation of the school year by days or hours; modifying time allowed for professional meetings; deleting duplicative language relating to days for professional meetings; deleting certain references; providing for number of hours for parent-teacher conferences to be counted as classroom instruction; clarifying statutory language relating to extended-day schedule; providing that certain instructional time may count towards 1,080-hours requirement; providing that Fair Labor Standards Act status shall not be affected; amending 70 O.S. 2001, Section 1-111, as last amended by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp. 2008, Section 1-111), which relates to the school day; allowing school districts to extend school days; deleting references to an extended-school-day program; amending 70 O.S. 2001, Section 1-112, which relates to school taught on Saturday; deleting reference to certain number of school days; providing reference for school year requirements; clarifying exception; amending 70 O.S. 2001, Section 4516, which relates to the school calendar for schools operating under a continuous school year; adding reference to certain number of school hours; providing that schools closed for weather-related purposes during 2008-2009 may make up instruction time; repealing 70 O.S. 2001, Section 1-110, which relates to the school month; providing for noncodification; and declaring an emergency.

HB 1892 – By Peterson and Kern of the House and Coffee of the Senate.

An Act relating to domestic violence; amending 21 O.S. 2001, Section 644, as last amended by Section 1, Chapter 403, O.S.L. 2008 (21 O.S. Supp. 2008, Section 644), which relates to assault and battery and domestic abuse; modifying certain definition; and providing an effective date.

HB 1934 – By Jackson of the House and Myers of the Senate.

(labor – amending 40 O.S., Section 141.16 – Boiler and Pressure Vessel Safety Act – effective date – emergency)

HB 1956 – By Benge, Pittman and Duncan of the House and Coffee of the Senate.

An Act relating to state government; providing for the Oklahoma Statutes 2011 and annual cumulative supplements; providing for selection of a publisher; providing for procedure for publication; providing for codification; and providing an effective date.

HB 1963 – By Benge of the House and Aldridge of the Senate.

An Act relating to workers' compensation; creating Task Force on the Mutualization or Privatization of CompSource Oklahoma; stating purpose of task force; providing for membership; providing for service of members and vacancy; providing for date of appointment; providing for quorum; requiring designation of cochairs by certain persons; providing for convening of certain meeting and scheduling of subsequent meetings; providing for staff; requiring CompSource Oklahoma to provide certain information; prohibiting compensation; authorizing travel reimbursement; stating duties and responsibilities of task force; requiring certain publication; providing for codification; and declaring an emergency.

HB 2004 – By Wright (Harold), McDaniel (Jeannie), Shelton and Cannaday of the House and Stanislawski of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-185, as amended by Section 1, Chapter 295, O.S.L. 2003 (70 O.S. Supp. 2008, Section 6-185), which relates to competencies and methods to be incorporated into teacher preparation system; adding mental health training; amending 70 O.S. 2001, Section 24-100.1, which relates to prevention of violence services; requiring certain mental health issues professional development training for certain school employees; specifying entities that may provide training; clarifying that certain training counts towards certain professional development requirements; providing an effective date; and declaring an emergency.

HB 2015 – By Miller of the House and Johnson (Mike) of the Senate.

(public finance - amending 52 sections in Title 62 – amending 74 O.S., Sections 34 and 86.1 - replacement warrants - repealing 62 O.S., Sections 41.1 and 41.37 – codification – recodification - effective date – emergency)

HB 2056 – By Thompson of the House and Bingman and Marlatt of the Senate.

(contracts - Fair Practices of Equipment Manufacturers, Distributors, Wholesalers, and Dealers Act - repealing 15 O.S., Sections 245, 245A, 246, 247, 248, 249, 250, 250A and 251 – codification - effective date)

HB 2062 – By Thompson of the House and Bingman of the Senate.

(revenue and taxation - gross production tax - extending time period during which certain exemptions may be claimed - effective date – emergency)

HB 2071 – By McNiel and McMullen of the House and Wyrick of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 9-136, which relates to buying livestock prior to consignment; prohibiting certain act; providing punishment; and providing an effective date.

HB 2089 – By Kirby of the House and Paddock of the Senate.

(county jails – amending 19 O.S., Section 746 – medical care costs – effective date)

HB 2154 – By Armes of the House and Schulz of the Senate.

An Act relating to game and fish; amending Section 2, Chapter 63, O.S.L. 2008 (29 O.S. Supp. 2008, Section 7-209), which relates to trespass on certain lands; modifying penalty; defining term; and providing an effective date.

HB 2174 – By Nelson, McAffrey, Rousselot, Sherrer, Kern and Peterson of the House and Russell of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7502-1.2, which relates to adoption proceeding venues; making venue mandatory; expanding venue; amending 10 O.S. 2001, Section 7505-1.2, which relates to appointment of attorneys in adoption proceedings; authorizing appointment of certain attorney; amending 10 O.S. 2001, Section 7505-3.2, as amended by Section 2, Chapter 57, O.S.L. 2005 (10 O.S. Supp. 2008, Section 7505-3.2), which relates to certain required adoption-related disclosures; specifying where certain expense petitions shall be filed; requiring a Disclosure Statement of Adoption-related Costs and Expenditures; specifying contents of statement; requiring statement to be filed before final decree is ordered; providing that statement is a public record; providing that certain statement information not be made public; amending 21 O.S. 2001, Section 866, as amended by Section 3, Chapter 253, O.S.L. 2006 (21 O.S. Supp. 2008, Section 866), which relates to child trafficking; modifying definition of child trafficking; and providing an effective date.

HB 2204 – By Trebilcock, Sherrer, Terrill, Sullivan, Derby and Kern of the House and Mazzei of the Senate.

(revenue and taxation - sales tax relief - individuals with certain amounts of income – removing state taxes on certain foods and beverages - codification - effective dates)

HB 2210 – By Kiesel, McAffrey, Sullivan and Cannaday of the House and Ballenger of the Senate.

An Act relating to workers' compensation; amending 85 O.S. 2001, Section 132a, as amended by Section 1, Chapter 403, O.S.L. 2004 (85 O.S. Supp. 2008, Section 132a), which relates to volunteer fire departments; modifying definition; and providing an effective date.

HB 2245 – By Terrill, Duncan, Christian, Osborn, Reynolds, Faight, Martin (Steve), Enns, Cox, Wright (John), Key, Joyner and Roan of the House and Sykes of the Senate.

(prisons and reformatories - release of prisoners to the United States Immigration and Customs Enforcement – codification – noncodification - effective date)

HB 2246 – By Terrill, Kern and Reynolds of the House and Brogdon of the Senate.

(initiative and referendum - amending 11 sections in Title 34 - ballot title - codification - effective date)

HJR 1017 – By Banz of the House and Paddock of the Senate.

A Joint Resolution calling a Constitutional Convention to alter, revise, or amend the present Constitution of the State of Oklahoma or to propose a new Constitution; fixing the time and place thereof; providing for selection of delegates to the Convention; providing requirements and restrictions for eligibility; creating a Constitutional Convention Commission; stating purpose; providing for composition; providing for election of officers and organization of the Constitutional Convention; providing for employment of staff; providing for rules of procedure; prohibiting consideration of certain provisions of the Constitution; providing for working draft to be considered by the Constitutional Convention; providing voting requirements for certain actions; providing for compensation of delegates; providing for payment of expenses of the Convention; providing for submission of constitutional changes to the voters of the state; providing for submission of this joint resolution to a vote of the people; providing ballot title; and directing filing.

The above-numbered measures were read the first time.

Senator Lamb moved that the Senate recess until 1:00 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Sykes presiding.

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

GENERAL ORDER

SJR 12 by Brogdon of the Senate and Murphey of the House was called up for consideration.

Senator Brogdon moved that **SJR 12** be advanced, which motion was declared adopted.

THIRD READING

SJR 12 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, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coffee, Crain, Ellis, Ford, Garrison, Halligan, Johnson (M), Jolley,

Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Rice, Schulz, Sparks, Stanislawski and Sykes.--30.

Nay: Ballenger, Corn, Crutchfield, Easley, Eason McIntyre, Gumm, Ivester, Johnson (C), Laster, Lerblance, Wilson and Wyrick.--12.

Excused: Coates, Mazzei, Paddack, Reynolds, Russell and Sweeden.--6.

The resolution passed.

SJR 12 was referred for engrossment and printed at length as follows:

SJR 12 – By Brogdon of the Senate and Murphey of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendment to Sections 4 and 23 of Article VI and Section 15 of Article IX of the Oklahoma Constitution; limiting the term of office of certain elected officials; providing procedures; granting certain authority to Legislature; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Sections 4 and 23 of Article VI and Section 15 of Article IX of the Oklahoma Constitution to read as follows:

Section 4. A. The term of office of the Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor and Superintendent of Public Instruction shall be four (4) years from the second Monday of January next after their election. The said officers shall be eligible to immediately succeed themselves. ~~No person shall be elected Governor more than two times in succession except as otherwise provided in this section.~~

B. 1. No person shall be eligible to serve as Governor for a period of time in excess of eight (8) years. Such years need not be consecutive. Any years served by a person serving as Governor for less than a full term to fill a vacancy in such office shall not be included in the eight-year limitation set forth herein.

2. Notwithstanding the provisions of this amendment, any person serving as Governor at the time of passage of this amendment shall be eligible to complete the term of office to which he or she was elected but shall not be eligible to serve as Governor for a period of time in excess of eight (8) years, excluding years served for less than a full term to fill a vacancy in such office. The provisions of this paragraph shall apply regardless of whether such years were served prior to or after passage of this amendment.

C. No person shall be eligible to serve as Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Commissioner of Labor or Superintendent of Public Instruction for a period of time in excess of eight (8) years. Such years need not be consecutive. Any years served by a person elected or appointed to serve less than a full term to fill a vacancy in any such office shall not be included in the limitations set forth

herein. Any person serving in such position at the time of passage of this amendment shall be eligible to complete the term for which he or she has been elected and shall be eligible to serve an additional eight (8) years thereafter, notwithstanding the provisions of this amendment.

D. The Legislature is hereby authorized to enact laws to implement the provisions of subsections B and C of this section.

Section 23. A. There shall be elected by the qualified electors of the State, at the first general election, a chief officer of ~~said department~~ the Insurance Department, who shall be styled "The the "Insurance Commissioner;" whose term of office shall be four years: Provided, That the first term of the Insurance Commissioner so elected, shall expire at the time of the expiration of the term of office of the first Governor elected. ~~Said~~ The Insurance Commissioner shall be at least twenty-five (25) years of age and well versed in insurance matters.

B. No person shall be eligible to serve as Insurance Commissioner for a period of time in excess of eight (8) years. Such years need not be consecutive. Any years served by a person elected or appointed to serve less than a full term to fill a vacancy in such office shall not be included in the limitation set forth herein. Any person serving in such position at the time of passage of this amendment shall be eligible to complete the term for which he or she has been elected and shall be eligible to serve an additional eight (8) years thereafter, notwithstanding the provisions of this amendment. The Legislature is hereby authorized to enact laws to implement the provisions of this subsection.

Section 15. A. A Corporation Commission is hereby created, to be composed of three persons, who shall be elected by the people at a general election for State officers, and their terms of office shall be six (6) years: ~~Provided, Corporation Commissioners first elected under this Constitution shall hold office as follows: One shall serve until the second Monday in January, nineteen hundred and nine; one until the second Monday in January, nineteen hundred and eleven; and one until the second Monday in January nineteen hundred and thirteen; their terms to be decided by lot immediately after they shall have qualified.~~ In case of a vacancy in said office, the Governor of the State shall fill such vacancy by appointment until the next general election, when a successor shall be elected to fill out any unexpired term.

B. No person shall be eligible to serve as Corporation Commissioner for a period of time in excess of twelve (12) years. Such years need not be consecutive. Any years served by a person elected or appointed to serve less than a full term to fill a vacancy in such office shall not be included in the limitation set forth herein. Any person serving in such position at the time of passage of this amendment shall be eligible to complete the term for which he or she has been elected and shall be eligible to serve an additional twelve (12) years thereafter, notwithstanding the provisions of this amendment. The Legislature is hereby authorized to enact laws to implement the provisions of this subsection.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Sections 4 and 23 of Article 6 of the State Constitution. It also amends Section 15 of Article 9 of the State Constitution. This measure would limit the Governor to eight years of service. Years served for less than a full term would not be counted. The person serving as Governor when this measure is passed could complete his or her term. Other statewide elected officials would be limited to eight years of service, although Corporation Commissioners would be limited to twelve years of service. Years served for less than a full term would not be counted. Persons serving when this measure is passed could complete their terms and serve an additional eight or twelve years. The Legislature could pass laws to implement these changes. Under current law, the Governor is limited to two successive terms.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

GENERAL ORDER

SB 328 by Brogdon of the Senate and Sullivan of the House was called up for consideration.

Senator Brogdon moved that **SB 328** be advanced, which motion was declared adopted.

THIRD READING

SB 328 was read for the third time at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Rice, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--34.

Nay: Adelson, Corn, Crutchfield, Eason McIntyre, Johnson (C), Laster and Lerblance.-
-7.

Excused: Coates, Coffee, Mazzei, Paddack, Reynolds, Russell and Sweeden.--7.

The bill and emergency passed.

SB 328 was referred for engrossment.

GENERAL ORDER

SB 47 by Brogdon of the Senate and Key of the House was called up for consideration.

Senator Brogdon moved that **SB 47** be advanced, which motion was declared adopted.

THIRD READING

SB 47 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, Coffee, Crain, Ellis, Ford, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--19.

Excused: Coates, Mazzei, Reynolds and Russell.--4.

The bill passed and the emergency failed.

SB 47 was referred for engrossment.

GENERAL ORDER

SB 1102 by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Brown moved to amend **SB 1102**, Page 29, Line 5 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 74 O.S. 2001, Section 150.2, as last amended by Section 1, Chapter 303, O.S.L. 2006 (74 O.S. Supp. 2008, Section 150.2), is amended to read as follows:

Section 150.2 The Oklahoma State Bureau of Investigation shall have the power and duty to:

1. Maintain a nationally accredited scientific laboratory to assist all law enforcement agencies in the discovery and detection of criminal activity;

2. Maintain fingerprint and other identification files including criminal history records, juvenile identification files, and DNA profiles;

3. Establish, coordinate and maintain the automated fingerprinting identification system (AFIS) and the deoxyribonucleic acid (DNA) laboratory;

4. Operate teletype, mobile and fixed radio or other communications systems;

5. Conduct schools and training programs for the agents, peace officers, and technicians of this state charged with the enforcement of law and order and the investigation and detection of crime;

6. Assist the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Chief Medical Examiner, and all law enforcement officers and district attorneys when such assistance is requested, in accordance with the policy determined by the Oklahoma State Bureau of Investigation Commission established in Section 150.3 of this title;

7. Investigate and detect criminal activity when directed to do so by the Governor;

8. Investigate, detect, institute and maintain actions involving vehicle theft pursuant to Section 150.7a of this title or oil, gas or oil field equipment theft pursuant to Sections 152.2 through 152.9 of this title;

9. Investigate any criminal threat made to the physical safety of elected or appointed officials of this state or any political subdivision of the state and forward the results of that investigation to the Department of Public Safety, and provide security to foreign elected or appointed officials while they are in this state on official business;

10. Investigate and detect violations of the Oklahoma Computer Crimes Act;

11. Investigate any allegations of official misconduct by a county officer or employee when requested to do so by any two officials holding elective office in any county; and

~~12.~~ 12. Investigate and enforce all laws relating to any crime listed as an exception to the definition of “nonviolent offense” as set forth in section 571 of Title 57 of the Oklahoma Statutes that occur on the turnpikes.”, and by renumbering subsequent sections.

Senator Corn moved to table the Brown amendment, which tabling motion was declared adopted upon division of the question.

Senator Nichols moved that **SB 1102** be advanced, which motion was declared adopted.

THIRD READING

SB 1102 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, Burrage, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--39.

Nay: Brogdon, Brown, Laster, Lerblance and Wilson.--5.

Excused: Coates, Mazzei, Reynolds and Russell.--4.

The bill and emergency passed.

SB 1102 was referred for engrossment.

GENERAL ORDER

SB 982 by Ford of the Senate and Thomsen of the House was called up for consideration.

Senator Ford moved to amend **SB 982**, Page 12, Lines 15 and 16, by deleting “Forty Thousand Dollars (\$40,000.00)” and inserting “Forty Three Thousand Dollars (\$43,000.00)”; and Page 12, Line 16, by inserting after the word “year” and before the period the language “, which may be based on the most recent tax year or a three-year average”, which amendment was declared adopted.

Senator Ford moved that **SB 982** be advanced, which motion was declared adopted.

THIRD READING

SB 982 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, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

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

The bill and emergency passed.

SB 982 was referred for engrossment.

GENERAL ORDER

SB 1182 by Brogdon of the Senate and Jordan of the House was called up for consideration.

Senator Brogdon moved that **SB 1182** be advanced, which motion was declared adopted.

THIRD READING

SB 1182 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, Paddack, Rice, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Mazzei, Reynolds, Russell and Schulz.--4.

The bill passed.

SB 1182 was referred for engrossment.

GENERAL ORDER

SB 875 by Brogdon of the Senate and Johnson of the House was called up for consideration.

Senator Brogdon moved that **SB 875** be advanced, which motion was declared adopted.

THIRD READING

SB 875 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, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Mazzei, Reynolds and Russell.--4.

The bill passed.

SB 875 was referred for engrossment.

GENERAL ORDER

SB 852 by Brogdon of the Senate and Terrill of the House was called up for consideration.

Senator Brogdon moved that **SB 852** be advanced, which motion was declared adopted.

THIRD READING

SB 852 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, 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, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Aldridge, Coffee, Mazzei, Reynolds and Russell.--5.

The bill passed.

SB 852 was referred for engrossment.

GENERAL ORDER

SB 1142 by Johnson (Constance) of the Senate and Tibbs of the House was called up for consideration.

Senator Johnson (Constance) moved to amend **SB 1142**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Johnson (Constance) asked unanimous consent, which was granted, to suspend Senate Rules and to amend the floor substitute on **SB 1142**, Page 3, Lines 11 through 15, by deleting paragraph 11.

Senator Johnson (Constance) moved that **SB 1142** be advanced, which motion was declared adopted.

THIRD READING

SB 1142 was read for the third time at length.

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

Aye: Anderson, Ballenger, Barrington, Brown, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Halligan, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Nichols, Paddock, Rice, Sparks, Sweeden, Wilson and Wyrick.--27.

Nay: Adelson, Aldridge, Bass, Bingman, Branan, Brogdon, Crain, Ford, Ivester, Jolley, Lamb, Marlatt, Myers, Newberry, Schulz, Stanislawski and Sykes.--17.

Excused: Coffee, Mazzei, Reynolds and Russell.--4.

The bill passed.

Pursuant to Rule 12-21, Senator Nichols served notice that the vote be reconsidered whereby **SB 1142** passed.

GENERAL ORDER

SB 431 by Aldridge of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved that **SB 431** be advanced, which motion was declared adopted.

THIRD READING

SB 431 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, 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, Rice, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--42.

Nay: Bass and Sykes.--2.

Excused: Coffee, Mazzei, Reynolds and Russell.--4.

The bill and emergency passed.

SB 431 was referred for engrossment.

GENERAL ORDER

SB 668 by Aldridge of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved to amend **SB 668**, 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 Aldridge moved that **SB 668** be advanced, which motion was declared adopted.

THIRD READING

SB 668 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, 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, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Nay: Bass.--1.

Excused: Coffee, Mazzei, Reynolds and Russell.--4.

The bill and emergency passed.

SB 668 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Nichols moved to reconsider the vote whereby **SB 1142** passed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, 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), Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Anderson, Coffee, Jolley, Mazzei, Reynolds and Russell.--6.

THIRD READING

Senator Nichols moved to reconsider the vote whereby **SB 1142** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 1142 by Johnson (Constance) of the Senate and Tibbs of the House was called up for further consideration.

Senator Garrison asked to coauthor **SB 1142**, which was the order.

Senator Nichols asked unanimous consent, which was granted, to suspend Senate Rules and to amend the floor substitute on **SB 1142**, Page 3, Lines 16 through 19, by deleting all language.

Senator Johnson (Constance) moved that **SB 1142** be advanced, which motion was declared adopted.

THIRD READING

SB 1142 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, Brown, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Marlatt, Nichols, Paddack, Rice, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--31.

Nay: Aldridge, Bass, Bingman, Branan, Brogdon, Crain, Ford, Jolley, Lamb, Myers, Newberry, Schulz and Sykes.--13.

Excused: Coffee, Mazzei, Reynolds and Russell.--4.

The bill passed.

SB 1142 was referred for engrossment.

GENERAL ORDER

SB 839 by Leftwich of the Senate and Derby of the House was called up for consideration.

Senator Johnson (Constance) asked to coauthor **SB 839**, which was the order.

Senator Wilson moved to amend **SB 839**, Page 1, Line 20 ½, by inserting a new Sections 2 and 3 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7100 of Title 36, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1. “Health care provider” means any person or entity who is licensed, certified, or otherwise authorized by the law of this state to administer or offer health care in the ordinary course of business or practice of a profession; and

2. “Medical services” means any care, service or treatment of illness or dysfunction of, or injury to, the human body including, but not limited to, physician care, inpatient care, hospital surgical services, emergency services, ambulance services, dental care services, vision care services, mental health services, substance abuse services, chiropractic services, podiatric care services, laboratory services, and medical equipment and supplies.

B. The Oklahoma Health Care Authority shall establish and maintain a program by which the Authority will serve as administrator and collector for all charges for medical services for uninsured persons in the state.

C. Health care providers shall file all charges for medical services for uninsured persons through the Authority.

D. The Authority shall collect such charges from uninsured persons, provided, however, that the Authority has the authority to override any inappropriate charge for a medical service and direct such health care provider to charge a more appropriate fee to be determined by the Authority.

E. After the Authority has collected any or all charges for a medical service from an uninsured person, the Authority shall submit such payment to the health care provider. The Authority is authorized to keep a portion of the collection to cover administrative costs.

F. Nothing in this section shall be construed to mean that the Authority is responsible for reimbursement of any unpaid charges for medical services.

G. The Oklahoma Health Care Authority Board shall promulgate rules as necessary to implement the provisions of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7100.1 of Title 36 , unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the Oklahoma Health Care Authority to be designated the “Medical Care for the Uninsured Revolving Fund”. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of monies received by the Oklahoma Health Care Authority from state and federal funds. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Health Care Authority for the purpose of serving as administrator and collector for all charges for medical services for uninsured persons in the state. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.”, by renumbering subsequent section, which amendment was declared adopted.

Senator Leftwich moved that **SB 839** be advanced, which motion was declared adopted.

THIRD READING

SB 839 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, Bass, Bingman, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Justice, Laster, Leftwich, Lerblance, Marlatt, Nichols, Paddack, Rice, Schulz, Sparks, Sweeden, Wilson and Wyrick.--33.

Nay: Aldridge, Branam, Brogdon, Brown, Coffee, Johnson (M), Jolley, Lamb, Myers, Newberry, Stanislawski and Sykes.--12.

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

The bill passed.

SB 839 was referred for engrossment.

GENERAL ORDER

SB 1035 by Sparks of the Senate and Armes of the House was called up for consideration.

Senator Sparks asked unanimous consent, which was granted, to amend **SB 1035**, Page 1, by striking the title.

Senator Sparks moved that **SB 1035** be advanced, which motion was declared adopted.

THIRD READING

SB 1035 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--40.

Nay: Ballenger, Ellis, Gumm and Paddack.--4.

Excused: Mazzei, Reynolds, Russell and Wyrick.--4.

The bill passed.

SB 1035 was referred for engrossment.

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 12, 2009, at 9:00 a.m., which motion prevailed.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider whereby **SB 988** failed.

FIRST READING

The following was introduced and read the first time:

SCR 10 – By Justice of the Senate and Osborn of the House.

A Concurrent Resolution commending the career of Roy Troutt; mourning his loss; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 3:55 p.m. to meet Thursday, March 12, 2009, at 9:00 a.m.