

# Senate Journal

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

**Twenty-eighth Legislative Day, Wednesday, March 18, 2009**

The Senate was called to order by Senator Bingman.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, 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, Paddack, Reynolds, Russell, Schulz, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—43.

Excused: Branan, Crain, Nichols, Rice and Sparks.—5.

Senator Bingman declared a quorum present.

The prayer was offered by Reverend James Robinson, First Baptist Church, Durant, the guest of Senator Gumm.

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 10** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **INTRODUCTIONS**

Senator Lerblance introduced his wife, Frances, and his grandchildren, Alexandria and Zak Lerblance, to the Senate.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Brogdon asked unanimous consent to refer **SCR 6** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 6** by Brogdon of the Senate and Sears of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 6**, which was the order.

**SCR 6** was adopted upon motion of Senator Brogdon and referred for engrossment.

**Senator Brogdon presiding.**

**EXECUTIVE NOMINATION**

The following executive nomination has been approved by the committee named:

Regan, Peter J., Tulsa, to the Transportation Commission, to serve an eight year term ending February 15, 2017, succeeding Guy Berry. (Transportation Committee) Motion to confirm made by Senator Tom Adelson.

Motion to confirm the above named executive nomination was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Paddack, Reynolds, Russell, Schulz, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Branan, Brown, Crain, Jolley, Nichols, Rice and Sparks.--7.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Johnson (Constance) asked unanimous consent to refer **SR 14** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 14** by Johnson (Constance) was called up for consideration.

**SR 14** was adopted upon motion of Senator Johnson (Constance) and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Bingman asked unanimous consent to refer **SR 21** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 21** by Bingman was called up for consideration.

All other members of the Senate asked to coauthor **SR 21**, which was the order.

**SR 21** was adopted upon motion of Senator Bingman and referred for enrollment.

**MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1005**.

**HCR 1005** – By McNiel of the House and Bingman of the Senate.

A Concurrent Resolution designating the Larry Eugene Caldwell Memorial Bridge; directing the Department of Transportation to place permanent markers; and directing distribution.

The above-numbered measure was read the first time.

Advising passage of and returning the following Engrossed measures:

**SCR 12**

**SCR 13** - coauthored by McCullough and Dorman of the House and Corn of the Senate

The above-numbered measures were referred for enrollment.

**CHANGE IN COMMITTEE ASSIGNMENT**

The following bill will be reassigned as follows:

**HB 1366** – Withdrawn from Appropriations committee and referred to General Government.

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 19, 2009, at 9:00 a.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS, As Amended:

**HB 1295** – Finance, coauthored by Ivester of the Senate

Ayes: Aldridge, Crutchfield, Ford, Gumm, Ivester, Jolley, Mazzei, Reynolds, Rice, Stanislawski

Nays: Wilson

**HB 1297** – Finance

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

Nays: Wilson

**HB 1618** – Finance, coauthored by Ivester of the Senate

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

**HB 1919** – Finance, coauthored by Ivester of the Senate

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

**HB 1948** – Finance

Ayes: Crutchfield, Ford, Gumm, Ivester, Mazzei, Rice, Stanislawski, Wilson

Nays: Aldridge, Johnson (Mike), Jolley, Reynolds

**HB 1949** – Finance

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

Nays: Reynolds

**SECOND READING**

The following were read for the second time and referred to committee as indicated:

- HB 1023** – General Government
- HB 1030** – Appropriations
- HB 1032** – Appropriations
- HB 1037** – Rules
- HB 1038** – Retirement and Insurance
- HB 1061** – General Government
- HB 1067** – Appropriations
- HB 1071** – Judiciary
- HB 1072** – Rules
- HB 1092** – Public Safety and Homeland Security
- HB 1097** – Finance
- HB 1112** – Appropriations
- HB 1114** – Appropriations
- HB 1115** – Appropriations
- HB 1116** – Appropriations
- HB 1117** – Appropriations
- HB 1118** – Appropriations
- HB 1119** – Appropriations
- HB 1120** – Appropriations
- HB 1121** – Appropriations
- HB 1122** – Appropriations
- HB 1123** – Appropriations
- HB 1165** – Appropriations
- HB 1299** – Judiciary
- HB 1301** – Appropriations
- HB 1309** – Judiciary
- HB 1326** – Judiciary
- HB 1329** – Rules
- HB 1330** – General Government
- HB 1333** – Education
- HB 1378** – Judiciary
- HB 1389** – Judiciary
- HB 1419** – Public Safety and Homeland Security
- HB 1422** – Appropriations
- HB 1448** – Appropriations
- HB 1449** – Judiciary
- HB 1460** – Judiciary
- HB 1468** – Finance
- HB 1480** – Finance
- HB 1483** – Energy and Environment

**HB 1487** – Energy and Environment  
**HB 1488** – Finance  
**HB 1489** – Appropriations  
**HB 1505** – Appropriations  
**HB 1506** – Appropriations  
**HB 1508** – Appropriations  
**HB 1509** – Judiciary  
**HB 1511** – Education  
**HB 1512** – Education  
**HB 1513** – Rules  
**HB 1570** – Judiciary  
**HB 1576** – Appropriations  
**HB 1584** – Appropriations  
**HB 1592** – Appropriations  
**HB 1598** – Judiciary  
**HB 1600** – Judiciary  
**HB 1606** – Judiciary  
**HB 1625** – Judiciary  
**HB 1656** – General Government  
**HB 1661** – Finance  
**HB 1662** – Judiciary  
**HB 1674** – Judiciary  
**HB 1676** – Appropriations  
**HB 1682** – Appropriations  
**HB 1704** – Appropriations  
**HB 1717** – Appropriations  
**HB 1734** – Judiciary  
**HB 1737** – Appropriations  
**HB 1740** – Appropriations  
**HB 1741** – Appropriations  
**HB 1742** – Health and Human Services  
**HB 1748** – Appropriations  
**HB 1750** – Energy and Environment  
**HB 1755** – Appropriations  
**HB 1763** – Appropriations  
**HB 1775** – Judiciary  
**HB 1780** – Appropriations  
**HB 1786** – Finance  
**HB 1790** – Appropriations  
**HB 1795** – Public Safety and Homeland Security  
**HB 1802** – Finance  
**HB 1813** – Transportation  
**HB 1834** – Appropriations  
**HB 1845** – Judiciary

- HB 1864** – Appropriations
- HB 1885** – Appropriations
- HB 1888** – Appropriations
- HB 1892** – Judiciary
- HB 1909** – Finance
- HB 1934** – Appropriations
- HB 1935** – Retirement and Insurance
- HB 1952** – Appropriations
- HB 1953** – Finance
- HB 1963** – Judiciary
- HB 1964** – Appropriations
- HB 1965** – Appropriations
- HB 1975** – Retirement and Insurance
- HB 2001** – Finance
- HB 2004** – Appropriations
- HB 2010** – Education
- HB 2013** – Public Safety and Homeland Security
- HB 2015** – Appropriations
- HB 2016** – Appropriations
- HB 2028** – Judiciary
- HB 2031** – Finance
- HB 2034** – Finance
- HB 2056** – Business and Labor
- HB 2062** – Finance
- HB 2067** – Finance
- HB 2070** – Business and Labor
- HB 2071** – Agriculture and Rural Development
- HB 2082** – Appropriations
- HB 2089** – Appropriations
- HB 2090** – Finance
- HB 2108** – Retirement and Insurance
- HB 2125** – Appropriations
- HB 2126** – Education
- HB 2154** – Tourism and Wildlife
- HB 2158** – Tourism and Wildlife
- HB 2159** – Agriculture and Rural Development
- HB 2167** – Appropriations
- HB 2174** – Judiciary
- HB 2175** – Retirement and Insurance
- HB 2189** – Education
- HB 2204** – Finance
- HB 2210** – Judiciary
- HB 2228** – Appropriations
- HB 2246** – Rules

**HB 2247** – Finance  
**HJR 1009** – Health and Human Services  
**HJR 1016** – Finance  
**HJR 1017** – Judiciary  
**HJR 1021** – Judiciary  
**HJR 1022** – Rules  
**HJR 1026** – Finance  
**HJR 1029** – Finance  
**HJR 1035** – Appropriations  
**HJR 1041** – Judiciary

### **FIRST READING**

The following was introduced and read the first time:

**SR 22** – By Paddack.

A Resolution recognizing March 25, 2009, as the centennial of East Central University; applauding students and alumni; extending commendations to faculty, administration, and staff; challenging the school to continue; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 9:30 a.m. to meet Thursday, March 19, 2009, at 9:00 a.m.

### **JOURNAL CORRECTION**

Page 1033, Line 13, by deleting “**SB 1048**” and inserting “**HB 1048**”.