

Senate Journal

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

Thirty-ninth Legislative Day, Tuesday, April 7, 2009

The Senate was called to order by Senator Jolley.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason, McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—48.

Senator Jolley declared a quorum present.

The prayer was offered by Reverend Dwight Helt, St. John's Episcopal Church, Norman, the guest of Senator Sparks.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1297, 1919 and 2070 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 52, 401, 505, 699, 871 and 880 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 33 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

REQUEST TO RECESS

Pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate requests the Honorable House to consent to the adjournment of the Senate for more than three days beginning on Thursday, April 9, 2009 and ending on Monday, April 13, 2009.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1070, 1461 and 1464**.

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

Advising passage of and returning the following Engrossed bills:

SB 303 - remove Thompson and substitute Watson as principal House author, coauthored by Thompson

SB 348 - coauthored by Fields and Wright (John)

SB 446

SB 694

The above-numbered measures were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HCR 1019**.

HCR 1019 – By Bengé of the House and Bingman of the Senate.

A Concurrent Resolution urging the United States Environmental Protection Agency to take regulatory steps that will encourage the use of natural gas vehicles; and directing distribution.

The above-numbered measure was read the first time.

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

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

SB 411 - coauthored by Tibbs

SB 615

SB 698 - coauthored by McMullen, Fields, Luttrell and Roan

SB 852 - coauthored by Reynolds

SB 887

SB 889

SB 956 - coauthored by Nelson, Cooksey, Coody, Reynolds, Kern and Tibbs

House amendments were read on the above-numbered bills.

GENERAL ORDER

HB 1779 by Jones and Jackson of the House and Burrage of the Senate was called up for consideration.

Senators Garrison, Leftwich and Coates asked to coauthor **HB 1779**, which was the order.

Senator Burrage moved that **HB 1779** be advanced, which motion was declared adopted.

THIRD READING

HB 1779 was read for the third time at length.

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

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

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

The bill and emergency passed.

HB 1779 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1092 by Trebilcock et al of the House and Bingman of the Senate was called up for consideration.

Senators Burrage, Garrison, Johnson (Constance) and Bass asked to coauthor **HB 1092**, which was the order.

Senator Bingman moved that **HB 1092** be advanced, which motion was declared adopted.

THIRD READING

HB 1092 was read for the third time at length.

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

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

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

The bill passed.

HB 1092 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1334 by Denney of the House and Bingman of the Senate was called up for consideration.

Senator Bingman moved that **HB 1334** be advanced, which motion was declared adopted.

THIRD READING

HB 1334 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, 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, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Nay: Ellis.--1.

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

The bill passed.

Senator Ellis desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45; Excused: 3.

The emergency passed.

HB 1334 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1296 by Wright (John) of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved that **HB 1296** be advanced, which motion was declared adopted.

THIRD READING

HB 1296 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Anderson, Branan, Gumm and Russell.--4.

The bill passed.

HB 1296 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1318 by Shoemake of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved that **HB 1318** be advanced, which motion was declared adopted.

THIRD READING

HB 1318 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Anderson, Branan, Gumm, Mazzei and Russell.--5.

The bill passed.

HB 1318 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1420 by Cannaday and Moore of the House and Ballenger of the Senate was called up for consideration.

Senator Ballenger moved that **HB 1420** be advanced, which motion was declared adopted.

THIRD READING

HB 1420 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Anderson, Branan, Ford, Gumm, Mazzei and Russell.--6.

The bill passed.

HB 1420 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1012 by Wright (John) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1012** be advanced, which motion was declared adopted.

THIRD READING

HB 1012 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Nay: Brogdon.--1.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei and Russell.--6.

The bill passed.

HB 1012 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1013 by Wright (John) et al of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1013** be advanced, which motion was declared adopted.

THIRD READING

HB 1013 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1013 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1014 by Wright (John) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1014** be advanced, which motion was declared adopted.

THIRD READING

HB 1014 was read for the third time at length.

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

Aye: Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Nay: Adelson.--1.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1014 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1015 by Wright (John) and Ritze of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1015** be advanced, which motion was declared adopted.

THIRD READING

HB 1015 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1015 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1016 by Faught et al of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1016** be advanced, which motion was declared adopted.

THIRD READING

HB 1016 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich,

Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Excused: Anderson, Branan, Coffee, Corn, Gumm, Mazzei, Myers and Russell.--8.

The bill passed.

HB 1016 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1017 by Wright (John) and Ritze of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1017** be advanced, which motion was declared adopted.

THIRD READING

HB 1017 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--39.

Nay: Schulz and Sykes.--2.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1017 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1018 by Wright (John) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1018** be advanced, which motion was declared adopted.

THIRD READING

HB 1018 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1018 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1019 by Wright (John) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1019** be advanced, which motion was declared adopted.

THIRD READING

HB 1019 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1019 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1022 by Wright (John) and Kern of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1022** be advanced, which motion was declared adopted.

THIRD READING

HB 1022 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1022 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1023 by Wright (John) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1023** be advanced, which motion was declared adopted.

THIRD READING

HB 1023 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Anderson, Branan, Coffee, Gumm, Mazzei, Myers and Russell.--7.

The bill passed.

HB 1023 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1576 by Joyner et al of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 1576** be advanced, which motion was declared adopted.

THIRD READING

HB 1576 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--41.

Nay: Brogdon.--1.

Excused: Anderson, Branan, Gumm, Mazzei, Myers and Russell.--6.

The bill and emergency passed.

HB 1576 was referred for engrossment.

GENERAL ORDER

HB 1949 by Bengé et al of the House and Bingman of the Senate was called up for consideration.

Senators Branan and Gumm asked to coauthor **HB 1949**, which was the order.

Senator Bingman asked that **HB 1949** be laid over temporarily, which was the order.

HB 1949 remains on General Order.

GENERAL ORDER

HB 1473 by Sanders of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 1473** be advanced, which motion was declared adopted.

THIRD READING

HB 1473 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Anderson, Branan, Gumm, Mazzei and Russell.--5.

The bill passed.

HB 1473 was referred for engrossment.

GENERAL ORDER

HB 1482 by DeWitt et al of the House and Justice of the Senate was called up for consideration.

Representative Fields and Senator Sparks asked to coauthor **HB 1482**, which was the order.

Senator Justice moved that **HB 1482** be advanced, which motion was declared adopted.

THIRD READING

HB 1482 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Nay: Laster and Rice.--2.

Excused: Anderson, Branam, Gumm, Mazzei, Reynolds and Russell.--6.

The bill passed.

HB 1482 was referred for engrossment.

GENERAL ORDER

HB 1583 by Fields et al of the House and Justice of the Senate was called up for consideration.

Senator Sweeden asked to coauthor **HB 1583**, which was the order.

Senator Justice moved that **HB 1583** be advanced, which motion was declared adopted.

THIRD READING

HB 1583 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Anderson, Branan, Gumm, Mazzei and Russell.--5.

The bill passed.

HB 1583 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1759 by Enns et al of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 1759** be advanced, which motion was declared adopted.

THIRD READING

HB 1759 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Anderson, Branan, Gumm, Mazzei and Russell.--5.

The bill and emergency passed.

HB 1759 was referred for engrossment.

GENERAL ORDER

HB 1873 by Sears et al of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 1873** be advanced, which motion was declared adopted.

THIRD READING

HB 1873 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, 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, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--42.

Nay: Ellis, Sweeden and Wilson.--3.

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

The bill passed.

HB 1873 was referred for engrossment.

GENERAL ORDER

HB 1077 by Lamons et al of the House and Eason McIntyre of the Senate was called up for consideration.

Senator Eason McIntyre moved that **HB 1077** be advanced, which motion was declared adopted.

THIRD READING

HB 1077 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--41.

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

Excused: Anderson, Branan, Gumm and Johnson (M).--4.

The bill passed.

HB 1077 was referred for engrossment.

**MESSAGE FROM THE HOUSE
CONSENT TO RECESS**

Advising the Honorable Senate pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House grants the request of the Honorable Senate to adjourn for more than three (3) days beginning on Thursday, April 9, 2009 and ending on Monday, April 13, 2009.

GENERAL ORDER

HB 1365 by Buck of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 1365** be advanced, which motion was declared adopted.

THIRD READING

HB 1365 was read for the third time at length.

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

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

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

The bill passed.

HB 1365 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2151 by Armes et al of the House and Schulz of the Senate was called up for consideration.

Senator Schulz moved that **HB 2151** be advanced, which motion was declared adopted.

THIRD READING

HB 2151 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Nay: Leftwich and Rice.--2.

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

The bill and emergency passed.

HB 2151 was referred for engrossment.

GENERAL ORDER

HB 1470 by Sanders and Holland of the House and Marlatt of the Senate was called up for consideration.

Senator Marlatt moved that **HB 1470** be advanced, which motion was declared adopted.

THIRD READING

HB 1470 was read for the third time at length.

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

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

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

The bill passed.

HB 1470 was properly signed and ordered returned to the Honorable House.

EXECUTIVE NOMINATION

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

Helm, Jay, Tulsa, to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, to serve an eight year term ending April 4, 2017, succeeding himself. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--42.

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

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

GENERAL ORDER

HB 1007 by Wesselhoft et al of the House and Leftwich of the Senate was called up for consideration.

Senator Leftwich moved that **HB 1007** be advanced, which motion was declared adopted.

THIRD READING

HB 1007 was read for the third time at length.

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

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

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

The bill passed.

HB 1007 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1949 by Bengé et al of the House and Bingman of the Senate was called up for further consideration.

Senator Bingman moved to amend **HB 1949**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute. (Copies were provided for all Senators.)

Senator Bingman asked unanimous consent, which was granted, to amend the floor substitute to **HB 1949**, Page 1, by striking the enacting clause.

Senator Bingman pressed his previous motion to adopt the floor substitute to **HB 1949**, as amended, which motion was declared adopted.

Senator Bingman moved that **HB 1949** be advanced, which motion was declared adopted.

THIRD READING

HB 1949 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Nay: Brogdon and Reynolds.--2.

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

The bill passed.

HB 1949 was referred for engrossment.

GENERAL ORDER

HB 1049 by Carey of the House and Paddack of the Senate was called up for consideration.

Senator Paddack moved that **HB 1049** be advanced, which motion was declared adopted.

THIRD READING

HB 1049 was read for the third time at length.

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

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

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

The bill passed.

HB 1049 was properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 52, 401, 505, 699, 871 and 880**.

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

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 8, 2009, at 9:30 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 34 – By Sykes.

A Resolution honoring the public service career of Senator Kenneth Landis; mourning his loss; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 2:55 p.m. to meet Wednesday, April 8, 2009, at 9:30 a.m.