

Senate Journal

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

Sixty-fifth Legislative Day, Thursday, May 21, 2009

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—47.

Excused: Russell.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Pastor Mike Seabaugh, First Baptist Church, Ponca City, the guest of Senator Myers.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 63, 73, 81, 87, 89, 107, 109, 111, 118, 133, 219, 546, 810, 888, 929, 1137 and **1179** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 20, 58, 60 and **66** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 564

SB 982
SB 1020
SB 1119

PENDING CONSIDERATION OF HAS

HAs to **SB 848** were concurred in upon motion of Senator Branan.

SB 848, as amended by the Honorable House, was read at length.

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

Aye: 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, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Adelson, Bass, Coffee, Reynolds and Russell.--5.

The bill passed.

The Presiding Officer recognized Senator Bass who advised the Chair of an apparent malfunction in his voting machine. Senator Bass asked that the record reflect a vote of Aye on **SB 848**, as provided in Rule 14-1E. The Chair directed the clerk to correct the roll call vote on **SB 848** as Aye: 44; Excused: 4.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 185** was rejected upon motion of Senator Lamb, further conference requested, and same Senate conferees appointed as follows: GCCA.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Branan asked unanimous consent to refer **SR 57** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 57 by Branan was called up for consideration.

All other members of the Senate asked to coauthor **SR 57**, which was the order.

SR 57 was adopted upon motion of Senator Branan and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **HB 1483** was adopted upon motion of Senator Justice.

Senators Marlatt, Brogdon, Jolley, Sykes, Bass, Garrison, Ford, Gumm, Laster, Lerblance, Schulz, Bingman, Ballenger, Eason McIntyre, Leftwich, Burrage, Rice, Sparks, Easley, Johnson (Constance), Sweeden, Wilson, Ellis, Paddack, Crutchfield, Adelson and Wyrick asked to coauthor **HB 1483**, which was the order.

HB 1483, as amended in conference, was read 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, Coates, 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.--45.

Excused: Adelson, Coffee and Russell.--3.

The bill and emergency passed.

HB 1483, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 63, 73, 81, 87, 89, 107, 109, 111, 118, 133, 219, 546, 810, 888, 929, 1137 and 1179**.

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

Advising further conference granted and naming same House conferees on Engrossed:

SB 185 - GCCA

Advising conferees unable to agree on the following:

HB 1741

Advising fourth reading of and transmitting for signature Enrolled **HBs 1032, 1055, 1057, 1097, 1111, 1126, 1147, 1200, 1204, 1208, 1228, 1240, 1244, 1246, 1248, 1252, 1360, 1468, 1575, 1734, 1736, 1737, 1952, 1953, 1956, 2013, 2149 and 2246** and **HJR 1014**.

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

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

SB 125

SB 127

SB 131 - coauthored by Cox

SB 189

SB 191

SB 193

SB 197

SB 201

SB 215

SB 610 (2nd CCR)

SB 1185 (2nd CCR) - coauthored by Derby

The above-numbered measures, as amended in conference, were referred for enrollment.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

HB 1067 - coauthored by Tibbs

HB 1264

HB 1268
HB 1272
HB 1274

Conference committee reports were read on the above-numbered bills.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 179 (2ND CCR)
SB 206
SB 479 – conferees unable to agree
SB 881

SB 479 will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 125, 127, 131, 189, 191, 193, 197, 201, 215, 848 and 1185 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 57 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

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

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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.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2176** was adopted upon motion of Senator Aldridge.

HB 2176, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Eason McIntyre, Ellis, Ford, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden and Sykes.--37.

Nay: Anderson, Bass, Easley, Garrison, Gumm, Johnson (C), Wilson and Wyrick.--8.

Excused: Coffee, Corn and Russell.--3.

The bill and emergency passed.

HB 2176, together with the conference committee report thereon, was ordered returned to the Honorable House.

INTRODUCTION

Senator Reynolds introduced his wife, Diane, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1020** was called up for consideration.

Senator Nichols moved to reject the CCR to **SB 1020** and request further conference with instructions to the conferees and request same Senate conferees as follows: GCCA.

Conferee instructions to read as follows:

“Modify the definition of pattern of physical abuse found in the new law provision of Section 1, subsection B, of the Conference Committee Substitute for Engrossed SB 1020 (request #1922) as follows: After the word “incidences,” by deleting the words and comma: “unreported to law enforcement,” and after the word “days,” by deleting the word “and”, which motion was declared adopted.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Baker, Rand L., Norman, to the Forensic Review Board, to serve an initial term ending December 31, 2011, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jonathan Nichols.

Besa, Art, Lawton, to the War Veterans Commission of Oklahoma, to serve an unexpired term ending July 1, 2011, succeeding Bill Finch. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Sykes on behalf of Senator Randy Bass.

Brawley, Russal B., Oklahoma City, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2012, succeeding Jeanette King. (Health and Human Services Committee) Motion to confirm made by Senator Sykes on behalf of Senator Glenn Coffee.

Burton, Brandon, Edmond, to the Oklahoma Horse Racing Commission, to serve a six year term ending June 30, 2015, succeeding Randall K. Calvert. (Finance Committee) Motion to confirm made by Senator Clark Jolley.

Coats-Ashley, Nancy, Oklahoma City, to the Forensic Review Board, to serve a five year term ending December 31, 2013, succeeding a vacant position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Cliff Branan.

Dorris, Jeff, Oklahoma City, to the Board of Dentistry, to serve a three year term ending July 1, 2012, succeeding Kay Bickham. (Health and Human Services Committee) Motion to confirm made by Senator Burrage on behalf of Senator Andrew Rice.

Douthitt, Jon, Claremore, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2015, succeeding Betty G. Bass. (General Government Committee) Motion to confirm made by Senator Sean Burrage.

Foust, Verna, Yukon, to the Forensic Review Board, to serve an initial term ending December 31, 2010, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Mike Johnson.

Goumaz, Becky, Kellyville, to the Oklahoma Horse Racing Commission, to serve a six year term ending June 30, 2015, succeeding Eugene E. Bledsoe. (Finance Committee) Motion to confirm made by Senator Brian Bingman.

Haddox, Denny, Claremore, to the J.M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding Debi Reynolds. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

Haley, Stephen, Tulsa, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Janet Thomas. (Education Committee) Motion to confirm made by Senator Brian Crain.

Hartman, Richard R., M.D., Norman, to the Forensic Review Board, to serve an initial term ending December 31, 2009, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jonathan Nichols.

Hindenburg, Nancy, Inola, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Dianne Hill. (Education Committee) Motion to confirm made by Senator Sean Burrage.

Hooper, Rhonda, Edmond, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2013, succeeding Michael D. Anderson. (Energy and Environment Committee) Motion to confirm made by Senator Mike Johnson.

Johnson, Jerry, Oklahoma City, as Vice Chairman of the Oklahoma Tax Commission, to serve a six year term ending January 12, 2015, succeeding himself. (Finance Committee) Motion to confirm made by Senator Constance N. Johnson.

Kelly, Mark W., Oklahoma City, to the Commission on Consumer Credit, to serve a five year term ending February 15, 2014, succeeding Jack P. Vaughan. (Business and Labor Committee) Motion to confirm made by Senator Sykes on behalf of Senator Glenn Coffee.

Mellor, George, Jr., McAlester, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2015, succeeding Charlotte L. Britton. (Business and Labor Committee) Motion to confirm made by Senator Richard Lerblance.

Miller, Kenneth, M.D., McAlester, to the State Board of Health, to serve an unexpired term ending June 30, 2011, succeeding Ron Graves, M.D.. (Health and Human Services Committee) Motion to confirm made by Senator Richard Lerblance.

Neal, Linda, Lawton, to the State Board of Corrections, to serve a six year term ending March 15, 2015, succeeding Ernest F. Godlove. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Randy Bass.

Norwood, Steve, Oklahoma City, to the Forensic Review Board, to serve an initial term ending December 31, 2011, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jonathan Nichols.

Penrod, Ray, Yukon, to the War Veterans Commission of Oklahoma, to serve a three year term ending July 1, 2012, succeeding himself. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Mike Johnson.

Streater, Eddie, Holdenville, to the Forensic Review Board, to serve an initial term ending December 31, 2009, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Susan Paddock.

Sutherland, Christopher L., Tulsa, to the J. M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Dan Newberry.

Thomas, Cliff, Norman, to the Forensic Review Board, to serve an initial term ending December 31, 2010, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator John Sparks.

Tippie, Martin A., M.D., Norman, to the Oklahoma State Athletic Commission, to serve a three year term ending June 30, 2012, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator John Sparks.

Turpen, Mike, Oklahoma City, to the Oklahoma State Regents for Higher Education, to serve a nine year term ending May 16, 2018, succeeding Cheryl Hunter. (Education Committee) Motion to confirm made by Senator Andrew Rice.

Motions to confirm the above named executive nominations were declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, 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, Wilson and Wyrick.--43.

Nay: Brogdon and Sykes.--2.

Excused: Corn, Eason McIntyre and Russell.--3.

Pursuant to Rule 12-21E, Senator Lamb served notice that the vote be reconsidered whereby the Executive Nominations were confirmed..

MOTION TO RECONSIDER VOTE

Senator Lamb moved to reconsider the vote whereby the Executive Nominations were confirmed, which motion was declared adopted upon roll call as follows:

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

Excused: Corn, Eason McIntyre, Mazzei and Russell.--4.

EXECUTIVE NOMINATION

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

Turpen, Mike, Oklahoma City, to the Oklahoma State Regents for Higher Education, to serve a nine year term ending May 16, 2018, succeeding Cheryl Hunter. (Education Committee) Motion to confirm made by Senator Andrew Rice.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, 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.--41.

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

Excused: Corn, Eason McIntyre, Mazzei and Russell.--4.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Baker, Rand L., Norman, to the Forensic Review Board, to serve an initial term ending December 31, 2011, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jonathan Nichols.

Besa, Art, Lawton, to the War Veterans Commission of Oklahoma, to serve an unexpired term ending July 1, 2011, succeeding Bill Finch. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Sykes on behalf of Senator Randy Bass.

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Foust, Verna, Yukon, to the Forensic Review Board, to serve an initial term ending December 31, 2010, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Mike Johnson.

Goumaz, Becky, Kellyville, to the Oklahoma Horse Racing Commission, to serve a six year term ending June 30, 2015, succeeding Eugene E. Bledsoe. (Finance Committee) Motion to confirm made by Senator Brian Bingman.

Haddox, Denny, Claremore, to the J.M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding Debi Reynolds. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

Haley, Stephen, Tulsa, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Janet Thomas. (Education Committee) Motion to confirm made by Senator Brian Crain.

Hartman, Richard R., M.D., Norman, to the Forensic Review Board, to serve an initial term ending December 31, 2009, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jonathan Nichols.

Hindenburg, Nancy, Inola, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Dianne Hill. (Education Committee) Motion to confirm made by Senator Sean Burrage.

Hooper, Rhonda, Edmond, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2013, succeeding Michael D. Anderson. (Energy and Environment Committee) Motion to confirm made by Senator Mike Johnson.

Johnson, Jerry, Oklahoma City, as Vice Chairman of the Oklahoma Tax Commission, to serve a six year term ending January 12, 2015, succeeding himself. (Finance Committee) Motion to confirm made by Senator Constance N. Johnson.

Kelly, Mark W., Oklahoma City, to the Commission on Consumer Credit, to serve a five year term ending February 15, 2014, succeeding Jack P. Vaughan. (Business and Labor Committee) Motion to confirm made by Senator Sykes on behalf of Senator Glenn Coffee.

Mellor, George, Jr., McAlester, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2015, succeeding Charlotte L. Britton. (Business and Labor Committee) Motion to confirm made by Senator Richard Lerblance.

Miller, Kenneth, M.D., McAlester, to the State Board of Health, to serve an unexpired term ending June 30, 2011, succeeding Ron Graves, M.D.. (Health and Human Services Committee) Motion to confirm made by Senator Richard Lerblance.

Neal, Linda, Lawton, to the State Board of Corrections, to serve a six year term ending March 15, 2015, succeeding Ernest F. Godlove. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Randy Bass.

Norwood, Steve, Oklahoma City, to the Forensic Review Board, to serve an initial term ending December 31, 2011, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jonathan Nichols.

Penrod, Ray, Yukon, to the War Veterans Commission of Oklahoma, to serve a three year term ending July 1, 2012, succeeding himself. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Mike Johnson.

Streater, Eddie, Holdenville, to the Forensic Review Board, to serve an initial term ending December 31, 2009, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Susan Paddock.

Sutherland, Christopher L., Tulsa, to the J. M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Dan Newberry.

Thomas, Cliff, Norman, to the Forensic Review Board, to serve an initial term ending December 31, 2010, succeeding a new position. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator John Sparks.

Tippie, Martin A., M.D., Norman, to the Oklahoma State Athletic Commission, to serve a three year term ending June 30, 2012, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator John Sparks.

Motions to confirm the above named executive nominations were declared adopted upon roll call as follows:

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

Excused: Coffee, Corn, Eason McIntyre, Mazzei and Russell.--5.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 608** was adopted upon motion of Senator Anderson.

SB 608, as amended in conference, was read 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, Crain, Crutchfield, Easley, 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.--44.

Excused: Coffee, Corn, Eason McIntyre and Russell.--4.

The bill passed.

SB 608, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Bingman asked unanimous consent to refer **HCRs 1035** and **1036** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1035 by Thompson et al of the House and Bingman of the Senate was called up for consideration.

All other members of the Senate, except Senator Constance Johnson, asked to coauthor **HCR 1035**, which was the order.

HCR 1035 was adopted upon motion of Senator Bingman and properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HCR 1036 by Thompson et al of the House and Bingman of the Senate was called up for consideration.

Senator Branan and all other members of the Senate asked to coauthor **HCR 1036**, which was the order.

HCR 1036 was adopted upon motion of Senator Bingman and properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1067** was adopted upon motion of Senator Crain.

HB 1067, as amended in conference, was read 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, 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.--46.

Excused: Corn and Russell.--2.

The bill passed.

HB 1067, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 881** was adopted upon motion of Senator Johnson (Mike).

Senator Mazzei and Representatives Reynolds and Kern asked to coauthor **SB 881**, which was the order.

SB 881, as amended in conference, was read 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, 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.--45.

Excused: Corn and Russell.--2.

*Not Voting: Ivester.—1.

The bill passed.

*Senator Ivester asked to be shown not voting on **SB 881** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

SB 881, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 564** was adopted upon motion of Senator Wyrick.

SB 564, as amended in conference, was read 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, 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.--46.

Excused: Corn and Russell.--2.

The bill passed.

SB 564, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Brogdon presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1264** was adopted upon motion of Senator Myers.

HB 1264, as amended in conference, was read at length.

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

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

Excused: Corn, Jolley and Russell.--3.

The bill and emergency passed.

HB 1264, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1268** was adopted upon motion of Senator Myers.

HB 1268, as amended in conference, was read at length.

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

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

Excused: Corn, Jolley and Russell.--3.

The bill and emergency passed.

HB 1268, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1272** was adopted upon motion of Senator Myers.

HB 1272, as amended in conference, was read 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, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford,

Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Nay: Brogdon.--1.

Excused: Corn, Jolley and Russell.--3.

The bill and emergency passed.

HB 1272, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1274** was adopted upon motion of Senator Myers.

HB 1274, as amended in conference, was read at length.

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

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

Excused: Corn, Jolley and Russell.--3.

The bill and emergency passed.

HB 1274, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1119** was adopted upon motion of Senator Sykes.

SB 1119, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford,

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

Excused: Coffee, Corn, Jolley, Reynolds and Russell.--5.

The bill and emergency passed.

SB 1119, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1250** was adopted upon motion of Senator Sykes.

HB 1250, as amended in conference, was read at length.

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

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

Excused: Corn, Jolley, Mazzei and Russell.--4.

The bill and emergency passed.

HB 1250, together with the conference committee report thereon, was ordered returned to the Honorable House.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Sykes asked unanimous consent to refer **SR 69** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 69 by Sykes was called up for consideration.

SR 69 was adopted upon motion of Senator Sykes and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 982** was adopted upon motion of Senator Ford.

SB 982, as amended in conference, was read at length.

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

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

Excused: Corn, Jolley and Russell.--3.

The bill and emergency passed.

SB 982, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 610 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 69 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

SB 93

SB 119

SB 121

SB 123

SB 137

SB 139 - coauthored by Cox

SB 147 - coauthored by Cox

SB 155

SB 163

SB 169

SB 171
SB 175
SB 181
SB 223

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising conferees unable to agree on the following:

HB 1072
HB 1948

Advising rejection of **CCR** to the following bill, requesting further conference and naming same House conferees as follows:

HB 1964 - Benge, Steele, Peterson, Rousselot and McDaniel (Jeannie)

Advising rejection of **2ND CCR** to the following bill, requesting further conference and naming same House conferees as follows:

HB 1888 - Richardson, Roan, Morgan, Cox, Faught, Trebilcock, Hickman and Carey

Advising withdrawing from GCCA and naming House conferees to Engrossed:

SB 94 - Trebilcock, Benge, Jones, Morgan and Carey

Advising fourth reading of and returning Enrolled **SBs 125, 127, 131, 189, 201, 215, 848** and **1185**.

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

Senator Lamb moved that the Senate recess to the call of the Chair, 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.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 191, 193, 197 and 610**.

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

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

SB 95
SB 216

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising further conference granted and naming same House conferees on Engrossed:

SB 1020 - Terrill, McCullough, Christian, Duncan, Lamons, Morrissette and Jordan

Advising changing House conferees as follows:

SB 980 - remove Martin (Scott), Shannon, Osborn, Dorman, Scott, and Miller and add Bengé

Advising conferees unable to agree on the following:

HJR 1029

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 93, 95, 119, 121, 123, 137, 139, 147, 155, 163, 169, 171, 175, 181 and 223 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 94, remove Miller and substitute Trebilcock as principal House author, remove as coauthors Senator Myers and Representative Martin (Scott)

SB 170

SB 182

SB 318, coauthored by Dank, Scott, Shelton

SB 390 – conferees unable to agree

SB 1126 (2ND CCR)

SB 1127

SB 390 will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 1126** was adopted upon motion of Senator Jolley.

Representative Wright (Harold) asked to coauthor **SB 1126**, which was the order.

SB 1126, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--39.

Excused: Branan, Coffee, Corn, Easley, Eason McIntyre, Johnson (C), Johnson (M), Russell and Wyrick.--9.

The bill passed.

SB 1126, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCRs

The following **CCR**s were rejected upon motion of Senator Lamb, further conference requested, and same Senate conferees appointed as follows:

SB 179 (2ND CCR) - GCCA

SB 665 (2ND CCR) – Coates, Brogdon, Myers, Leftwich

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 318** was adopted upon motion of Senator Mazzei.

SB 318, as amended in conference, was read 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, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--41.

Excused: Branan, Easley, Eason McIntyre, Johnson (C), Newberry, Russell and Wyrick.--7.

The bill and emergency passed.

SB 318, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1127** was adopted upon motion of Senator Jolley.

SB 1127, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--40.

Excused: Branan, Coffee, Easley, Eason McIntyre, Johnson (C), Johnson (M), Russell and Wyrick.--8.

The bill passed.

SB 1127, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 94** was adopted upon motion of Senator Brogdon.

SB 94, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sykes and Wilson.--39.

Excused: Coffee, Corn, Easley, Eason McIntyre, Johnson (C), Johnson (M), Russell, Sweeden and Wyrick.--9.

The bill and emergency passed.

SB 94, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 170** was adopted upon motion of Senator Myers.

SB 170, as amended in conference, was read at length.

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

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

Excused: Coffee, Easley, Eason McIntyre, Johnson (C), Russell and Wyrick.--6.

The bill and emergency passed.

SB 170, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Brogdon presiding.

MESSAGES FROM THE HOUSE

Advising rejection of **CCRs** to the following bills, requesting further conference and naming same House conferees as follows:

SB 413 (2ND CCR) - Wright (John), Sullivan, McDaniel (Randy), Auffet, Carey, Faight, Key, Liebmann, McNeil, Moore, Morgan, Ownbey, Peters, Shelton and Shumate

SB 1152 (2ND CCR) - Terrill, McCullough, Christian, Miller, Roan, Smithson, Martin (Scott) and Carey

SB 1170 - Christian, Terrill, Roan, Smithson, Sanders, Tibbs and McCullough

Advising further conference granted and naming same House conferees on Engrossed:

SB 179 - GCCA

SB 665 – Jordan, Derby, Watson, McDaniel (Randy), Inman, Dorman, Sullivan, Thompson

Advising withdrawing from GCCA and naming House conferees to Engrossed:

SB 222 - Miller, Jones and Denney

Advising fourth reading of and returning Enrolled **SBs 93, 95, 119, 121, 123, 137, 139, 147, 155, 163, 169, 171, 175, 181 and 223.**

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

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

HB 1121

HB 1137

HB 1216

HB 1220

HB 1222

HB 1224
HB 1236
HB 1258
HB 1265
HB 1266
HB 1275
HB 1280
HB 1284
HB 1509 (2ND CCR)
HB 1579 – coauthored by Tibbs, Sullivan and Roan
HB 1834 – coauthored by Peterson and Tibbs

Conference committee reports were read on the above-numbered bills.

PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lamb, the request of the Honorable House for further conference on **HB 1964** was ordered granted and same Senate conferees appointed as follows: GCCA.

PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Lamb, the request of the Honorable House for further conference on **SB 413** was ordered granted and Senate conferees appointed as follows: Brown, Lamb, Coates.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 980 – remove GCCA and name Coffee, Lamb, Mazzei

MESSAGE FROM THE HOUSE

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

SB 170
SB 243 – coauthored by Dorman
SB 411

SB 564

SB 726 (2ND CCR) - coauthored by Reynolds, Kern and Tibbs

SB 881 – coauthored by Murphey, Tibbs, Inman and Walker

SB 1033 - coauthored by Kern

SB 1064

SB 1115

SB 1175

The above-numbered measures, as amended in conference, were referred for enrollment.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 71

SB 79

SB 153

SB 178

SB 179 (3RD CCR)

SB 212

SB 213

SB 222 – remove Johnson (Mike) and substitute Jolley as principal Senate author

SB 646- conferees unable to agree, coauthored by Derby and Dewitt

SB 1020 (2ND CCR)

SJR 5 – conferees unable to agree

SB 646 and **SJR 5** will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 22, 2009, at 8:00 a.m., which motion prevailed.

FIRST READING

The following were introduced and read the first time:

SR 70 – By Johnson (Constance).

A Resolution decrying the continued imprisonment of innocent civilians by the Ethiopian government; urging the immediate release of political prisoners; and directing distribution.

SR 71 – By Sparks and Nichols.

A Resolution congratulating University of Oklahoma basketball player Courtney Paris for her many records; commending the 2008-2009 University of Oklahoma Sooners women's basketball team; and directing distribution.

SR 72 – By Sparks, Nichols and Coffee.

A Resolution congratulating Blake Griffin for his many accomplishments and awards; commending the 2008-2009 University of Oklahoma men's basketball team; and directing distribution.

SECOND READING

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

HJR 1052 – Direct To Calendar

HJR 1053 – Direct To Calendar

MESSAGE FROM THE GOVERNOR

Advising his approval May 21, 2009, of Enrolled **SBs 275, 346, 452, 605, 612, 653** and **994**.

Pursuant to the Lamb motion, the Senate adjourned at 7:00 p.m. to meet Friday, May 22, 2009, at 8:00 a.m.