

Senate Journal

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

Sixth Legislative Day, Tuesday, February 9, 2010

The Senate was called to order by Senator Aldridge.

Roll Call:

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

Excused: Mazzei.—1.

Senator Aldridge 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 MEASURE

SCR 37 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed resolution:

SCR 38 - coauthored by all other Representatives

The above-numbered measure was referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HBs 2284, 2286, 2299, 2371, 2372** and **2571**.

HB 2284 – By Wright (John) of the House and Aldridge of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 46.4, as last amended by Section 4, Chapter 184, O.S.L. 2009 (59 O.S. Supp. 2009, Section 46.4), which relates to the Board of Governors of the Licensed Architects, Landscape Architects and Registered Interior Designers of Oklahoma; re-creating the Board; and modifying termination date.

HB 2286 – By Wright (John) of the House and Aldridge of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 15.2, as last amended by Section 85, Chapter 1, O.S.L. 2005 (59 O.S. Supp. 2009, Section 15.2), which relates to the Oklahoma Accountancy Board; re-creating the Board; and modifying termination date.

HB 2299 – By Banz of the House and Ford of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-101.23, as amended by Section 1, Chapter 25, O.S.L. 2009 (70 O.S. Supp. 2009, Section 6-101.23), which relates to the application of the Teacher Due Process Act of 1990; changing number of semesters a teacher may be hired on temporary contract; deleting certain exception; providing an effective date; and declaring an emergency.

HB 2371 – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

(Oklahoma Arts Council – appropriation – effective date - emergency)

HB 2372 – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

(Oklahoma Arts Council – appropriation - effective date - emergency)

HB 2571 – By Wesselhoft, Billy, McAffrey, Banz and Brown of the House and Russell of the Senate.

An Act relating to professions and occupations; enacting the Oklahoma Missing in America Act; amending 63 O.S. 2001, Section 1-328, as amended by Section 24, Chapter 57, O.S.L. 2003, and as renumbered by Section 31, Chapter 57, O.S.L. 2003 (59 O.S. Supp. 2009, Section 396.29), which relates to cremation; authorizing transfer of certain remains to charitable organizations approved by the Military Department; requiring certain tax-exempt status of charitable organization; discharging funeral establishment from certain legal obligation or liability upon transfer of remains to organization; providing for noncodification; and providing an effective date.

The above-numbered measures were read the first time.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 38 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

SB 1329 – Withdrawn from Appropriations and referred to Judiciary

SB 1592 – Withdrawn from Rules and referred to Business and Labor

SB 1648 – Withdrawn from Rules and referred to Finance

SB 1670 – Withdrawn from Rules and referred to Public Safety and Homeland

Security

SB 1686 – Withdrawn from Judiciary and referred to Business and Labor

SB 1838 – Withdrawn from Appropriations and referred to Energy and Environment

SB 1871 – Withdrawn from Judiciary and referred to Business and Labor

SB 2215 – Withdrawn from Rules and referred to Appropriations

SJR 61 – Withdrawn from Judiciary and referred to Finance

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Brogdon asked unanimous consent to refer **SCR 40** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 40 by Brogdon of the Senate and Key of the House was called up for consideration.

Senator Russell asked to coauthor **SCR 40**, which was the order.

SCR 40 was adopted upon motion of Senator Brogdon and referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Ellis asked unanimous consent to refer **SCR 35** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 35 by Ellis of the Senate was called up for consideration.

Representative Bailey asked to be made principal House author of **SCR 35**, which was the order.

SCR 35 was adopted upon motion of Senator Ellis and referred for engrossment.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 37** and **38**.

The above-numbered enrolled measures were transmitted to the Secretary of State.

EXECUTIVE NOMINATIONS

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

Greenhaw, Joshua, Oklahoma City, as a member of the Capitol Medical Center Improvement and Zoning Commission - General Government

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 10, 2010, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

SB 1855 – Health and Human Services, coauthored by Cox (principal House author)
Ayes: Adelson, Burrage, Crain, Halligan, Johnson (Constance), Jolley, Newberry, Wilson

DO PASS, As Amended:

SB 1333 – Education, coauthored by Denney (principal House author)
Ayes: Branam, Brown, Eason McIntyre, Ford, Gumm, Halligan, Jolley, Lerblance, Paddack, Sparks, Stanislawski

SB 1609 – Education, coauthored by Denney (principal House author)
Ayes: Branan, Brown, Corn, Eason McIntyre, Ford, Gumm, Halligan, Jolley,
Lerblance, Paddack, Reynolds, Sparks, Stanislawski

SB 2139 – Education, coauthored by Coody (principal House author)
Ayes: Branan, Eason McIntyre, Ford, Gumm, Halligan, Jolley, Lerblance, Paddack,
Sparks, Stanislawski

SECOND READING

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

- HB 2373** – Direct To Calendar
- HB 2374** – Direct To Calendar
- HB 2375** – Direct To Calendar
- HB 2376** – Direct To Calendar
- HB 2377** – Direct To Calendar
- HB 2378** – Direct To Calendar
- HB 2379** – Direct To Calendar
- HB 2380** – Direct To Calendar
- HB 2381** – Direct To Calendar
- HB 2382** – Direct To Calendar
- HB 2383** – Direct To Calendar
- HB 2384** – Direct To Calendar
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- HB 2387** – Direct To Calendar
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- HB 2391** – Direct To Calendar
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- HB 2447** – Direct To Calendar
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HB 2528 – Direct To Calendar
SB 1348 – Appropriations

FIRST READING

The following were introduced and read the first time:

SCR 41 – By Lamb of the Senate and Osborn of the House.

A Concurrent Resolution opposing federal cap and trade proposals and certain United States Environmental Protection Agency regulations; and directing distribution.

SR 84 – By Paddack.

A Resolution congratulating Taylor Treat upon her selection as Miss Oklahoma 2009; commending her many reigns, competitions, and community service projects; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 2:05 p.m. to meet Wednesday, February 10, 2010, at 1:30 p.m.