

Senate Journal

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

Fifty-ninth Legislative Day, Monday, May 17, 2010

The Senate was called to order by Senator Stanislawski.

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, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—45.

Excused: Marlatt, Mazzei and Rice.—3.

Senator Stanislawski declared a quorum present.

The prayer was offered by Pastor Mark Little, Grandview Church, Elk City, the guest of Senator Ivester.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 859 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 3284**.

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

Advising conference granted and naming House conferees on Engrossed:

SB 481 - Nelson, Miller, Hickman, Ownbey, Shoemake, and Glenn

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

HB 2730

HB 2836

The conference committee reports were read on the above-numbered bills.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1956** was adopted upon motion of Senator Justice.

SB 1956, 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, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--43.

Excused: Corn, Marlatt, Mazzei, Rice and Wyrick.--5.

The bill passed.

SB 1956, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

GENERAL ORDER

HJR 1087 by Trebilcock of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HJR 1087** be advanced, which motion was declared adopted.

THIRD READING

HJR 1087 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Russell, Schulz, Sparks, Stanislawski and Sykes.--37.

Nay: Crutchfield, Eason McIntyre, Johnson (C), Johnson (M), Reynolds, Sweeden and Wilson.--7.

Excused: Marlatt, Mazzei, Rice and Wyrick.--4.

The bill passed.

HJR 1087 was properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1962** was adopted upon motion of Senator Jolley.

Representative Cooksey asked to be removed and Representative Scott asked to be named principal House author on **SB 1962**, which was the order.

Representative Cooksey asked to coauthor **SB 1962**, which was the order.

SB 1962, 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Marlatt, Mazzei and Rice.--3.

The bill passed.

SB 1962, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **3RD CCR** on **SB 1071** was adopted upon motion of Senator Jolley.

SB 1071, 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Marlatt, Mazzei and Rice.--3.

The bill and emergency passed.

SB 1071, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 956** was adopted upon motion of Senator Jolley.

Senators Stanislawski, Gumm, Jolley, Newberry and Brogdon asked to coauthor **SB 956**, which was the order.

SB 956, 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, 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, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Anderson, Marlatt, Mazzei and Rice.--4.

The bill and emergency passed.

SB 956, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1617** was adopted upon motion of Senator Halligan.

SB 1617, 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, 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, Myers, Newberry, Nichols, Paddock, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Anderson, Marlatt, Mazzei and Rice.--4.

The bill and emergency passed.

SB 1617, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 859**.

The above-numbered enrolled measure was referred to the Governor.

Advising conference granted and naming House conferees on Engrossed:

SB 1633 - Blackwell, Coody, Kern, Brannon, and Glenn

SB 2231 - Martin (Scott), Duncan, Jordan, Luttrell, and Walker

Returning the following bill, together with the conference committee report thereon, advising adoption of the conference committee report and passage of the measure as amended:

SB 2129

The above-numbered measure, as amended in conference, was referred for enrollment.

Advising rejection of CCR's, requesting further conference and naming same House conferees to Engrossed:

HB 1611 - Sullivan, McDaniel (Randy), McCullough, Peters, Bailey, and Lamons

HB 1704 - (2nd CCR) Benge, Murphey, Jackson, Moore, Miller, Derby, Scott, Pittman, Nations, and Ortega

HB 2295 - Armes, DeWitt, Jackson, Trebilcock, Buck, Kouplen, and Scott

HB 2648 - Nelson, Peterson, Rousselot, Ortega, and McDaniel (Jeannie)

HB 2650 - Sullivan, McDaniel (Randy), Duncan, Jordan, Morrissette, and Bailey

HB 2652 - Sullivan, McDaniel (Randy), McCullough, Liebmann, Carey, and Lamons

HB 2659 - Sullivan, McDaniel (Randy), McCullough, Moore, Bailey, and Pruett

HB 2888 - Moore, Martin (Scott), Murphey, Osborn, Pittman, Scott, and Shannon

HB 2890 - Moore, Cooksey, Duncan, Inman, Lamons, McCullough, and Sullivan

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORTS**

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

HB 1043 - Cox, Wright (Harold), Cannaday, Roan, Walker, Tibbs, Kiesel, Hoskin, and Shoemake

HB 1613

HB 1658 - coauthored by Ritze, Tibbs, and Walker

HB 1964 (3rd CCR) – coauthored by Shelton

HB 2300 - remove Banz and substitute Duncan as principal House author and coauthored by Carey, Blackwell, and Rousselot

HB 2567 - coauthored by Billy

HB 2596 - coauthored by Walker, Joyner, and Shelton

HB 2629

HB 2698

HB 2772

HB 2777 - coauthored by Hoskin

HB 2778

HB 2791

HB 2958 - coauthored by Cannaday, Ritze, and Roan

HB 2999

HB 3028 (2nd CCR) – coauthored by Brown, Roan, Dorman, and Williams

HB 3286 (emergency failed)

HB 3290 - coauthored by Derby, Wright (John), and Ritze and remove Pittman as coauthor

HB 3292 - coauthored by Tibbs

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

EXECUTIVE NOMINATIONS

The following executive nominations were read and referred to committee as indicated:

Ogden, Richard C., Oklahoma City, as a member of the Regional University System of Oklahoma - Education

Smith, Ronnie Joseph, Lexington, as a member of the Oklahoma Uniform Building Code Commission - Business and Labor

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 18, 2010, at 10:00 a.m., which motion prevailed.

BILLS RELEASED

TIME EXPIRED TO RECONSIDER

SB 2007, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

House amendments were properly signed and **SB 2169** was referred for enrollment.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 1601

SB 1686

SB 1871

SB 1876

SB 1889

SB 1905

SB 1928

SB 1964

SB 2034

SB 2046

SB 2070 – remove Shelton and substitute Tibbs as principal House author and coauthored by Shelton

SB 2163

FIRST READING

The following was introduced and read the first time:

SR 126 – By Ivester.

A Resolution congratulating the Sentinel Lady Bulldogs Softball Team for winning the 2010 Class 2A State Slow-Pitch Softball Championship; commending their record; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising his approval May 13, 2010, of Enrolled **SBs 1326, 1332, 1662, 1700, 1919, 1998, 2128 and 2210.**

Advising his approval May 14, 2010, of Enrolled **SBs 300, 1955, 2183 and 2229.**

Pursuant to the Lamb motion, the Senate adjourned at 2:05 p.m. to meet Tuesday, May 18, 2010, at 10:00 a.m.