

Senate Journal

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Sixty-fourth Legislative Day, Monday, May 24, 2010

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, 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, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—46.

Excused: Brown and Mazzei.—2.

Senator Stanislawski declared a quorum present.

The prayer was offered by Reverend Lorenzo Dunford, Dunford Family Ministries, Weatherford, the guest of Senator Anderson.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 956, 2150 and 2330 and SJR 61 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 125, 130 and 136 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

INTRODUCTION

Senator Burrage introduced his son, Truman, to the Senate.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

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

SB 1321 – Gumm, Johnson (Mike), Myers, Reynolds, Russell, Coffee, Lamb

**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 2971

HB 2991

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

MOTION

Senator Lamb moved to rescind the rejection of the **2ND CCR** on **SB 481**, which motion was declared adopted.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 2130** was adopted upon motion of Senator Barrington.

SB 2130, 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, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brown, Coffee, Eason McIntyre, Marlatt and Mazzei.--5.

The bill and emergency passed.

SB 2130, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 2253** was adopted upon motion of Senator Barrington.

SB 2253, 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, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Adelson, Brown, Coffee, Eason McIntyre, Marlatt and Mazzei.--6.

The bill and emergency passed.

SB 2253, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1816** was adopted upon motion of Senator Bingman.

Senator Bass asked to coauthor **SB 1816**, which was the order.

SB 1816, 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, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brown, Coffee, Eason McIntyre, Mazzei and Newberry.--5.

The bill passed.

SB 1816, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Jolley presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2999** failed of adoption upon motion of Senator Crain upon roll call as follows:

Aye: Aldridge, Anderson, Branan, Brogdon, Coates, Coffee, Crain, Ford, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Myers, Newberry, Reynolds, Rice, Russell, Schulz and Sykes.--21.

Nay: Adelson, Ballenger, Barrington, Bass, Bingman, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Johnson (C), Laster, Leftwich, Lerblance, Marlatt, Nichols, Paddack, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--25.

Excused: Brown and Mazzei.--2.

Pursuant to Rule 12-21, Senator Adelson served notice that the vote be reconsidered whereby the **CCR** on **HB 2999** failed.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1043, 1658, 2300, 2320, 2509, 2567, 2596, 2615, 2629, 2777, 2778, 2939, 2944, 2963, 2973, 2998, 3213, 3236, 3251** and **3292**.

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

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 2929 - coauthored by Jett and Pittman
HB 3061 (emergency failed)
HB 3127

HB 3161 - coauthored by Ritze, Wright (Harold), Kern, Derby, Tibbs, and Duncan

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

PENDING CONSIDERATION OF HAS

HAs to **SB 1637** were rejected upon motion of Senator Lamb, conference requested, and Senate conferees to be named later.

INTRODUCTION

Senator Newberry introduced former Senator Nancy Riley to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1787** was adopted upon motion of Senator Schulz.

SB 1787, 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, 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, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

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

The bill passed.

Senator Rice desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 46; Excused: 2.

The emergency passed.

SB 1787, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 2109** was adopted upon motion of Senator Stanislawski.

SB 2109, 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, Burrage, Coates, Coffee, Corn, Crain, 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.--45.

Excused: Brown, Crutchfield and Mazzei.--3.

The bill and emergency passed.

SB 2109, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Stanislawski presiding.

PENDING CONSIDERATION OF CCR

The **5TH CCR** on **SB 828** was adopted upon motion of Senator Marlatt.

SB 828, 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, Burrage, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, 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.--44.

Excused: Brown, Crutchfield, Ivester and Mazzei.--4.

The bill and emergency passed.

SB 828, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**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 2274

HB 2290 (2nd CCR)

HB 3422 - coauthored by Derby, McDaniel (Randy), and Williams

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

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 956, 2150 and 2330** and **SJR 61**.

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

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

SB 1267 - coauthored by Miller

SB 1561

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 1284

SB 1426, remove Johnson (Mike) and substitute Coffee as principal Senate author

SB 1522

SB 1936, remove Pruett and substitute Peters as principal House author

SB 2213

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 Stanislawski presiding.

Senator Stanislawski 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 2004** was adopted upon motion of Senator Stanislawski.

HB 2004, 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, Burrage, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--39.

Excused: Anderson, Bass, Brown, Crutchfield, Leftwich, Marlatt, Mazzei, Sweeden and Wilson.--9.

The bill and emergency passed.

HB 2004, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1970** was adopted upon motion of Senator Jolley.

SB 1970, 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, Burrage, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Anderson, Bass, Brown, Crutchfield, Leftwich, Marlatt, Mazzei and Sweeden.--8.

The bill and emergency passed.

SB 1970, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

INTRODUCTION

Senator Ellis introduced former Senator Jeff Rabon to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 2235** was adopted upon motion of Senator Crain.

SB 2235, as amended in conference, was read at length.

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

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

Excused: Anderson, Bass, Brown, Crutchfield, Leftwich, Mazzei and Sweeden.--7.

The bill passed.

SB 2235, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1862** was rejected upon motion of Senator Lamb, further conference requested, and same Senate conferees appointed as follows: Coffee, Ford, Jolley, Lamb, Laster.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1928** was adopted upon motion of Senator Newberry.

SB 1928, 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, Burrage, Coates, Corn, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--39.

Nay: Eason McIntyre and Johnson (C).--2.

Excused: Anderson, Bass, Brown, Coffee, Crutchfield, Leftwich and Mazzei.--7.

The bill and emergency passed.

SB 1928, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1628** was adopted upon motion of Senator Coates.

SB 1628, 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, Bingman, Branan, Brogdon, Burrage, Coates, Corn, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Excused: Bass, Brown, Coffee, Crutchfield, Eason McIntyre, Leftwich, Mazzei and Nichols.--8.

The bill and emergency passed.

SB 1628, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

SCs NAMED

Upon motion of Senator Lamb, Senate conferees were appointed as follows:

SB 1637 – Aldridge, Brown, Coffee, Johnson (Mike)

EXECUTIVE NOMINATIONS

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

Carver, Carol J., Elk City, to the Oklahoma Motor Vehicle Commission, to serve an unexpired term ending June 30, 2015, succeeding George Mellor, Jr.. (Business and Labor Committee) Motion to confirm made by Senator Tom Ivester.

Gray, Trae, Coalgate, to the Oklahoma Tourism and Recreation Commission, to serve a six year term ending July 1, 2016, succeeding Joe Harwood. (Tourism and Wildlife Committee) Motion to confirm made by Senator Jay Paul Gumm.

Haught, Judy, Elk City, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2016, succeeding Ann Geurkink. (General Government Committee) Motion to confirm made by Senator Tom Ivester.

Kelly, Mark W., Oklahoma City, to the Oklahoma State Credit Union Board, to serve a four year term ending October 1, 2014, succeeding Agnes Berkenbile. (Business and Labor Committee) Motion to confirm made by Senator Clark Jolley on behalf of Senator Glenn Coffee.

Smith, Ronnie Joseph, Lexington, to the Oklahoma Uniform Building Code Commission, to serve a four year term ending July 1, 2014, succeeding Harry Warden. (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 as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Burrage, Coates, Coffee, Corn, Crain, 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.--44.

Excused: Bass, Brown, Crutchfield and Mazzei.--4.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1267 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

Senator Lamb moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Bingman presiding.

Senator Bingman questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

**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 2437 (emergency failed) - remove Miller and substitute Cox as principal House author and remove Martin (Scott) as coauthor and coauthored by Lamons, Pittman, and Cannaday

HB 2890 (2nd CCR)

HB 3393 (2nd CCR) (emergency failed)

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

MESSAGES FROM THE HOUSE

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

SB 1862 - Benge, Denney, Sears, Coody, Shumate, and Brannon

Advising conference granted and naming House conferees on Engrossed:

SB 486 - McDaniel (Randy), Miller, Hickman, Pittman, and McDaniel (Jeannie)

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1561 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2331** was rejected upon motion of Senator Jolley, further conference requested, and same Senate conferees appointed as follows: GCCA.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1872** was adopted upon motion of Senator Coates.

SB 1872, 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, Burrage, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Excused: Adelson, Brown, Crutchfield, Johnson (C), Lamb, Mazzei, Nichols and Paddack.--8.

The bill and emergency passed.

SB 1872, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

ELECTRONIC DISTRIBUTION

Senator Jolley notified the members of the Senate that, pursuant to the provisions of Senate Rule 5-6, copies of the Conference Committee Substitutes for **SBs 1321** and **2213** and **HBs 2290, 2890, 2929** and **3393** have been made available electronically, via e-mail to all Senators and Executive Assistants.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2437** was adopted upon motion of Senator Crain upon roll call as follows:

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Laster, Leftwich, Lerblance, Myers, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--29.

Nay: Aldridge, Bingman, Branan, Brogdon, Jolley, Justice, Marlatt, Newberry, Reynolds, Russell, Schulz, Stanislawski and Sykes.--13.

Excused: Brown, Corn, Johnson (C), Lamb, Mazzei and Nichols.--6.

HB 2437, as amended in conference, was read at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--29.

Nay: Aldridge, Bingman, Branan, Brogdon, Jolley, Justice, Marlatt, Myers, Newberry, Reynolds, Russell, Schulz, Stanislawski and Sykes.--14.

Excused: Brown, Johnson (C), Lamb, Mazzei and Nichols.--5.

The bill passed.

HB 2437, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1070** was adopted upon motion of Senator Paddack.

SB 1070, 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, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Laster, Leftwich,

Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brown, Johnson (C), Lamb, Mazzei and Nichols.--5.

The bill passed.

SB 1070, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 1267** and **1561**.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1840** was adopted upon motion of Senator Sykes.

SB 1840, 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, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brown, Johnson (C), Lamb, Mazzei and Nichols.--5.

The bill and emergency passed.

SB 1840, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 673** was adopted upon motion of Senator Anderson.

SB 673, 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, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brown, Johnson (C), Lamb, Mazzei and Nichols.--5.

The bill passed.

SB 673, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Adelson moved to reconsider the vote whereby the CCR on **HB 2999** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Halligan, Ivester, Johnson (M), Jolley, Justice, Laster, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden and Sykes.--33.

Nay: Ballenger, Bass, Corn, Ellis, Gumm, Leftwich, Lerblance, Marlatt, Wilson and Wyrick.--10.

Excused: Brown, Johnson (C), Lamb, Mazzei and Nichols.--5.

PENDING CONSIDERATION OF CCR

The CCR on **HB 2999** was adopted upon motion of Senator Crain.

HB 2999, as amended in conference, was read at length.

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

Aye: Adelson, Anderson, Branan, Brogdon, Burrage, Coates, Coffee, Crain, Easley, Eason McIntyre, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Myers, Newberry, Reynolds, Rice, Russell, Schulz, Stanislawski and Sweeden.--26.

Nay: Ballenger, Barrington, Bass, Bingman, Corn, Crutchfield, Ellis, Gumm, Laster, Leftwich, Lerblance, Marlatt, Paddack, Sparks, Sykes, Wilson and Wyrick.--17.

Excused: Aldridge, Brown, Lamb, Mazzei and Nichols.--5.

The bill passed.

HB 2999, together with the conference committee report thereon, was ordered returned to the Honorable House.

**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 2983 - coauthored by Key and Faught

HB 3311 (2nd CCR) (emergency failed) remove Martin (Scott) and substitute Bengé as principal House author and coauthored by Tibbs and Sullivan of the House, remove Sparks and substitute Coffee as principal Senate author and coauthored by Sparks of the Senate

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

MESSAGES FROM THE HOUSE

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 1762 - coauthored by Tibbs

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

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

HB 2310 - Murphey, Miller, Derby, Cox, Ortega, Scott, Pittman, and Nations

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 889** was adopted upon motion of Senator Anderson.

Senator Ivester asked to coauthor **SB 889**, which was the order.

SB 889, as amended in conference, was read at length.

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

Aye: Anderson, Ballenger, Barrington, Bass, Bingman, Branan, 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, Myers, Newberry, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--39.

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

Excused: Adelson, Aldridge, Brown, Corn, Mazzei and Nichols.--6.

The bill passed.

SB 889, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1309** was adopted upon motion of Senator Anderson.

SB 1309, 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, 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, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--42.

Nay: Brogdon and Sykes.--2.

Excused: Brown, Corn, Mazzei and Nichols.--4.

The bill and emergency passed.

SB 1309, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 2093** was adopted upon motion of Senator Sparks.

SB 2093, 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, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brown, Corn, Leftwich, Mazzei and Nichols.--5.

The bill passed.

SB 2093, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGES FROM THE HOUSE

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

SB 1962 - Cooksey, Thompson, Kouplen, Scott, Watson, Sullivan, Banz, and Shoemake

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

SB 1956

SB 2007

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

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **HB 1281** was adopted upon motion of Senator Myers.

HB 1281, as amended in conference, was read at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Bingman, Burrage, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Halligan, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--30.

Nay: Aldridge, Branam, Brogdon, Coates, Garrison, Gumm, Jolley, Leftwich, Newberry, Paddack, Reynolds, Rice, Russell and Sykes.--14.

Excused: Brown, Corn, Mazzei and Nichols.--4.

The bill passed.

Senators Paddack, Jolley, Newberry and Branam desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 34; Nay: 10; Excused: 4.

The emergency passed.

HB 1281, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1522** was adopted upon motion of Senator Johnson (Mike).

SB 1522, 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, Branam, Brogdon, 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, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Anderson, Brown, Corn, Mazzei and Nichols.--5.

The bill and emergency passed.

SB 1522, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HJR 1056** was adopted upon motion of Senator Sykes.

HJR 1056, as amended in conference, was read at length.

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

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

Nay: Lerblance and Wilson.--2.

Excused: Brown, Johnson (C), Leftwich, Mazzei and Nichols.--5.

The resolution passed.

HJR 1056, together with the conference committee report thereon, was ordered returned to the Honorable House.

HJR 1056 was printed at length as follows:

HJR 1056 By Duncan, Reynolds, Coody, Tibbs, Derby, Kern, Terrill, Enns, Christian, Faught and Moore of the House and Sykes and Brogdon of the Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 1 of Article VII of the Constitution of the State of Oklahoma; creating the Save Our State Amendment; requiring the courts of this state to uphold and adhere to the law as provided in federal and state constitutions, established common law, laws, rules and regulations; prohibiting consideration of certain laws; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 1 of Article VII of the Constitution of the State of Oklahoma to read as follows:

Section 1. A. The judicial power of this State shall be vested in the Senate, sitting as a Court of Impeachment, a Supreme Court, the Court of Criminal Appeals, the Court on the Judiciary, the ~~State Industrial~~ Workers' Compensation Court, the Court of Bank Review, the Court of Tax Review, and such intermediate appellate courts as may be provided by statute, District Courts, and such Boards, Agencies and Commissions created by the

Constitution or established by statute as exercise adjudicative authority or render decisions in individual proceedings. Provided that the Court of Criminal Appeals, the ~~State Industrial Workers' Compensation~~ Court, the Court of Bank Review and the Court of Tax Review and such Boards, Agencies and Commissions as have been established by statute shall continue in effect, subject to the power of the Legislature to change or abolish said Courts, Boards, Agencies, or Commissions. Municipal Courts in cities or incorporated towns shall continue in effect and shall be subject to creation, abolition or alteration by the Legislature by general laws, but shall be limited in jurisdiction to criminal and traffic proceedings arising out of infractions of the provisions of ordinances of cities and towns or of duly adopted regulations authorized by such ordinances.

B. Subsection C of this section shall be known as the "Save Our State Amendment".

C. The Courts provided for in subsection A of this section, when exercising their judicial authority, shall uphold and adhere to the law as provided in the United States Constitution, the Oklahoma Constitution, the United States Code, federal regulations promulgated pursuant thereto, established common law, the Oklahoma Statutes and rules promulgated pursuant thereto, and if necessary the law of another state of the United States provided the law of the other state does not include Sharia Law, in making judicial decisions. The courts shall not look to the legal precepts of other nations or cultures. Specifically, the courts shall not consider international law or Sharia Law. The provisions of this subsection shall apply to all cases before the respective courts including, but not limited to, cases of first impression.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the State Constitution. It would change a section that deals with the courts of this state. It would make courts rely on federal and state laws when deciding cases. It would forbid courts from looking at international law or Sharia Law when deciding cases.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Crain asked unanimous consent to refer **SCR 62** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 62 by Crain of the Senate was called up for consideration.

Representative Schwartz asked to be named principal House author on **SCR 62**, which was the order.

SCR 62 was adopted upon motion of Senator Crain and referred for engrossment.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **HB 1888** was adopted upon motion of Senator Sparks.

HB 1888, 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, 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, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Brown, Mazzei and Nichols.--3.

The bill and emergency passed.

HB 1888, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1961** was adopted upon motion of Senator Jolley.

SB 1961, as amended in conference, was read at length.

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

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

Nay: Laster.--1.

Excused: Anderson, Brown, Johnson (C), Mazzei and Nichols.--5.

The bill passed.

SB 1961, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 2092** was adopted upon motion of Senator Sparks.

SB 2092, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bingman, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Justice, Lamb, Laster, Leftwich, Lerblance, Myers, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--31.

Nay: Bass, Branan, Brogdon, Crain, Jolley, Marlatt, Newberry, Reynolds, Russell, Schulz, Stanislawski and Sykes.--12.

Excused: Anderson, Brown, Johnson (C), Mazzei and Nichols.--5.

The bill passed.

SB 2092, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **HB 3311** was rejected upon motion of Senator Jolley, further conference requested, and same Senate conferees appointed as follows: Coffee, Johnson (Mike), Lamb, Laster.

President Pro Tempore Coffee presiding.

FIRST READING

The following were introduced and read the first time:

SR 140 – By Anderson.

A Resolution praising the life of Robert Milacek; mourning his loss; and directing distribution.

SR 141 – By Laster.

A Resolution expressing gratitude to Senator Kenneth Corn for his service in the Oklahoma State Senate; and directing distribution.

SR 142 – By Laster.

A Resolution expressing gratitude to Senator Johnnie Crutchfield for his service in the Oklahoma State Senate; and directing distribution.

SR 143 – By Laster.

A Resolution expressing gratitude to Senator Mary Easley for her service in the Oklahoma State Senate; and directing distribution.

SR 144 – By Laster.

A Resolution expressing gratitude to Senator Joe Sweeden for his service in the Oklahoma State Senate; and directing distribution.

SR 145 – By Myers.

A Resolution praising the professional career of veterinarian Dr. Harry “Doc” James of Pond Creek; designating May 2010 “Doc James Month” in the State of Oklahoma; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Laster asked unanimous consent to refer **SRs 141, 142, 143 and 144** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 141 by Laster was called up for consideration.

All other members of the Senate, except Senator Corn, asked to coauthor **SR 141**, which was the order.

SR 141 was adopted upon motion of Senator Laster and referred for enrollment.

GENERAL ORDER

SR 142 by Laster was called up for consideration.

All other members of the Senate, except Senator Crutchfield, asked to coauthor **SR 142**, which was the order.

SR 142 was adopted upon motion of Senator Laster and referred for enrollment.

GENERAL ORDER

SR 143 by Laster was called up for consideration.

All other members of the Senate, except Senator Easley, asked to coauthor **SR 143**, which was the order.

SR 143 was adopted upon motion of Senator Laster and referred for enrollment.

GENERAL ORDER

SR 144 by Laster was called up for consideration.

All other members of the Senate, except Senator Sweeden, asked to coauthor **SR 144**, which was the order.

SR 144 was adopted upon motion of Senator Laster and referred for enrollment.

ELECTRONIC DISTRIBUTION

Senator Jolley notified the members of the Senate that, pursuant to the provisions of Senate Rule 5-6, copies of the Conference Committee Substitutes for **SBs 481, 1857 and 1862** have been made available electronically, via e-mail to all Senators and Executive Assistants.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

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

SB 1962 – Jolley, Aldridge, Bingman, Johnson (Mike), Ballenger

Upon motion of Senator Lamb, the request of the Honorable House for further conference was ordered granted and Senate conferees appointed as follows:

HB 2310 – Sykes, Coffee, Brogdon, Gumm

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 2437**.

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

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

HB 2331 - Martin (Steve), Miller, Sullivan, Richardson, Glenn, Roan, Christian, and Smithson

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

SB 1073 (3rd CCR)
SB 2203

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

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 25, 2010, at 10:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 1321 (2nd CCR)

SB 1857

SB 1862 (2nd CCR), coauthored by Ford

MESSAGE FROM THE GOVERNOR

Advising his approval May 24, 2010, of Enrolled **SBs 2129** and **2169**.

Advising his veto May 24, 2010, of Enrolled **SB 1668**.

The veto message reads as follows:

May 24, 2010

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
Second Session of the Fifty Second Oklahoma Legislature

ENROLLED SB 1668

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 and 12 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 1668. Oklahoma should do everything it can to promote the use of alternative energies, particularly homegrown fuels such as natural gas, wind power and biofuels, but it must also be careful in the type of activity it encourages in state law. While nuclear power may hold great promise for Oklahoma in the future, there are still many unanswered questions about its impact on the state energy market and its consumers. Section 2 of this legislation would authorize actions that could serve as incentives for the construction of a nuclear power plant. It would be more appropriate for the state to conduct an intensive study of nuclear power and such incentives before it proceeds any further.

By the Governor of the State of Oklahoma
/s/Brad Henry

Pursuant to the Lamb motion, the Senate adjourned at 5:40 p.m. to meet Tuesday, May 25, 2010, at 10:00 a.m.