

Senate Journal

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

Eighteenth Legislative Day, Monday, March 5, 2007

The Senate was called to order by Senator Leftwich.

Roll Call:

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

Senator Leftwich declared a quorum present.

The prayer was offered by Reverend Danny Ringer, First Baptist Church, Elk City, the guest of Senator Ivester.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1, 92, 93, 160, 519, 590, 607, 658, 663, 748, 806, 866, 1006 and 1051 and SJR 28 and SCRs 4 and 6 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

INTRODUCTION

Senator Sykes introduced his father, David Sykes, to the Senate.

GENERAL ORDER

SB 392 by Paddack of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved to amend **SB 392**, Page 1, Line 19, by inserting after the word “received” the words “pursuant to this section”, which amendment was declared adopted.

Senator Paddack moved that **SB 392** be advanced, which motion was declared adopted.

THIRD READING

SB 392 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Johnson (C) and Morgan.--2.

The bill and emergency passed.

SB 392 was referred for engrossment.

GENERAL ORDER

SB 448 by Laster of the Senate and Martin (Scott) of the House was called up for consideration.

Senator Laster moved that **SB 448** be advanced, which motion was declared adopted.

THIRD READING

SB 448 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Johnson (C) and Morgan.--2.

The bill passed.

SB 448 was referred for engrossment.

GENERAL ORDER

SB 22 by Bass of the Senate and Duncan of the House was called up for consideration.

Senator Bass moved that **SB 22** be advanced, which motion was declared adopted.

THIRD READING

SB 22 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Johnson (C) and Morgan.--2.

The bill and emergency passed.

SB 22 was referred for engrossment.

GENERAL ORDER

SB 437 by Aldridge of the Senate and Joyner of the House was called up for consideration.

Representative Roan asked to coauthor **SB 437**, which was the order.

Senator Aldridge moved to amend **SB 437**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Aldridge moved that **SB 437** be advanced, which motion was declared adopted.

THIRD READING

SB 437 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Johnson (C) and Morgan.--3.

The bill passed.

SB 437 was referred for engrossment.

GENERAL ORDER

SB 747 by Bingman of the Senate and Armes and McNeil of the House was called up for consideration.

Senator Bingman moved that **SB 747** be advanced, which motion was declared adopted.

THIRD READING

SB 747 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Sweeden.--1.

Excused: Johnson (C).--1.

The bill and emergency passed.

SB 747 was referred for engrossment.

GENERAL ORDER

SB 35 by Crain of the Senate and Tibbs of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 35**, which was the order.

Senator Crain moved that **SB 35** be advanced, which motion was declared adopted.

THIRD READING

SB 35 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Anderson.--1.

Excused: Johnson (C) and Sweeden.--2.

The bill passed.

SB 35 was referred for engrossment.

GENERAL ORDER

SB 614 by Ivester of the Senate and Cox of the House was called up for consideration.

Senator Ivester moved that **SB 614** be advanced, which motion was declared adopted.

THIRD READING

SB 614 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--46.

Nay: Wilcoxson.--1.

Excused: Johnson (C).--1.

The bill passed.

SB 614 was referred for engrossment.

GENERAL ORDER

SB 523 by Paddack of the Senate and Cox of the House was called up for consideration.

Senator Paddack moved that **SB 523** be advanced, which motion was declared adopted.

THIRD READING

SB 523 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Johnson (C).--1.

The bill and emergency passed.

SB 523 was referred for engrossment.

GENERAL ORDER

SB 725 by Rice and Corn of the Senate and Miller of the House was called up for consideration.

Senator Rice moved that **SB 725** be advanced, which motion was declared adopted.

THIRD READING

SB 725 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Johnson (C).--1.

The bill passed.

SB 725 was referred for engrossment.

GENERAL ORDER

SB 582 by Nichols of the Senate and Terrill of the House was called up for consideration.

Senator Nichols moved that **SB 582** be advanced, which motion was declared adopted.

THIRD READING

SB 582 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Justice, Lamb, Laster, Laughlin, Leftwich, Morgan,

Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Brogdon, Jolley and Mazzei.--3.

Excused: Johnson (C) and Lerblance.--2.

The bill and emergency passed.

SB 582 was referred for engrossment.

GENERAL ORDER

SB 472 by Branam of the Senate and Liebmann of the House was called up for consideration.

Senator Branam moved to amend **SB 472**, Page 3, Line 15, by striking before the word "copper" the language "thirty-five (35) pounds or more of", which amendment was declared adopted.

Senator Branam moved that **SB 472** be advanced, which motion was declared adopted.

THIRD READING

SB 472 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Bingman, Branam, Brogdon, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Ballenger, Corn, Garrison and Sparks.--4.

Excused: Johnson (C).--1.

The bill and emergency passed.

SB 472 was referred for engrossment.

GENERAL ORDER

SB 524 by Paddack of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved that **SB 524** be advanced, which motion was declared adopted.

THIRD READING

SB 524 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Johnson (C).--1.

The bill and emergency passed.

SB 524 was referred for engrossment.

GENERAL ORDER

SB 140 by Bass of the Senate and Schwartz of the House was called up for consideration.

Senator Bass moved that **SB 140** be advanced, which motion was declared adopted.

THIRD READING

SB 140 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon,

Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Johnson (C).--1.

The bill and emergency passed.

SB 140 was referred for engrossment.

GENERAL ORDER

SB 423 by Corn of the Senate and Roan of the House was called up for consideration.

Senator Anderson moved to amend **SB 423**, Page 28, Line 21 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY Section 5, Chapter 218, O.S.L. 2005 (70 O.S. Supp. 2006, Section 3206.6a), is amended to read as follows:

Section 3206.6a A. The Oklahoma State Regents for Higher Education may finance acquisition of or improvements to real property pursuant to the master lease program. The funds used by the Regents for the purposes authorized by this section shall be available for lease transactions having a minimum value of Fifty Thousand Dollars (\$50,000.00) and a maximum value of Twenty-five Million Dollars (\$25,000,000.00). Such leases shall have a term that is no more than the useful life of any real property or improvements acquired by institutions pursuant to the provisions of this section, and in no event, more than thirty (30) years.

B. After the effective date of this act, legislative approval expressed by concurrent resolution shall be required prior to issuing any bonds to finance acquisition of or improvements to real property pursuant to this section.”, and by renumbering subsequent section and amending the title to conform, which amendment was declared upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Brogdon, Brown, Crain, Eason McIntyre, Garrison, Johnson (M), Jolley, Lamb, Laughlin, Myers, Rabon, Reynolds, Rice, Riley, Schulz, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--25.

Nay: Ballenger, Bingman, Branan, Burrage, Coffee, Corn, Crutchfield, Easley, Ford, Gumm, Ivester, Justice, Laster, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddock, Sparks and Sweeden.--21.

Excused: Coates and Johnson (C).--2.

Senator Anderson moved to amend **SB 423**, Page 28, Line 21 ½, by inserting a new Section 3 to read as follows:

“SECTION 3. AMENDATORY 70 O.S. 2001, Section 6-200, is amended to read as follows:

Section 6-200. A. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall have authority to develop and administer training for residency committees and training for professional development through professional development institutes. Included in the professional development institutes training shall be technology training. Professional development institutes shall be accepted by the State Board of Education for professional development purposes and shall be defined as continuing education experiences which consist of a minimum of thirty (30) clock hours. The institutes shall be competency-based, emphasize effective learning practices, require collaboration among participants, and require each participant to prepare a work product which can be utilized in the classroom by the participant. Any state professional development institutes administered by the Commission shall be chosen through a competitive bid process and if funds are available subject to peer review. The Commission, prior to offering any professional development institute, shall promulgate rules related to administering state professional development institutes.

B. ~~With the funds appropriated in House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature specifically for the purpose of funding professional development institutes in intensive elementary reading, the~~ The Oklahoma Commission for Teacher Preparation shall develop, offer and administer professional development institutes to train elementary school teachers in reading education. The funds shall be used for the cost of developing, administering and contracting for the professional development institutes. When possible, certified reading specialists shall be included as consultants. All costs of the institutes shall be included in the contract price and no tuition or registration fee shall be collected from teachers attending the institutes. The institutes shall be offered by or through the Commission. Working in conjunction with the State Department of Education, the Commission shall develop a state plan for administration of such institutes and shall report to the Governor and the Legislature on the format of and participation in the institutes. The State Department of Education shall cooperate with and provide any information requested to the Oklahoma Commission for Teacher Preparation as is necessary to carry out the provisions of this subsection. As additional funds become available for such purpose, the Commission shall develop and offer professional development institutes in mathematics for teachers in grades ~~five~~ kindergarten through nine, the use of technology in the classroom, training of residency committee members in teacher mentoring and in hands-on inquiry-based science for elementary teachers.

C. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall:

1. Make available ~~in Fiscal Year 1999~~, a three-day follow-up professional development institute for teachers who participated in ~~an elementary school~~ the initial reading professional development institute ~~during Fiscal Year 1998~~;
2. Provide five-day initial professional development institutes in elementary school reading for elementary school teachers and instructional leaders;
3. Contract for an independent evaluation of the elementary school reading professional development institute; and
4. Provide continued support of the elementary school reading professional development institutes through ongoing teacher development at individual school sites.

Funds may be used for the cost of mentor training, payment for substitute teachers, on-site facilitation, and any other costs necessary to ensure improved reading by students.” and by renumbering subsequent section and amending the title to conform, which amendment failed of adoption upon roll call as follows:

Aye: Anderson, Crain, Eason McIntyre, Rabon, Schulz and Wilson.--6.

Nay: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Brogdon, Brown, Burrage, Coffee, Corn, Crutchfield, Easley, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--39.

Excused: Branan, Coates and Johnson (C).--3.

Senator Corn moved to amend **SB 423**, Page 1, by striking the title, which amendment was declared adopted.

Senator Corn moved that **SB 423** be advanced, which motion was declared adopted.

THIRD READING

SB 423 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, Bingman, Brogdon, Brown, Burrage, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--41.

Nay: Bass, Garrison and Gumm.--3.

Excused: Branan, Coates, Johnson (C) and Wilcoxson.--4.

The bill passed.

SB 423 was referred for engrossment.

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

The Senate reconvened with Senator Paddack presiding.

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

GENERAL ORDER

SB 88 by Lerblance of the Senate and Shoemake of the House was called up for consideration.

Senator Lerblance moved that **SB 88** be advanced, which motion was declared adopted.

THIRD READING

SB 88 was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Bingman, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Morgan, Myers, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Wilson and Wyrick.--34.

Nay: Aldridge, Branan, Brogdon, Brown, Jolley, Lamb, Laughlin, Mazzei, Nichols, Reynolds, Sykes, Wilcoxson and Williamson.--13.

Excused: Coffee.--1.

The bill and emergency passed.

SB 88 was referred for engrossment.

GENERAL ORDER

SB 659 by Nichols of the Senate and Duncan of the House was called up for consideration.

Senator Nichols moved that **SB 659** be advanced, which motion was declared adopted.

THIRD READING

SB 659 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, Barrington, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Schulz, Sweeden, Wilcoxson and Wyrick.--35.

Nay: Ballenger, Bass, Brogdon, Eason McIntyre, Garrison, Johnson (C), Lerblance, Rabon, Rice, Sparks, Sykes, Williamson and Wilson.--13.

The bill passed.

SB 659 was referred for engrossment.

GENERAL ORDER

SB 787 by Rice of the Senate and Steele of the House was called up for consideration.

Senator Rice moved to amend **SB 787**, Page 19, Line 14, by deleting after the period and before the word "shall" the words "The Oklahoma Commission on Children and Youth" and inserting in lieu thereof the words "State Commissioner of Health", which amendment was declared adopted.

Senator Rice moved that **SB 787** be advanced, which motion was declared adopted.

THIRD READING

SB 787 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill and emergency passed.

SB 787 was referred for engrossment.

Senator Corn presiding.

GENERAL ORDER

SB 868 by Reynolds of the Senate and Tibbs of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 868**, which was the order.

Senator Reynolds moved that **SB 868** be advanced, which motion was declared adopted.

THIRD READING

SB 868 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

SB 868 was referred for engrossment.

GENERAL ORDER

SB 371 by Aldridge of the Senate and Joyner of the House was called up for consideration.

Senator Corn asked to coauthor **SB 371**, which was the order.

Senator Aldridge moved that **SB 371** be advanced, which motion was declared adopted.

THIRD READING

SB 371 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, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Myers, Nichols, Paddack, Reynolds, Schulz, Sparks, Sweeden, Sykes, Wilcoxson and Williamson.--38.

Nay: Ballenger, Johnson (C), Lerblance, Morgan, Rabon, Rice, Riley, Wilson and Wyrick.--9.

Excused: Crutchfield.--1.

The bill passed.

SB 371 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Lerblance moved to reconsider the vote whereby **SB 44** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Ballenger, Bass, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Morgan, Myers, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Wilson and Wyrick.--29.

Nay: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coffee, Crain, Ford, Jolley, Lamb, Laughlin, Mazzei, Nichols, Reynolds, Sykes, Wilcoxson and Williamson.--19.

THIRD READING

SB 44 was read for the third time at length.

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

Aye: Adelson, Ballenger, Bass, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--25.

Nay: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--23.

The bill passed and the emergency failed.

SB 44 was referred for engrossment.

GENERAL ORDER

SB 461 by Leftwich of the Senate and Cooksey of the House was called up for consideration.

Senator Leftwich moved to amend **SB 461**, Page 1, by striking the title, which amendment was declared adopted.

Senator Leftwich moved that **SB 461** be advanced, which motion was declared adopted.

THIRD READING

SB 461 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

SB 461 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Wilson moved to reconsider the vote whereby **SB 374** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, Ballenger, Bass, Brogdon, Coates, Corn, Easley, Eason McIntyre, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Mazzei, Morgan, Paddack, Rabon, Rice, Sparks, Sweeden, Wilcoxson, Williamson, Wilson and Wyrick.--26.

Nay: Aldridge, Barrington, Bingman, Branan, Brown, Burrage, Coffee, Crain, Crutchfield, Ford, Garrison, Johnson (M), Jolley, Justice, Lamb, Laughlin, Myers, Nichols, Reynolds, Riley, Schulz and Sykes.--22.

THIRD READING

SB 374 was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Bass, Brogdon, Corn, Eason McIntyre, Gumm, Ivester, Johnson (C), Laster, Laughlin, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Sparks, Wilcoxson, Williamson, Wilson and Wyrick.--23.

Nay: Aldridge, Barrington, Bingman, Branan, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Ford, Garrison, Johnson (M), Jolley, Justice, Lamb, Mazzei, Myers, Nichols, Reynolds, Riley, Schulz and Sykes.--24.

Excused: Sweeden.--1.

The bill failed.

GENERAL ORDER

SB 1104 by Mazzei of the Senate and Jones of the House was called up for consideration.

Senator Bingman asked to coauthor **SB 1104**, which was the order.

Senator Mazzei moved that **SB 1104** be advanced, which motion was declared adopted.

THIRD READING

SB 1104 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, Crain, Crutchfield, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--44.

Nay: Corn, Easley, Lerblance and Wilson.--4.

The bill passed.

SB 1104 was referred for engrossment.

GENERAL ORDER

SB 51 by Paddock of the Senate and Thomsen of the House was called up for consideration.

Senator Gumm moved to amend **SB 51**, Page 3, Line 12 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY Section 12, Chapter 504, O.S.L. 2004, as last amended by Section 24, Chapter 311, O.S.L. 2006 (47 O.S. Supp. 2006, Section 1135.3), is amended to read as follows:

Section 1135.3.

A. The Oklahoma Tax Commission is hereby authorized to design and issue appropriate official special license plates to persons wishing to demonstrate support, interest, or membership to or for an organization, occupation, cause or other subject as provided by this section.

Special license plates shall not be transferred to any other person but shall be removed from the vehicle upon transfer of ownership and retained. The special license plate may then be used on another vehicle but only after such other vehicle has been registered for the current year.

Special license plates shall be renewed each year by the Tax Commission or a motor license agent. The Tax Commission shall annually notify by mail all persons issued special license plates. The notice shall contain all necessary information and shall contain instructions for the renewal procedure upon presentation to a motor license agent or the Tax Commission. The license plates shall be issued on a staggered system.

The Tax Commission is hereby directed to develop and implement a system whereby motor license agents are permitted to accept applications for special license plates authorized under this section. The motor license agent shall confirm the applicant's eligibility, if applicable, collect and deposit any amount specifically authorized by law, accept and process the necessary information directly into such system and generate a receipt accordingly. For performance of these duties, motor license agents shall retain the fee provided in Section 1141.1 of this title for registration of a motor vehicle. The motor license agent fees for acceptance of applications and renewals shall be paid out of the Oklahoma Tax Commission Reimbursement Fund.

If fewer than one hundred of any type of special license plates authorized prior to January 1, 2004, are issued prior to January 1, 2006, the Tax Commission shall discontinue issuance and renewal of that type of special license plate. Any such authorized special license plate registrant shall be allowed to display the license plate upon the designated vehicle until the registration expiration date. After such time the expired special license plate shall be removed from the vehicle.

For special license plates authorized on or after July 1, 2004, no special license plates shall be developed or issued by the Tax Commission until the Commission receives one hundred (100) prepaid applications therefor. The prepaid applications must be received by the Tax Commission within one hundred and eighty (180) days of the effective date of the authorization or the authority to issue shall be null and void. In the event one hundred

(100) prepaid applications are not received by the Tax Commission within such prescribed time period any payment so received shall be refunded accordingly.

B. The special license plates provided by this section are as follows:

1. Round and Square Dance License Plates - such plates shall be designed and issued to any person wishing to demonstrate support for round and square dancing;

2. National Association for the Advancement of Colored People License Plates - such plates shall be designed, subject to the criteria to be presented to the Tax Commission by the NAACP, and issued to any person wishing to demonstrate support for the NAACP;

3. National Rifle Association License Plates - such plates shall be designed, subject to the criteria to be presented to the Tax Commission by the National Rifle Association, and issued to any person wishing to demonstrate support for the National Rifle Association;

4. Masonic Fraternity License Plates - such plates shall be designed and issued to any resident of this state who is a member of a Masonic Fraternity of Oklahoma. Such persons may apply for a Masonic Fraternity license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of a Masonic Fraternity membership or upon the presentment of an application for a Masonic Fraternity license plate authorized and approved by the Grand Lodge of Oklahoma. The license plates shall be designed in consultation with the Masonic Fraternities of Oklahoma and shall contain the Masonic emblem;

5. Shriner's Hospitals for Burned and Crippled Children License Plates - such plates shall be designed to demonstrate support for Shriner's Hospitals for Burned and Crippled Children and shall be issued to any resident of this state who is a member of a Shriner's Temple in Oklahoma. The license plate shall be designed in consultation with the Shriner's Temples in Oklahoma and shall contain the Shriner's emblem;

6. Balloonists License Plate - such plates shall be designed and issued to any person wishing to demonstrate support for hot air ballooning in this state;

7. Order of the Eastern Star License Plates - such plates shall be designed and issued to any resident of this state who is a member of an Order of the Eastern Star. Such persons may apply for an Order of the Eastern Star license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of an Order of the Eastern Star membership or upon the presentment of an application for an Order of the Eastern Star license plate authorized and approved by the organization. The license plate shall be designed in consultation with the Order of the Eastern Star and shall contain the Order of the Eastern Star emblem;

8. Knights of Columbus License Plates - such plates shall be designed and issued to any resident of this state who is a member of the Knights of Columbus. Such persons may apply for a Knights of Columbus license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of a Knights of Columbus membership or upon the presentment of an application for a Knights of Columbus license plate authorized and approved by the organization. The license plate shall be designed in consultation with the Knights of Columbus and shall contain the Knights of Columbus emblem;

9. Jaycees License Plates - such plates shall be designed and issued to members of the Jaycees. Persons applying for such license plate must show proof of membership in the Jaycees. The license plates shall be designed in consultation with the Jaycees;

10. Ducks Unlimited License Plates - such plates shall be designed and issued to members of Ducks Unlimited. Persons applying for and renewing such license plates must

show proof of tag membership in Ducks Unlimited. The license plates shall be designed in consultation with Ducks Unlimited;

11. Kiwanis International License Plates – such plates shall be designed and issued to members of Kiwanis International. Persons applying for such license plate must show proof of membership in Kiwanis International. The license plates shall be designed in consultation with Kiwanis International;

12. Certified Public Accountants License Plates - such plates shall be designed and issued to any resident of this state who is a Certified Public Accountant. Such persons may apply for a Certified Public Accountant license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of status as a Certified Public Accountant. The license plates shall be designed in consultation with the Oklahoma Society of Certified Public Accountants;

13. Civil Emergency Management License Plates – such plates shall be designed and issued to persons wishing to demonstrate support for the state civil emergency management system;

14. Civilian Conservation Corps License Plates – such plates shall be designed, subject to criteria to be presented to the Tax Commission, by the Civilian Conservation Corps Association, and issued to any person wishing to demonstrate support of the Civilian Conservation Corps;

15. Rotarian License Plates – such plates shall be designed and issued to any resident of this state who is a member of a Rotarian Club of Oklahoma. Such persons may apply for a Rotarian license plate for each vehicle with a rated carrying capacity of one (1) ton or less upon proof of a Rotarian Club membership or upon the presentment of an application for a Rotarian license plate authorized and approved by a Rotarian Club of Oklahoma. The license plates shall be designed in consultation with the five Rotarian District Governors and shall contain the Rotarian emblem;

16. Benevolent Protective Order of Elks – such plates shall be designed, subject to criteria to be presented to the Tax Commission, by the Benevolent Protective Order of Elks, and issued to any resident of this state who is a member of the Benevolent Protective Order of Elks;

17. Humane Society License Plates – such plates shall be designed and issued to any person wishing to demonstrate support for the Humane Society of the United States. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates. The plate shall contain the official Humane Society logo;

18. Oklahoma Mustang Club – such plates shall be designed, subject to criteria to be presented to the Tax Commission, by the Oklahoma Mustang Club, and issued to any resident of this state who is a member of the Oklahoma Mustang Club. Such persons may apply for an Oklahoma Mustang Club license plate upon presentment of proof of membership in the Oklahoma Mustang Club. The plates shall be issued to any person in any combination of numbers and letters from one to a maximum of seven, as for personalized license plates;

19. American Business Clubs (AMBUCS) License Plates - such plates shall be designed and issued to members of American Business Clubs. Persons applying for such license plate must show proof of membership in AMBUCS. The license plates shall be designed in consultation with American Business Clubs;

20. West Point 200th Anniversary License Plates – such plates shall be designed and issued to any person wishing to commemorate the Two Hundredth Anniversary of the founding of the United States Military Academy at West Point, New York. The license plates shall be designed in consultation with the West Point Society of Central Oklahoma;

21. Northern Cherokee Nation of the Old Louisiana Territory License Plate – such plates shall be designed and issued to persons wishing to demonstrate support or affiliation with the Northern Cherokee Nation of the Old Louisiana Territory;

22. Oklahoma Aquarium License Plate - such plates shall be designed and issued to persons wishing to demonstrate support for the Oklahoma Aquarium. The license plates shall be designed in consultation with the Oklahoma Aquarium;

23. The Pride of Broken Arrow License Plates – such plates shall be designed and issued to any person wishing to demonstrate support for The Pride of Broken Arrow marching band. The plates shall be designed in consultation with the Broken Arrow Public School System;

24. Fellowship of Christian Athletes License Plates - such plates shall be designed in consultation with the Fellowship of Christian Athletes and issued to members and supporters of the Fellowship of Christian Athletes;

25. Parrothead Club License Plates - such plates shall be designed and issued to members and supporters of the Parrothead Club. The license plate shall be issued to any person in any combination of numbers and letters from one to a maximum of seven as for personalized license plates;

26. Oklahoma Bicycling Coalition License Plates – such plates shall be designed and issued to any person who is a member of the Oklahoma Bicycling Coalition. The license plates shall be designed in consultation with the Oklahoma Bicycling Coalition;

27. Electric Lineman License Plate – such plates shall be designed and issued to persons wishing to demonstrate support for Oklahoma’s electric linemen. The license plates shall be designed in consultation with the Oklahoma Electric Superintendent’s Association;

28. Alpha Kappa Alpha License Plate – such plates shall be designed and issued to any person who is a member of Alpha Kappa Alpha Sorority. The license plates shall be designed in consultation with the Oklahoma Chapter of Alpha Kappa Alpha Sorority;

29. The National Pan-Hellenic Council Incorporated License Plate – such plates shall be designed and issued to any person wishing to demonstrate support to any of the nine sororities and fraternities recognized by the National Pan-Hellenic Council Incorporated. The license plates shall be designed in consultation with the Oklahoma Chapter of the National Pan-Hellenic Council Incorporated;

30. Organ, Eye and Tissue License Plate – such plates shall be designed and issued to persons wishing to demonstrate support and increase awareness for organ, eye and tissue donation. The license plates shall be designed in consultation with the Oklahoma Organ Donor Education and Awareness Program Advisory Council;

31. Central Oklahoma Habitat for Humanity License Plate – such plates shall be designed and issued to persons wishing to demonstrate support and increase awareness for Habitat for Humanity. The license plate shall be designed in consultation with Central Oklahoma Habitat for Humanity;

32. Family Career and Community Leaders of America Incorporated License Plate - such plates shall be designed and issued to persons wishing to demonstrate support for

Family Career and Community Leaders of America Incorporated. The license plates shall be designed in consultation with Family Career and Community Leaders of America Incorporated;

33. Delta Sigma Theta License Plate – such plates shall be designed and issued to any person who is a member of Delta Sigma Theta Sorority. The license plates shall be designed in consultation with the Oklahoma Chapter of Delta Sigma Theta Sorority Incorporated;

34. Omega Psi Phi License Plate – such plates shall be designed and issued to any person who is a member of Omega Psi Phi Fraternity. The license plates shall be designed in consultation with the Oklahoma Chapter of Omega Psi Phi Fraternity Incorporated;

35. Alpha Phi Alpha License Plate – such plates shall be designed and issued to any person who is a member of Alpha Phi Alpha Fraternity. The license plates shall be designed in consultation with the Oklahoma Chapter of Alpha Phi Alpha Fraternity Incorporated;

36. 50th Anniversary of the Interstate System of Highways License Plate – such plates shall be designed and issued to persons wishing to commemorate the 50th Anniversary of the Interstate System of Highways. The license plates shall be designed in consultation with the American Association of State Highway and Transportation Officials;

37. Kappa Alpha Psi License Plate - such plates shall be designed and issued to any person who is a member of Kappa Alpha Psi Fraternity. The license plates shall be designed in consultation with the Oklahoma Chapter of Kappa Alpha Psi Fraternity Incorporated;

38. Zeta Phi Beta License Plate - such plates shall be designed and issued to any person who is a member of Zeta Phi Beta Sorority. The license plates shall be designed in consultation with the Oklahoma Chapter of Zeta Phi Beta Sorority Incorporated;

39. Sigma Gamma Rho License Plate - such plates shall be designed and issued to any person who is a member of Sigma Gamma Rho Sorority. The license plates shall be designed in consultation with the Oklahoma Chapter of Sigma Gamma Rho Sorority Incorporated;

40. Phi Beta Sigma License Plate - such plates shall be designed and issued to any person who is a member of Phi Beta Sigma Fraternity. The license plates shall be designed in consultation with the Oklahoma Chapter of Phi Beta Sigma Fraternity Incorporated;

41. Multiple Sclerosis License Plate – such plates shall be designed and issued to persons wishing to demonstrate support for and increase awareness of multiple sclerosis. The license plates shall be designed in consultation with the Oklahoma Chapter of the National Multiple Sclerosis Society; ~~and~~

42. Frederick Douglass High School License Plates – such plates shall be designed and issued to any person wishing to demonstrate support for Frederick Douglass High School located in Oklahoma City. The plates shall be designed in consultation with representatives of Frederick Douglass High School National Alumni Association; ~~and~~

43. In God We Trust License Plates – such plates shall be designed and issued to persons wishing to demonstrate support for the American Flag and the phrase “In God We Trust” and shall be designed to include both the American Flag and the caption “In God We Trust”. The fee for the special license plate authorized by this paragraph shall be Eight Dollars (\$8.00) and shall be in addition to all other registration fees provided by law.

C. ~~The~~ Unless otherwise provided by this section, the fee for such plates shall be Fifteen Dollars (\$15.00) and shall be in addition to all other registration fees provided by the Oklahoma Vehicle License and Registration Act. Unless otherwise provided in this section, the fee shall be apportioned as follows: Eight Dollars (\$8.00) of the special license plate fee shall be deposited in the Oklahoma Tax Commission Reimbursement Fund to be used for the administration of the Oklahoma Vehicle License and Registration Act and the remaining Seven Dollars (\$7.00) of the special license plate fee shall be apportioned as provided in Section 1104 of this title.”, and by renumbering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Paddack moved to amend **SB 51**, Page 1, by striking the title, which amendment was declared adopted.

Senator Paddack moved that **SB 51** be advanced, which motion was declared adopted.

THIRD READING

SB 51 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, Crutchfield, Easley, Eason, McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweden, Sykes, Wilson and Wyrick.--44.

Nay: Jolley, Rabon, Wilcoxson and Williamson.--4.

The bill passed.

SB 51 was referred for engrossment.

GENERAL ORDER

SB 47 by Crain of the Senate and Tibbs of the House was called up for consideration.

Senator Anderson moved to amend **SB 47**, Page 1, Line 17 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 63 O.S. 2001, Section 2-503, as amended by Section 2, Chapter 537, O.S.L. 2004 (63 O.S. Supp. 2006, Section 2-503), is amended to read as follows:

Section 2-503. A. The following shall be subject to forfeiture:

1. All controlled dangerous substances which have been manufactured, distributed, dispensed, acquired, concealed or possessed in violation of the Uniform Controlled Dangerous Substances Act;

2. All raw materials, products and equipment of any kind and all drug paraphernalia as defined by the Uniform Controlled Dangerous Substances Act, which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing or exporting, injecting, ingesting, inhaling, or otherwise introducing into the human body any controlled dangerous substance in violation of the provisions of the Uniform Controlled Dangerous Substances Act;

3. All property which is used, or intended for use, as a container for property described in paragraphs 1 and 2 of this subsection;

4. All conveyances, including aircraft, vehicles, vessels, or farm implements which are used to transport, conceal, or cultivate for the purpose of distribution as defined in the Uniform Controlled Dangerous Substances Act, or which are used in any manner to facilitate the transportation or cultivation for the purpose of sale or receipt of property described in paragraphs 1 or 2 of this subsection or when the property described in paragraphs 1 or 2 of this subsection is unlawfully possessed by an occupant thereof, except that:

- a. no conveyance used by a person as a common carrier in the transaction of business as a common carrier shall be forfeited under the provisions of the Uniform Controlled Dangerous Substances Act unless it shall appear that the owner or other person in charge of such conveyance was a consenting party or privy to a violation of the Uniform Controlled Dangerous Substances Act, and
- b. no conveyance shall be forfeited under the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the knowledge or consent of such owner, and if the act is committed by any person other than such owner, the owner shall establish further that the conveyance was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States, or of any state;

5. All books, records and research, including formulas, microfilm, tapes and data which are used in violation of the Uniform Controlled Dangerous Substances Act;

6. All things of value furnished, or intended to be furnished, in exchange for a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act, all proceeds traceable to such an exchange, and all monies, negotiable instruments, and securities used, or intended to be used, to facilitate any violation of the Uniform Controlled Dangerous Substances Act;

7. All moneys, coin and currency found in close proximity to any amount of forfeitable substances, to forfeitable drug manufacturing or distribution paraphernalia or to forfeitable records of the importation, manufacture or distribution of substances, which are rebuttably presumed to be forfeitable under the Uniform Controlled Dangerous Substances Act. The burden of proof is upon claimants of the property to rebut this presumption;

8. All real property, including any right, title, and interest in the whole of any lot or tract of land and any appurtenance or improvement thereto, which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of the

Uniform Controlled Dangerous Substances Act which is punishable by imprisonment for more than one (1) year, except that no property right, title or interest shall be forfeited pursuant to this paragraph, by reason of any act or omission established by the owner thereof to have been committed or omitted without the knowledge or consent of that owner; ~~and~~

9. All weapons possessed, used or available for use in any manner to facilitate a violation of the Uniform Controlled Dangerous Substances Act; ~~and~~

10. The Department of Public Safety, county sheriffs, and all other duly authorized peace officers of this state during the course of their normal duties to uphold and enforce the laws of the state may seize and take into custody any motor vehicle being operated on public streets and highways by a person who fails to show proof of compulsory liability insurance as required by Section 7-600 et seq. of Title 47 of the Oklahoma Statutes.

B. Any property or thing of value of a person is subject to forfeiture if it is established by a preponderance of the evidence that such property or thing of value was acquired by such person during the period of the violation of the Uniform Controlled Dangerous Substances Act or within a reasonable time after such period and there was no likely source for such property or thing of value other than the violation of the Uniform Controlled Dangerous Substances Act.

C. Any property or thing of value of a person is subject to forfeiture if it is established by a preponderance of the evidence that the person has not paid all or part of a fine imposed pursuant to the provisions of Section 2-415 of this title.

D. All items forfeited in this section shall be forfeited under the procedures established in Section 2-506 of this title. Whenever any item is forfeited pursuant to this section except for items confiscated by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Department of Corrections, or the Office of the Attorney General, the district court of the district shall order that such item, money, or monies derived from the sale of such item be deposited by the state, county or city law enforcement agency which seized the item in the revolving fund provided for in Section 2-506 of this title; provided, such item, money or monies derived from the sale of such item forfeited due to nonpayment of a fine imposed pursuant to the provisions of Section 2-415 of this title shall be apportioned as provided in Section 2-416 of this title. Items, money or monies seized pursuant to subsections A and B of this section shall not be applied or considered toward satisfaction of the fine imposed by Section 2-415 of this title. All raw materials used or intended to be used by persons to unlawfully manufacture or attempt to manufacture any controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act shall be summarily forfeited pursuant to the provisions of Section 2-505 of this title.

E. All property taken or detained under this section by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Department of Corrections, or the Office of the Attorney General, shall not be repleviable, but shall remain in the custody of the Bureaus, Departments, Commission, or Office, respectively, subject only to the orders and decrees of a court of competent jurisdiction. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Commissioner of Public Safety, the Director of the Oklahoma State Bureau of

Investigation, the Director of the Alcoholic Beverage Laws Enforcement Commission, the Director of the Department of Corrections, and the Attorney General shall follow the procedures outlined in Section 2-506 of this title dealing with notification of seizure, intent of forfeiture, final disposition procedures, and release to innocent claimants with regard to all property included in this section detained by the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Department of Corrections, or the Office of the Attorney General. Property taken or detained by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Department of Public Safety, the Oklahoma State Bureau of Investigation, the Alcoholic Beverage Laws Enforcement Commission, the Department of Corrections, or the Office of the Attorney General shall be disposed of or sold pursuant to the provisions of Section 2-508 of this title. Any money, coins, and currency, taken or detained pursuant to this section may be deposited in an interest bearing account by or at the direction of the State Treasurer if the seizing agency determines the currency is not to be held as evidence. All interest earned on such monies shall be returned to the claimant or forfeited with the money, coins, and currency which was taken or detained as provided by law.

F. The proceeds of any forfeiture of items seized by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall be distributed as follows:

1. To the bona fide or innocent purchaser, conditional sales vendor or mortgagee of the property, if any, up to the amount of his or her interest in the property, when the court declaring a forfeiture orders a distribution to such person; and

2. The balance to the Oklahoma State Bureau of ~~Narcotics~~ Narcotics and Dangerous Drugs Control's revolving fund or the Bureau's agency special account established pursuant to Section 7.2 of Title 62 of the Oklahoma Statutes, provided the Bureau may enter into agreements with municipal, county, state or federal law enforcement agencies, assisting in the forfeiture or underlying criminal investigation, to return to such an agency a percentage of said proceeds.

The Bureau may expend up to Nine Hundred Thousand Dollars (\$900,000.00) of the forfeited funds within a fiscal year without prior approval of the Legislature. Documentation of such expenditures shall be forwarded to the Governor, Speaker of the House of Representatives and the President Pro Tempore of the Senate on a quarterly basis. Any additional expenditures of forfeited funds shall be pre-approved by the annual appropriations process or the Contingency Review Board.

G. Any agency that acquires seized or forfeited property or money shall maintain a true and accurate inventory and record of all such property seized pursuant to this section.”, and by renumbering subsequent section, which amendment was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Ford, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson and Williamson.--32.

Nay: Ballenger, Brogdon, Coffee, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laughlin, Lerblance, Morgan, Rabon, Sweeden, Wilson and Wyrick.--16.

Senator Crain moved that **SB 47** be advanced, which motion was declared adopted.

THIRD READING

SB 47 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, Crutchfield, Ford, Garrison, Gumm, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Paddack, Reynolds, Schulz, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--35.

Nay: Easley, Eason McIntyre, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Rabon, Rice, Riley, Sparks and Wilson.--13.

The bill passed.

SB 47 was referred for engrossment.

Senator Laughlin 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 Corn presiding.

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

GENERAL ORDER

SB 777 by Leftwich of the Senate and Terrill et al of the House was called up for consideration.

Representative Wesselhoft asked to coauthor **SB 777**, which was the order.

Senator Leftwich moved that **SB 777** be advanced, which motion was declared adopted.

THIRD READING

SB 777 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Easley, Eason McIntyre and Rabon.--3.

The bill and emergency passed.

SB 777 was referred for engrossment.

GENERAL ORDER

SB 731 by Paddack of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved that **SB 731** be advanced, which motion was declared adopted.

THIRD READING

SB 731 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Easley and Eason McIntyre.--2.

The bill and emergency passed.

SB 731 was referred for engrossment.

GENERAL ORDER

SB 665 by Nichols of the Senate and Ingmire of the House was called up for consideration.

Senator Nichols moved to amend **SB 665**, Page 2, Line 6, by inserting after the period the language "The court shall allow the victim impact statement to be read into the record.", and by amending the title to conform, which amendment was declared adopted.

Senator Nichols moved that **SB 665** be advanced, which motion was declared adopted.

THIRD READING

SB 665 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laughlin, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson and Williamson.--42.

Nay: Laster, Lerblance, Rabon, Sweeden, Wilson and Wyrick.--6.

The bill passed.

SB 665 was referred for engrossment.

GENERAL ORDER

SB 14 by Leftwich et al of the Senate and Coody et al of the House was called up for consideration.

Senator Leftwich moved that **SB 14** be advanced, which motion was declared adopted.

Senator Rabon presiding.

THIRD READING

SB 14 was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Justice, Laster, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--35.

Nay: Aldridge, Bingman, Branan, Brogdon, Brown, Coffee, Ford, Johnson (M), Jolley, Lamb, Laughlin, Mazzei and Wilcoxson.--13.

The bill passed.

SB 14 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1001, 1022, 1094, 1104, 1105, 1106, 1107, 1108, 1109, 1114, 1281, 1304, 1309, 1319, 1321, 1342, 1346, 1477, 1557, 1591, 1674, 1742, 1857, 1927, 1960, 2044 and 2051.**

HB 1001 – By Carey of the House and Anderson of the Senate.
(Revenue and taxation - Oklahoma sales tax - sales tax exemptions - effective date – emergency)

HB 1022 – By McDaniel (Jeannie), Terrill, Banz, Covey, Denney, Inman, Proctor, Shelton and Shumate of the House and Eason McIntyre of the Senate.
(revenue and taxation - sales tax exemptions - construction of single-family residences - effective date - emergency)

HB 1094 – By Piatt, Sears, Harrison, Renegar and Covey of the House and Crutchfield of the Senate.
(Oklahoma Charity Games Act - exempting certain organizations - sales tax exemptions - charity game equipment - effective date – emergency)

HB 1104 – By Bengé, Miller and Tibbs of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to amusements and sports; requiring certain reports; amending 3A O.S. 2001, Section 205.2a, which relates to organization licenses; clarifying language; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1105 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to public finance; requiring certain reports; amending 62 O.S. 2001, Section 41.31, which relates to budget preparation; clarifying term; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1106 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to public finance; requiring certain reports; amending 62 O.S. 2001; Section 41.31, which relates to budget preparation; clarifying term; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1107 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to public finance; requiring certain reports; amending 62 O.S. 2001, Section 41.31, which relates to budget preparation; clarifying term; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1108 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to revenue and taxation; requiring certain reports; amending 68 O.S. 2001, Section 201, which relates to tax procedure; clarifying procedure; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1109 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to revenue and taxation; requiring certain reports; amending 68 O.S. 2001, Section 201, which relates to tax procedure; clarifying procedure; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1114 – By Bengé and Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

An Act relating to state government; requiring certain reports; amending 74 O.S. 2001, Section 840-1.3, as amended by Section 3, Chapter 347, O.S.L. 2002 (74 O.S. Supp. 2006, Section 840-1.3), which relates to the Oklahoma Personnel Act; clarifying language; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1281 – By Duncan, Roan, McMullen, Shoemake, Covey and Walker of the House and Crain of the Senate.

An Act relating to probate procedure; enacting the Family Home Transfer Act; providing procedure for the transfer of certain real property; providing method for a record owner of real estate to transfer interest to certain persons; providing for certain information to be included on deed; providing method of revocation; prohibiting revocation by a will; authorizing grantee beneficiary to disclaim title to real estate recorded in a transfer-on-death deed within a certain time period; providing circumstances under which disclaimer is waived; providing for waiver on behalf of minors or legally incompetent beneficiaries; specifying when ownership interest will vest; providing recording requirements; providing that interest is subject to encumbrances; providing procedure and required documentation for proof of death of the record owner; providing when a transfer will lapse; providing certain limitation of transfer vesting; providing that record owner remains absolute owner for certain purposes; providing that transfer-on-death deed is not a testamentary disposition; providing for codification; and providing an effective date.

HB 1304 – By Enns of the House and Justice of the Senate.

(revenue and taxation - railroad, air carrier, and public service corporation properties - buffer strip property - effective date – emergency)

HB 1309 – By Cox, Winchester, Kern, Dorman, Coody, Shumate and Shelton of the House and Crain of the Senate.

(schools - Diabetes Management in Schools Act – codification – effective date)

HB 1319 – By Martin (Steve), Kern and Terrill of the House and Ford of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1738, as amended by Section 13, Chapter 460, O.S.L. 2002 (21 O.S. Supp. 2006, Section 1738), which relates to seizure and forfeiture proceedings; authorizing forfeiture of property for violation of certain laws; and providing an effective date.

HB 1321 – By Auffet and Smithson of the House and Wilson of the Senate.

(revenue and taxation - tax credits - poultry litter - effective date)

HB 1342 – By Rousselot, Terrill, Duncan, McCarter, Thompson, Brannon and Smithson of the House and Garrison of the Senate.

(revenue and taxation – United States military – sales tax exemption - Blue Star Mothers of America – requiring certification – penalty – effective date)

HB 1346 – By Rousselot and McCarter of the House and Garrison of the Senate.

An Act relating to roads, bridges and ferries; designating a section of State Highway 51B as the Rex Lee Brown Memorial Highway; requiring placement of markers; providing for codification; and providing an effective date.

HB 1477 – By Coody, Nations and Kern of the House and Garrison of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-189, as last amended by Section 1, Chapter 212, O.S.L. 2005 (70 O.S. Supp. 2006, Section 6-189), which relates to the licensure and certification system; clarifying statutory language; modifying certification requirements for school principals; establishing certification requirements for superintendent of schools; specifying certain competencies; clarifying certain statutory citation; providing an effective date; and declaring an emergency.

HB 1557 – By Denney, Jackson and Shumate of the House and Morgan of the Senate.

An Act relating to children; amending Section 3, Chapter 121, O.S.L. 2003, as amended by Section 1, Chapter 66, O.S.L. 2004 (10 O.S. Supp. 2006, Section 640.1), which relates to the Oklahoma Partnership for School Readiness Board; adding members; and declaring an emergency.

HB 1591 – By Jones, Kern, Proctor, Coody, Denney, Shumate, Cox, McCarter, Cannaday, Duncan, Glenn, Hoskin, Inman, Kiesel, Luttrell, McAffrey, Renegar and Terrill of the House and Jolley of the Senate.

(schools – teacher minimum salary – codification – effective date – emergency)

HB 1674 – By Thomsen, McCarter and McAffrey of the House and Lamb of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Sections 26-104, as amended by Section 1, Chapter 418, O.S.L. 2002 and 26-105, as last amended by Section 2, Chapter 119, O.S.L. 2004 (70 O.S. Supp. 2006, Sections 26-104 and 26-105), which relate to the Larry Dickerson Education Flexible Benefits Allowance Act; updating statutory citation; updating statutory language; providing for payment of flexible benefit allowance to certain employees for certain period; defining term; and declaring an emergency.

HB 1742 – By Duncan, Sullivan, Braddock, Brannon, Harrison, Luttrell, Peterson (Ron), Renegar, Smithson, Terrill and Tibbs of the House and Lamb of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1290.5, as amended by Section 1, Chapter 122, O.S.L. 2003 (21 O.S. Supp. 2006, Section 1290.5), which relates to the Oklahoma Self-Defense Act; providing certain option to concealed handgun license applicants and licensees; stating fee amounts; and providing an effective date.

HB 1857 – By BigHorse, Dorman and Hamilton of the House and Justice of the Senate.

An Act relating to liens; requiring lienholder to show cause for filing a lien on or against an individual or business entity; providing for notice; providing for payment of costs; providing for codification; and providing an effective date.

HB 1927 – By Steele, Duncan, Sullivan, Tibbs, Braddock, Shannon, Inman, Roan, Kiesel and Derby of the House and Leftwich and Burrage of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7003-3.7, as last amended by Section 3 of Enrolled House Bill No. 2195 of the 1st Session of the 51st Oklahoma Legislature, which relates to court-appointed special advocates; specifying requirements for background checks; amending 10 O.S. 2001, Section 7102, as last amended by Section 4, Chapter 258, O.S.L. 2006 (10 O.S. Supp. 2006, Section 7102), which relates to abuse or neglect of children; modifying definition; and providing an effective date.

HB 1960 – By Peterson (Ron) of the House and Brown of the Senate.

An Act relating to insurance; amending Section 1, Chapter 68, O.S.L. 2002, as amended by Section 1, Chapter 235, O.S.L. 2003 (36 O.S. Supp. 2006, Section 4809), which relates to fire insurance; eliminating penalty; and providing an effective date.

HB 2044 – By Brown, McAffrey, Pittman and BigHorse of the House and Wilson of the Senate.

An Act relating to children; providing for short title; amending 10 O.S. 2001, Section 7003-4.7, as amended by Section 1, Chapter 237, O.S.L. 2002 (10 O.S. Supp. 2006, Section 7003-4.7), which relates to petition for termination of parental rights; adding consideration for termination; providing for noncodification; and providing an effective date.

HB 2051 – By Glenn of the House and Garrison of the Senate.

An Act relating to motor vehicles; amending Section 10, Chapter 504, O.S.L. 2004 (47 O.S. Supp. 2006, Section 1135.1), which relates to special license plates; creating ten-year tag option for antique or classic cars; amending Section 14, Chapter 504, O.S.L. 2004, as last amended by Section 25, Chapter 44, 2nd Extraordinary Session, O.S.L. 2006 (47 O.S. Supp. 2006, Section 1135.5), which relates to special license plates; providing special license plates for Oklahoma realtors; providing for design; providing for apportionment of fee; and providing an effective date.

The above-numbered measures were read the first time.

Advising passage of and returning the following Engrossed resolution:

SCR12 - coauthored by all House Members

The above-numbered resolution was referred for enrollment.

GENERAL ORDER

SB 496 by Reynolds of the Senate and Kern of the House, considered on Page 471, was called up for further consideration.

Senator Reynolds moved to amend **SB 496**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Reynolds moved that **SB 496** be advanced, which motion was declared adopted.

THIRD READING

SB 496 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill and emergency passed.

SB 496 was referred for engrossment.

GENERAL ORDER

SB 494 by Rice of the Senate and Worthen of the House was called up for consideration.

Senator Rice moved that **SB 494** be advanced, which motion was declared adopted.

THIRD READING

SB 494 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

SB 494 was referred for engrossment.

GENERAL ORDER

SB 74 by Crain of the Senate and McDaniel (Jeannie) of the House was called up for consideration.

Senator Crain moved that **SB 74** be advanced, which motion was declared adopted.

THIRD READING

SB 74 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

SB 74 was referred for engrossment.

GENERAL ORDER

SB 109 by Nichols of the Senate and Winchester of the House was called up for consideration.

Senator Nichols moved that **SB 109** be advanced, which motion was declared adopted.

THIRD READING

SB 109 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill and emergency passed.

SB 109 was referred for engrossment.

GENERAL ORDER

SB 929 by Paddack of the Senate and Thomsen of the House was called up for consideration.

Senator Paddack moved that **SB 929** be advanced, which motion was declared adopted.

THIRD READING

SB 929 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

SB 929 was referred for engrossment.

GENERAL ORDER

SB 151 by Crain of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Crain moved that **SB 151** be advanced, which motion was declared adopted.

THIRD READING

SB 151 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

SB 151 was referred for engrossment.

GENERAL ORDER

SB 790 by Leftwich of the Senate and Steele of the House was called up for consideration.

Senators Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Lerblance, Paddack, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick asked to coauthor **SB 790**, which was the order.

Senator Leftwich moved to amend **SB 790**, Page 1, by striking the title, which amendment was declared adopted.

Senator Leftwich moved that **SB 790** be advanced, which motion was declared adopted.

THIRD READING

SB 790 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill and emergency passed.

SB 790 was referred for engrossment.

GENERAL ORDER

SB 634 by Lerblance of the Senate and Sullivan of the House was called up for consideration.

Senator Anderson moved to amend **SB 634**, Page 29, Line 19 ½, by inserting a new Section 11 to read as follows:

“SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2011.2 of Title 12, unless there is created a duplication in numbering, reads as follows:

Any person who has information or believes that a frivolous lawsuit has been filed in any court in this state may report such lawsuit to the clerk of the Supreme Court. The clerk shall maintain a public record of all reports filed regarding frivolous lawsuits and shall provide to the Chief Justice of the Oklahoma Supreme Court, the Governor, the Lieutenant Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives by February 1 of each year a report of the number of frivolous lawsuit complaints that have been reported to the clerk during the previous calendar year and shall identify the county and case number of the lawsuits that have been reported. The clerk of the Supreme Court shall develop a form that is to be used for reporting such claims, which shall be made available on the internet and shall only require the name of the county in which the alleged claim was filed and the case number of the case that is alleged to have been a frivolous complaint. There shall not be a requirement that the individual who makes the claim disclose his or her identity or that the parties of the lawsuit be identified. The filing of such a report shall not be the grounds for any claim of libel or slander against the individual who filed the report. This act shall not alter the duty of any attorney in this state to continue to comply with the code of professional conduct in regards to reporting the existence of frivolous lawsuits under Rule 8.3.”, which amendment was withdrawn upon request of Senator Anderson.

Senator Lerblance moved that **SB 634** be advanced, which motion was declared adopted.

THIRD READING

SB 634 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

SB 634 was referred for engrossment.

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 6, 2007, at 9:30 a.m., which motion prevailed.

SECOND READING

The following were read for the second time:

HBs 1002, 1017, 1443, 1460, 1491, 1527, 1698, 1772, 1796, 1914, 2064 and 2077.

FIRST READING

The following were introduced and read the first time:

SCR 14 – By Leftwich of the Senate and Thompson of the House.

A Concurrent Resolution recognizing the contributions of UPS; designating August 28, 2007, “UPS Day” in the State of Oklahoma; and directing distribution.

SR 11 – By Jolley.

A Resolution praising the career of Dr. Garland A. Godfrey; mourning his loss; and directing distribution.

Pursuant to the Laughlin motion, the Senate adjourned at 4:45 p.m. to meet Tuesday, March 6, 2007, at 9:30 a.m.

JOURNAL CORRECTION

Page 507, 3rd line from the bottom, by inserting the following:

“SECOND READINGS

The following were read for the second time:

HBs 1003, 1006, 1048, 1343, 1432, 1472, 1545, 1711, 1874 and 2038.”