

Senate Journal

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

Forty-ninth Legislative Day, Monday, April 30, 2007

The Senate was called to order by Senator Corn.

Roll Call:

Present: Adelson, Aldridge, 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Anderson and Leftwich.—2.

Senator Corn declared a quorum present.

The prayer was offered by Dr. John Benefield, Church on the Rock, Oklahoma City, the guest of Senator Laughlin.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1034, 1321, 1696, 1926 and 2103 and **HJR 1003** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 469 and 739 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 32 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**MESSAGE FROM THE HOUSE
HAs TO SENATE BILLS**

Advising passage of and returning the following engrossed bill as amended:

SB 357 - coauthored by Brannon, Hyman, Kern, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, Sears, Shoemake, Smithson, Terrill, Tibbs and Turner of the House and Mazzei of the Senate

House amendments were read on the above-numbered bill.

PENDING CONSIDERATION OF HAs

HAs to SB 470 were concurred in upon motion of Senator Wilson.

SB 470, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Ballenger, Barrington, Bass, Bingman, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Williamson, Wilson and Wyrick.--37.

Nay: Aldridge, Branam, Brogdon, Brown, Crain, Nichols, Reynolds and Sykes.--8.

Excused: Anderson, Leftwich and Wilcoxson.--3.

The bill and emergency passed.

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

PENDING CONSIDERATION OF HAs

HAs to SB 712 were concurred in upon motion of Senator Williamson.

SB 712, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Branam, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster,

Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--45.

Excused: Anderson, Leftwich and Wilcoxson.--3.

The bill passed.

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

Senator Paddack presiding.

PENDING CONSIDERATION OF HAS

HAs to SB 357 were concurred in upon motion of Senator Johnson (Mike).

Senators Corn, Sweeden, Jolley, Nichols, Brown, Justice, Ford, Coates, Lamb, Laughlin, Coffee, Sykes, Brogdon, Schulz, Barrington, Reynolds, Bingman, Wilcoxson, Crain, Aldridge and Branan and Representatives Enns, Martin (Scott), Rousselot and Jackson asked to coauthor **SB 357**, which was the order.

SB 357, as amended by the Honorable House, 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, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Anderson and Leftwich.--2.

The bill passed.

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

Senator Corn presiding.

PENDING CONSIDERATION OF HAS

HAs to SBs 481, 483, 513 and 829 were rejected upon motion of Senator Laughlin, conference requested, and Senate conferees to be named later.

FIRST READING

The following was introduced and read the first time:

SR 34 – By Sparks.

A Resolution honoring the University of Oklahoma Women's Basketball Head Coach Sherri Coale; congratulating the team; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Sparks asked unanimous consent to suspend Rule 6-4 and refer **SR 34** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 34 by Sparks was called up for consideration.

Senator Nichols and all other members of the Senate asked to coauthor **SR 34**, which was the order.

SR 34 was adopted upon motion of Senator Sparks and referred for enrollment.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 469, 499, 739 and 996**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1064, 1086, 1184, 1318, 1596, 1742 and 2111**.

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

Advising passage of and returning the following Engrossed resolution:

SCR 32 - coauthored by all other House Members

The above-numbered measure was referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1084, 1399** (emergency failed), **1432, 1443, 1708, 1682** and **2064**.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later:

HB 1303

HB 1329

HB 1384

HB 1490

HB 1580

HB 1695

HB 1698

HB 1711

HB 1764

HB 1771

HB 1794

HB 1916

HB 1927

HB 2077

HB 2085

MESSAGE FROM THE HOUSE

HAs TO SENATE BILLS

Advising passage of and returning the following engrossed bills as amended:

SB 35 - coauthored by Reynolds, Kern and Terrill of the House

SB 103 - coauthored by Shannon of the House

SB 359

SB 360

SB 361

SB 362

SB 407 – (emergency failed)

SB 424 - coauthored by BigHorse, Hoskin, Inman, Kiesel, McAffrey, Morgan, Pittman, Shelton and Steele of the House and Burrage and Ivester of the Senate

SB 486 - coauthored by Derby, Hamilton, Inman, Kern, Martin (Scott), McDaniel (Randy), Shannon, Terrill, Tibbs, Walker and Wesselhoft of the House

SB 489 - coauthored by Shelton, McDaniel (Randy) and Faught of the House

SB 546 - coauthored by Hilliard of the House

SB 626

SB 685 - coauthored by Kern and Key of the House

SB 695

SB 725 - coauthored by Terrill, Inman, Kern, Key, Martin (Steve), McAffrey, McDaniel (Randy), Proctor, Reynolds and Sears of the House

SB 734

SB 806 - coauthored by Reynolds and Kern of the House

SB 820 - coauthored by Terrill and Shannon of the House

SB 824 - coauthored by Sullivan of the House

SB 868 - coauthored by Reynolds of the House

SB 889 - coauthored by Sears, Martin (Steve), McDaniel (Randy) and Tibbs of the House

SB 920 - coauthored by Sullivan, Shannon and Martin (Scott) of the House

SB 926 - coauthored by Shumate and Shelton of the House

SB 979 - coauthored by Thomsen of the House

SB 990

SB 993

SB 1014

SB 1016

SB 1078 - coauthored by Reynolds of the House

House amendments were read on the above-numbered bills.

PENDING CONSIDERATION OF HAS

HAs to SB 685 were rejected upon motion of Senator Laughlin, conference requested, and Senate conferees to be named later.

EXECUTIVE NOMINATIONS

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

McGrath, Dennis J., Stillwater, as a member of the Polygraph Examiners Board - Judiciary

Miller, Ed, Ph.D., Stillwater, as a member of the State Board of Registration for Foresters - Agriculture and Rural Development

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 1, 2007, at 1:30 p.m., which motion prevailed.

MESSAGES FROM THE GOVERNOR

Advising his approval April 30, 2007, of Enrolled **SBs 160, 379, 398, 399, 473, 509, 777, 808, 890, 903, 917, 921** and **1028** and his veto April 28, 2007, of Enrolled **SB 507**.

The veto message reads as follows:

April 28, 2007

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session, Fifty-first Oklahoma Legislature

ENROLLED SB 507

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 507. I have vetoed this bill primarily because several provisions are unconstitutional, and the measure unduly restricts the ability of Oklahomans to seek equal justice through the civil justice system. The measure also makes it virtually impossible for the state to pursue a legal course of action designed to protect its citizens and valuable resources. Finally, the legislation does little to curb frivolous lawsuits.

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

Pursuant to the Laughlin motion, the Senate adjourned at 2:35 p.m. to meet Tuesday, May 1, 2007, at 1:30 p.m.