

Senate Journal

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

Sixty-first Legislative Day, Monday, May 21, 2007

The Senate was called to order by Senator Paddack.

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 Paddack declared a quorum present.

The prayer was offered by Senator Brogdon.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCRs 6, 10, 25 and **34** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 45 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Conferees unable to agree on the following:

HB 2082

HJR 1039

Advising conference granted on Engrossed **SB 35** and naming House conferees as follows: Tibbs, Morgan, Dorman, Duncan, Shannon.

Advising fourth reading of and transmitting for signature Enrolled **HB 1816**.

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

Advising the signing of and returning Enrolled **SCRs 6, 10, 25** and **34**.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 98** was adopted upon motion of Senator Barrington.

SB 98, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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, Wilson and Wyrick.--44.

Excused: Coffee, Corn, Morgan and Williamson.--4.

The bill passed.

SB 98, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1581** was adopted upon motion of Senator Myers.

HB 1581, as amended in conference, was read at length.

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

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

Excused: Morgan, Reynolds and Williamson.--3.

The bill passed.

HB 1581, together with the conference committee report thereon, was ordered returned to the Honorable House.

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 Paddack presiding.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 47** was adopted upon motion of Senator Crain.

Senators Brogdon and Sykes asked to coauthor **SB 47**, which was the order.

SB 47, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Corn, Johnson (M) and Mazzei.--4.

The bill passed.

SB 47, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1034** was adopted upon motion of Senator Wyrick.

HB 1034, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Brown, Burrage, Coates, 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, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Wilson and Wyrick.--41.

Nay: Branan, Brogdon, Jolley, Reynolds, Sykes and Williamson.--6.

Excused: Coffee.--1.

The bill and emergency passed.

HB 1034, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 704** was adopted upon motion of Senator Schulz.

SB 704, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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.--47.

Excused: Coffee.--1.

The bill and emergency passed.

SB 704, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

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

HB 1872 – Garrison, Bass, Crutchfield, Schulz, Branan, Laughlin

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

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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.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1764** was adopted upon motion of Senator Laughlin.

Senator Schulz asked to coauthor **HB 1764**, which was the order.

HB 1764, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson and Wyrick.--44.

Excused: Adelson, Coffee, Myers and Wilson.--4.

The bill and emergency passed.

HB 1764, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1021** was rejected upon motion of Senator Laughlin, further conference requested, and same Senate conferees appointed as follows: Bingman, Aldridge, Laughlin, Sweeden, Laster, Ballenger.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1714** was adopted upon motion of Senator Nichols.

Senators Gumm, Brogdon and Sykes and Representative Coody asked to coauthor **HB 1714**, which was the order.

HB 1714, as amended in conference, was read at length.

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

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

Excused: Adelson, Coffee and Myers.--3.

The bill passed.

HB 1714, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

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

HB 1455 – Branan, Johnson (Mike), Laughlin, Rabon, Laster, Gumm

HB 1928 – Crain, Brown, Laughlin, Sparks, Adelson, Corn

HB 1933 – Johnson (Constance), Riley, Burrage, Schulz, Williamson, Laughlin

HB 2087 – Leftwich, Ivester, Lerblance, Coates, Brogdon, Laughlin

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1032** was adopted upon motion of Senator Easley.

SB 1032, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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.--47.

Excused: Coffee.--1.

The bill passed.

SB 1032, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 677** was adopted upon motion of Senator Corn.

Senator Sykes asked to coauthor **SB 677**, which was the order.

SB 677, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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.--47.

Excused: Coffee.--1.

The bill passed.

SB 677, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1327** was adopted upon motion of Senator Ford.

HB 1327, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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.--47.

Excused: Coffee.--1.

The bill passed.

HB 1327, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 738** was rejected upon motion of Senator Laughlin, further conference requested, and same Senate conferees appointed as follows: Morgan, Rice, Wilson, Lamb, Crain, Laughlin.

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORTS**

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

HB 1284

HB 1497

HB 1520 - coauthored by Harrison, Hoskin, Kiesel and Renegar of the House

HB 1631 - coauthored by Luttrell of the House

HB 1808 - coauthored Paddack of the Senate

HB 1930 - coauthored by Kern of the House

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

MESSAGES FROM THE HOUSE

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

SB 407

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

Advising rejection of **CCR** to the following bills, requesting further conference and naming same House conferees as follows:

HB 1774 - Thompson, Liebmann, Pruett, Roan, Bengé, Miller, Blackwell, Piatt, Martin (Scott)

HB 1961 - Peterson (Ron), Faught, Adkins, Hickman, Brannon

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 Rabon presiding.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 829** was called up for consideration.

Senator Wilcoxson asked that **SB 829** be laid over for this legislative day, which was the order.

SB 829 remains on pending consideration of CCR.

MESSAGE FROM THE HOUSE

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

SB 447

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

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

SB 738 - Blackwell, Cox, Schwartz, Glenn, McDaniel (Jeannie)

SB 1021 - McCullough, Joyner, Pruett, Derby, Schwartz, Shannon, Jordan, Thomsen, Miller, Glenn, Smithson, Shoemake, Shumate

Advising rejection of **CCR** to the following bill, requesting further conference and naming same House conferees as follows:

HB 1490 - Sullivan, DeWitt, Cox, Liebmann, Piatt, Nations, Morrisette, Johnson (Rob)

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

HB 1027

HB 1375

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

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1777** was adopted upon motion of Senator Lamb.

HB 1777, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Ford, Garrison, Ivester, Johnson (M), Jolley, Justice, Lamb, Laughlin, Leftwich, Mazzei, Nichols, Paddack, Reynolds, Rice, Riley, Schulz, Sparks, Sykes, Wilcoxson and Wyrick.--32.

Nay: Bass, Branan, Corn, Easley, Eason McIntyre, Gumm, Johnson (C), Laster, Lerblance, Morgan, Myers, Rabon and Sweeden.--13.

Excused: Coffee, Williamson and Wilson.--3.

The bill and emergency passed.

Pursuant to Rule 13-22, Senator Lamb served notice that the vote be reconsidered whereby **HB 1777** passed.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1650** was adopted upon motion of Senator Paddack.

HB 1650, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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 and Wyrick.--44.

Excused: Coffee, Wilcoxson, Williamson and Wilson.--4.

The bill passed.

HB 1650, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

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

HB 1774 – Branan, Aldridge, Laughlin, Sweeden, Ballenger, Eason McIntyre

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 45** was rejected upon motion of Senator Laughlin, further conference requested, and same Senate conferees appointed as follows: Coates, Brogdon, Laughlin, Rice, Leftwich, Wyrick.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 665** was adopted upon motion of Senator Nichols.

SB 665, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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 and Wyrick.--44.

Excused: Coffee, Wilcoxson, Williamson and Wilson.--4.

The bill passed.

SB 665, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Paddack asked unanimous consent to suspend Rule 6-4 and refer **SCR 39** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 39 by Paddack and Morgan of the Senate and Jones of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 39**, which was the order.

SCR 39 was adopted upon motion of Senator Paddack and referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1884** was adopted upon motion of Senator Lamb.

Senators Garrison and Eason McIntyre asked to coauthor **HB 1884**, which was the order.

HB 1884, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, 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 and Wyrick.--44.

Excused: Coffee, Wilcoxson, Williamson and Wilson.--4.

The bill and emergency passed.

HB 1884, together with the conference committee report thereon, was ordered returned to the Honorable House.

EXECUTIVE NOMINATIONS

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

Abernathy, Diane, Norman, to the State Fire Marshal Commission, to serve a five year term ending July 1, 2012, succeeding Kelley Mattocks. (General Government Committee) Motion to confirm made by Senator Jonathan Nichols.

Ashton, Mark, Lawton, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2010, succeeding Frank McPherson. (Energy and Environment Committee) Motion to confirm made by Senator Randy Bass.

Baldwin, Jack, Enid, to the Science and Technology Council, to serve at the pleasure of the Governor, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator David Myers.

Bickham, Kay, Edmond, to the Board of Dentistry, to serve an unexpired term ending July 1, 2009, succeeding Kyle Dean. (Health and Human Resources Committee) Motion to confirm made by Senator Clark Jolley.

Bonny, Jack, Burns Flat, to the Oklahoma Space Industry Development Authority, to serve an unexpired term ending June 30, 2008, succeeding Mary C. Smith. (Energy and Environment Committee) Motion to confirm made by Senator Tom Ivester.

Capps, Gilmer, Snyder, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2011, succeeding Harry P. Kliewer. (Energy and Environment Committee) Motion to confirm made by Senator Tom Ivester.

Cochran, Rhonda Y., Tahlequah, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2012, succeeding herself. (Health and Human Resources Committee) Motion to confirm made by Senator Jim Wilson.

Crews, Harold, Yukon, to the State Fire Marshal Commission, to serve a five year term ending November 1, 2012, succeeding himself. (General Government Committee) Motion to confirm made by Senator Mike Johnson.

Davis, D. Casey, Oklahoma City, to the Capitol-Medical Center Improvement and Zoning Commission, to serve a three year term ending January 31, 2010, succeeding himself. (General Government Committee) Motion to confirm made by Senator Andrew Rice.

Derieg, W. Dean, Cordell, to the War Veterans Commission of Oklahoma, to serve a three year term ending July 1, 2010, succeeding himself. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Tom Ivester.

Ferriabough, Pageant, Jenks, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2010, succeeding herself. (Energy and Environment Committee) Motion to confirm made by Senator Nancy Riley.

Gollahalli, Anil, Norman, to the Science and Technology Council, to serve at the pleasure of the Governor, succeeding Bob Craine. (Energy and Environment Committee) Motion to confirm made by Senator John Sparks.

Griesel, David K., El Reno, to the Environmental Quality Board, to serve a five year term ending January 31, 2012, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Mike Johnson.

Grubb, Sam, Miami, to the Oklahoma Used Motor Vehicle and Parts Commission, to serve coterminous with the Governor, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Charles Wyrick.

Harley, John, Edmond, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2011, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Todd Lamb.

Haught, Jim, Broken Arrow, to the Air Quality Advisory Council, to serve a seven year term ending June 15, 2014, succeeding Robert W. Curtis. (Energy and Environment Committee) Motion to confirm made by Senator Bill Brown.

Henry, Jan Ralls, D.D.S, Oklahoma City, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2010, succeeding herself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Andrew Rice.

Hernandez, Elvia, Guymon, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2010, succeeding herself. (Health and Human Resources Committee) Motion to confirm made by Senator Owen Laughlin.

Huddleston, Kevin, Lexington, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four year term ending June 30, 2011, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator John Sparks.

Huff, Mark R., Watonga, to the State Fire Marshal Commission, to serve an unexpired term ending July 1, 2009, succeeding Jerry Bower. (General Government Committee) Motion to confirm made by Senator Ron Justice.

Hull, Wesley, Ardmore, to the War Veterans Commission of Oklahoma, to serve a three year term ending July 1, 2010, succeeding Loretta J. Rethard. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Johnnie Crutchfield.

Johnstone, William O., Oklahoma City, to the Oklahoma Securities Commission, to serve a six year term ending July 27, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Cliff Branam.

Jones, David Warren, Ardmore, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2011, succeeding himself. (Health and Human Resources Committee) Motion to confirm made by Senator Johnnie Crutchfield.

King, Joe, Norman, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2011, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Jonathan Nichols.

Levit, Simon A., M.D., Tulsa, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2010, succeeding Billie T. Barnett. (Tourism and Wildlife Committee) Motion to confirm made by Senator Tom Adelson.

Lewis, Diane, Norman, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2011, succeeding Phil Van Stavern. (Health and Human Resources Committee) Motion to confirm made by Senator John Sparks.

Ley, Barbara A., Oklahoma City, to the Oklahoma Accountancy Board, to serve a five year term ending June 30, 2012, succeeding J.H. "Jay" Engelbach. (Business and Labor Committee) Motion to confirm made by Senator Todd Lamb.

Locust, Charles, Stilwell, to the Oklahoma Indian Affairs Commission, to serve an unexpired term ending August 15, 2007, succeeding Dallas Proctor. (Health and Human Resources Committee) Motion to confirm made by Senator Jim Wilson.

Locust, Charles, Stilwell, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2010, succeeding himself. (Health and Human Resources Committee) Motion to confirm made by Senator Jim Wilson.

Maddux, Elmer, Mooreland, to the Organ Donor Education and Awareness Program Advisory Council, to serve an unexpired term ending November 1, 2007, succeeding Mary Atwood. (Health and Human Resources Committee) Motion to confirm made by Senator Owen Laughlin.

Maddux, Elmer, Mooreland, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2011, succeeding himself. (Health and Human Resources Committee) Motion to confirm made by Senator Owen Laughlin.

McCaffree, Mary Anne, M.D., Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2013, succeeding herself. (Health and Human Resources Committee) Motion to confirm made by Senator Andrew Rice.

McDaniel, Brenda, Oklahoma City, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2010, succeeding Ira Schlezinger. (Tourism and Wildlife Committee) Motion to confirm made by Senator Andrew Rice.

McGill, Ken, Tulsa, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2011, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Brian Crain.

Miller, Ed, Ph.D., Stillwater, to the State Board of Registration for Foresters, to serve a five year term ending June 1, 2012, succeeding himself. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Mike Morgan.

O'Conner, J. T., Jr., D.O., Marietta, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2010, succeeding himself. (Health and Human Resources Committee) Motion to confirm made by Senator Johnnie Crutchfield.

Rodolph, Don L., Clinton, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2008, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Mike Schulz.

Rooker, Mike, Shawnee, to the Oklahoma Conservation Commission, to serve a five year term ending June 30, 2012, succeeding Rick Jeans. (Energy and Environment Committee) Motion to confirm made by Senator Harry Coates.

Sheffield, Paige, Wewoka, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2011, succeeding Carmen Eppler. (Health and Human Resources Committee) Motion to confirm made by Senator Harry Coates.

Shimasaki, Craig D., Edmond, to the Science and Technology Council, to serve at the pleasure of the Governor, succeeding Howard Barnett. (Energy and Environment Committee) Motion to confirm made by Senator Mike Johnson.

Sias, Jeannette F., Edmond, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2010, succeeding Harvey Pratt. (Tourism and Wildlife Committee) Motion to confirm made by Senator Clark Jolley.

Stickley, Sheri, Edmond, to the Science and Technology Council, to serve at the pleasure of the Governor, succeeding Dave Bialis. (Energy and Environment Committee) Motion to confirm made by Senator Clark Jolley.

Sullivan, J. Andy, M.D., Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2013, succeeding Beverly Eubanks. (Health and Human Resources Committee) Motion to confirm made by Senator Andrew Rice.

Tidwell, Jeff, Marlow, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2012, succeeding himself. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Don Barrington.

Volturo, Tom, Ada, to the Oklahoma Accountancy Board, to serve coterminous with the Governor, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Susan Paddack.

Watts, Cara Cowan, Claremore, to the Will Rogers Memorial Commission, to serve a six year term ending March 1, 2013, succeeding Pat Crume. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

Westheimer, Wanda O., Ardmore, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2010, succeeding herself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Johnnie Crutchfield.

Whitson, Bob, Stillwater, to the Science and Technology Council, to serve at the pleasure of the Governor, succeeding Joseph Alexander. (Energy and Environment Committee) Motion to confirm made by Senator Mike Morgan.

Wills, Harlene, Tahlequah, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2013, succeeding Duchess Bartmess. (General Government Committee) Motion to confirm made by Senator Jim Wilson.

Motions to confirm the above named executive nominations were declared adopted upon roll call 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, Wilson and Wyrick.--46.

Excused: Wilcoxson and Williamson.--2.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Coates asked unanimous consent to suspend Rule 6-4 and refer **SCR 37** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 37 by Coates of the Senate and Peterson (Pam) of the House was called up for consideration.

Senator Coates moved to amend **SCR 37**, Page 2, Line 21, by inserting after the word "state" and before the semicolon the following language "as selected by the President Pro Tempore of the Senate"; Page 2, Line 24, by inserting after the word "state" and before the semicolon the following language "as selected by the President Pro Tempore of the Senate"; Page 3, Line 3, by inserting after the word "state" and before the semicolon the following language "as selected by the Speaker of the House of Representatives"; Page 3, Line 6, by inserting after the word "state" and before the semicolon the following language "as selected by the Speaker of the House of Representatives"; and Page 3, Lines 7 through 10 by deleting all language and inserting, "10. One member appointed by a statewide organization representing cities and towns that is exempt from taxation under federal law and designated pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 170(a).", which amendment was declared adopted.

SCR 37 was adopted upon motion of Senator Coates and referred for engrossment.

EXECUTIVE NOMINATIONS

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

Alvarado, Rudy, Bethany, to the Science and Technology Council, to serve at the pleasure of the Governor, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Glenn Coffee.

Hendrick, Howard H., Bethany, as Cabinet Secretary of Human Services, to serve at the pleasure of the Governor, succeeding a new position. (Health and Human Resources Committee) Motion to confirm made by Senator Glenn Coffee.

Kelsay, Ed, Bethany, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four year term ending June 30, 2011, succeeding George W. Velotta II. (Energy and Environment Committee) Motion to confirm made by Senator Glenn Coffee.

Lepak, Jane, Oklahoma City, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2012, succeeding herself. (Health and Human Resources Committee) Motion to confirm made by Senator Glenn Coffee.

Motions to confirm the above named executive nominations were declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, 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, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Wilcoxson and Williamson.--2.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1819** was rejected upon motion of Senator Branam, further conference requested, and same Senate conferees appointed as follows: Branam, Brogdon, Laughlin, Rabon, Garrison, Sweeden.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 674** was adopted upon motion of Senator Nichols.

Senators Rabon and Garrison asked to coauthor **SB 674**, which was the order.

SB 674, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, 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, Wilson and Wyrick.--46.

Excused: Wilcoxson and Williamson.--2.

The bill and emergency passed.

SB 674, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

HB 1476 - coauthored by Armes, BigHorse, Billy, Blackwell, Brannon, Cannaday, Denney, Derby, Faught, Hilliard, Hyman, Inman, Johnson (Dennis), Joyner, Key, Martin (Scott), Martin (Steve), McAffrey, McCarter, McDaniel (Jeannie), Morrissette, Peters, Peterson (Pam), Pruett, Richardson, Schwartz, Sears, Shelton, Smithson, Thompson, Tibbs, Watson and Worthen of the House and Paddack of the Senate

HB 1579

HB 1674

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

MESSAGES FROM THE HOUSE

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

SB 371 - coauthored by Banz of the House

SB 390

SB 1019 - coauthored by Banz of the House

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

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

SB 45 - Sears, Peterson (Ron), Martin (Steve), Brown, Cannaday, Terrill, Miller

HB 1819 - Martin (Scott), Liebmann, Thompson, Key, Pruett, Braddock, Ellis, Johnson
(Rob)

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 22, 2007, at 9:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 1

SB 35

SB 72

SB 86 (2ND CCR)

SB 136

SB 178

SB 186

SB 188

SB 194

SB 196

SB 202

SB 204

SB 208

SB 210

SB 214

SB 222

SB 224

SB 226

SB 234

SB 236

SB 238

SB 240

SB 244

SB 247

SB 248

SB 252

SB 254

SB 256

SB 260

SB 268

SB 270

SB 272
SB 280
SB 286
SB 288
SB 292
SB 296
SB 298
SB 302
SB 306
SB 308
SB 314
SB 318
SB 330
SB 332
SB 334
SB 513 (2ND CCR)
SB 523
SB 593
SB 609
SB 763 – conferees unable to agree
SB 790 (2ND CCR)
SB 909
SB 920
SB 943
SB 1014 – conferees unable to agree
SB 1054
SB 1112

Pursuant to Senate Rule 13-10A, **SB 763** and **SB 1014** will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

SECOND READING

The following was read for the second time: **HCR 1034**.

FIRST READING

The following was introduced and read the first time:

SR 46 – By Crain.

A Resolution promoting access to capital markets and business development and job creation within the state; encouraging agencies that regulate securities to create and enforce

rules and regulations designed to eliminate fraud and other abusive practices; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising his approval May 18, 2007, of Enrolled **SBs 533, 678, 695, 833, 990** and **1076**.

Advising his approval May 21, 2007, of Enrolled **SBs 664, 810** and **984** and veto of **SB 95**.

The veto message reads as follows:

May 21, 2007

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

ENROLLED SB 95

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 95. I have vetoed this bill because it is overly broad in its application and prohibits long-standing outdoor recreation and hunting practices and traditions. In addition, because of the overbroad impact of this legislation, well-intended persons could be deemed criminals when they enter land belonging to another for some legitimate and innocent purpose.

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

Pursuant to the Laughlin motion, the Senate adjourned at 4:35 p.m. to meet Tuesday, May 22, 2007, at 9:00 a.m.