

Senate Journal

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

Sixth Legislative Day, Tuesday, February 12, 2008

The Senate was called to order by Senator Jolley.

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 Jolley declared a quorum present.

The prayer was offered by Reverend Darrell Meadow, Westside Holiness Church, Claremore, the guest of Senator Burrage.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 50 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 53 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed resolution:

SCR 49 - coauthored by Bighorse, Cannaday, Collins, Gilbert, Glenn, Hoskin, Kiesel, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Proctor, Renegar, Shoemake, Walker

The above-numbered measure was referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HBs 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308 and 2309** and **HCR 1056**.

HB 2284 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(State Election Board – appropriations – effective date – emergency)

HB 2285 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(State Election Board – appropriations - effective date – emergency)

HB 2286 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Ethics Commission – appropriation – effective date – emergency)

HB 2287 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Ethics Commission – appropriation - effective date – emergency)

HB 2288 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma Arts Council – appropriation - effective date – emergency)

HB 2289 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma Arts Council – appropriation – effective date – emergency)

HB 2290 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(State Board of Career and Technology Education – appropriation - effective date – emergency)

HB 2291 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(State Board of Career and Technology Education - appropriation – expenditure - effective date -emergency)

HB 2292 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(education – State Board of Education – apportionment – effective date – emergency)

HB 2293 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(education – appropriations - State Board of Education - effective date – emergency)

HB 2294 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Oklahoma Educational Television Authority – appropriation - effective date - emergency)

HB 2295 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Oklahoma Educational Television Authority - appropriation - effective date – emergency)

HB 2296 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Oklahoma State Regents for Higher Education – appropriations – effective date – emergency)

HB 2298 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Oklahoma Historical Society - appropriation - effective date - emergency)

HB 2299 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Oklahoma Historical Society - appropriation - effective date – emergency)

HB 2300 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(J.M. Davis Memorial Commission – appropriation - effective date – emergency)

HB 2301 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(J.M. Davis Memorial Commission – appropriation - effective date – emergency)

HB 2302 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Commissioners of the Land Office - appropriation - effective date - emergency)

HB 2303 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Commissioners of the Land Office – appropriation – effective date – emergency)

HB 2304 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.
(Oklahoma Department of Libraries – appropriation - effective date – emergency)

HB 2305 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma Department of Libraries – appropriation - effective date -emergency)

HB 2306 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Physician Manpower Training Commission - appropriations - effective date – emergency)

HB 2307 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Physician Manpower Training Commission – appropriations - effective date – emergency)

HB 2308 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma Board of Private Vocational Schools - expenditures - effective date – emergency)

HB 2309 – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma Board of Private Vocational Schools – expenditures – effective date – emergency)

HCR 1056 – By Pittman of the House and Eason McIntyre of the Senate.

A Concurrent Resolution recognizing the eighth annual observance of the National Black HIV/AIDS (Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome) Awareness Day on February 7, 2008.

The above-numbered measures were read the first time.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1711** was adopted upon motion of Senator Wilson.

HB 1711, 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, Coffee, Corn, 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.--46.

Excused: Adelson and Crain.--2.

The bill passed.

HB 1711, together with the conference committee report thereon, was ordered returned to the Honorable House.

CHANGE IN COMMITTEE ASSIGNMENT

The following bill will be reassigned as follows:

SB 1010 – Withdrawn from Business and Labor and referred to General Government.

SB 1656 – Withdrawn from Retirement and Insurance and referred to Health and Human Resources.

SB 1497 – Withdrawn from Retirement and Insurance and referred to Rules.

SB 1908 – Withdrawn from Finance and referred to Rules.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 50**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

EXECUTIVE NOMINATIONS

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

Benson, Tony, Idabel, as a member of the Oklahoma Tourism and Recreation Commission - Tourism and Wildlife

Holcombe, David Lee, Jay, as a member of the State Board of Agriculture - Agriculture and Rural Development

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 13, 2008, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

SB 1582 – Agriculture and Rural Development, coauthored by Shoemake (principal House author)

Ayes: Barrington, Crutchfield, Ford, Garrison, Ivester, Justice, Rabon, Schulz, Sykes, Wilson, Wyrick

SB 1585 – Education, coauthored by Ingmire (principal House author)

Ayes: Branan, Corn, Eason McIntyre, Jolley, Lerblance, Mazzei, Paddack, Reynolds, Wilcoxson, Williamson

SB 1686 – Education, coauthored by Gumm of the Senate, and coauthored by McDaniel (Jeannie) (principal House author)

Ayes: Branan, Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Williamson

Nays: Wilcoxson

DO PASS, As Amended:

SB 1186 – Education, coauthored by Coody (principal House author)

Ayes: Branan, Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Nichols, Paddack, Reynolds, Riley, Sparks

Nays: Mazzei, Wilcoxson, Williamson

CS for SB 1442 – Education, coauthored by Shoemake (principal House author)

Ayes: Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Paddack, Reynolds, Riley, Sparks, Wilcoxson, Williamson

SB 1453 – Business and Labor, coauthored by Adkins (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

SB 1694 – Education, coauthored by Jones (principal House author)

Ayes: Branan, Corn, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Paddack, Reynolds, Riley, Sparks, Wilcoxson, Williamson

SB 1794 – Business and Labor, coauthored by Derby (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Johnson (Mike), Leftwich, Myers, Rice

SB 1880 – Education, coauthored by Jones (principal House author)

Ayes: Branan, Eason McIntyre, Jolley, Lerblance, Mazzei, Paddack, Reynolds, Wilcoxson, Williamson

SECOND READING

The following were read for the second time and referred to committee as indicated:

- SB 1139** – Business and Labor
- SB 1163** – Rules
- SB 1166** – Appropriations
- SB 1175** – Rules
- SB 1183** – Appropriations
- SB 1187** – Appropriations
- SB 1188** – Appropriations
- SB 1382** – Finance
- SB 1387** – Rules
- SB 1391** – Rules
- SB 1393** – Transportation
- SB 1397** – Rules
- SB 1410** – Energy and Environment
- SB 1425** – Agriculture and Rural Development
- SB 1427** – Rules
- SB 1450** – Rules
- SB 1458** – Appropriations
- SB 1459** – Rules
- SB 1465** – Appropriations
- SB 1469** – Appropriations
- SB 1475** – Appropriations
- SB 1480** – Rules
- SB 1484** – Rules
- SB 1486** – Rules
- SB 1493** – Rules
- SB 1501** – Rules
- SB 1510** – Rules
- SB 1516** – Rules
- SB 1521** – Rules
- SB 1524** – Rules
- SB 1526** – Rules
- SB 1530** – Rules
- SB 1531** – Business and Labor
- SB 1533** – Business and Labor
- SB 1538** – Rules
- SB 1544** – Rules
- SB 1545** – Rules
- SB 1558** – Energy and Environment
- SB 1567** – Public Safety and Homeland Security
- SB 1568** – Appropriations

SB 1569 – Rules
SB 1584 – Rules
SB 1586 – Rules
SB 1598 – Criminal Jurisprudence
SB 1610 – Rules
SB 1613 – Judiciary
SB 1625 – Appropriations
SB 1631 – Rules
SB 1632 – Judiciary
SB 1637 – Rules
SB 1638 – Rules
SB 1649 – Rules
SB 1658 – Energy and Environment
SB 1659 – Judiciary
SB 1708 – Rules
SB 1712 – Rules
SB 1720 – Judiciary
SB 1723 – Rules
SB 1737 – Rules
SB 1753 – Rules
SB 1774 – Appropriations
SB 1786 – Rules
SB 1802 – Retirement and Insurance
SB 1805 – Rules
SB 1806 – Rules
SB 1819 – Appropriations
SB 1827 – Rules
SB 1842 – Rules
SB 1854 – Rules
SB 1858 – Finance
SB 1860 – Rules
SB 1867 – Finance
SB 1875 – Business and Labor
SB 1884 – Appropriations
SB 1897 – Rules
SB 1914 – Retirement and Insurance
SB 1933 – Rules
SB 1944 – Rules
SB 1973 – Rules
SB 1977 – Appropriations
SB 1980 – Retirement and Insurance
SB 1986 – Rules
SB 2020 – Rules
SB 2032 – Rules

- SB 2038** – Rules
- SB 2039** – Rules
- SB 2040** – Appropriations
- SB 2052** – Rules
- SB 2053** – Appropriations
- SB 2054** – Appropriations
- SB 2055** – Rules
- SB 2056** – Judiciary
- SB 2057** – Finance
- SB 2058** – Rules
- SB 2059** – Rules
- SB 2060** – Rules
- SB 2061** – Finance
- SB 2062** – Rules
- SB 2063** – Appropriations
- SB 2064** – Rules
- SB 2065** – Rules
- SB 2066** – Appropriations
- SB 2067** – Criminal Jurisprudence
- SB 2068** – Finance
- SB 2069** – Judiciary
- SB 2070** – General Government
- SB 2071** – Appropriations
- SB 2072** – Rules
- SB 2073** – Rules
- SB 2074** – Health and Human Resources
- SB 2075** – Appropriations
- SB 2076** – Appropriations
- SB 2077** – Finance
- SB 2078** – Finance
- SB 2079** – Finance
- SB 2080** – Finance
- SB 2081** – Rules
- SB 2082** – Appropriations
- SB 2083** – Appropriations
- SB 2084** – Rules
- SB 2085** – Appropriations
- SB 2086** – Public Safety and Homeland Security
- SB 2087** – Rules
- SB 2088** – Rules
- SB 2089** – Rules
- SB 2090** – Finance
- SB 2091** – Finance
- SB 2092** – Rules

SB 2093 – Finance
SB 2094 – Rules
SB 2095 – Rules
SB 2096 – Rules
SB 2097 – Rules
SB 2098 – Appropriations
SB 2099 – Appropriations
SB 2100 – Appropriations
SB 2101 – Appropriations
SB 2102 – Retirement and Insurance
SB 2103 – Appropriations
SB 2104 – Rules
SB 2105 – Finance
SB 2106 – Finance
SB 2107 – Judiciary
SB 2108 – Judiciary
SB 2109 – Rules
SB 2110 – Rules
SB 2111 – Agriculture and Rural Development
SB 2112 – Finance
SB 2113 – Rules
SB 2114 – Rules
SB 2115 – Energy and Environment
SB 2116 – Energy and Environment
SB 2117 – Retirement and Insurance
SB 2118 – Retirement and Insurance
SB 2119 – Retirement and Insurance
SB 2120 – Appropriations
SB 2121 – Appropriations
SB 2122 – Retirement and Insurance
SB 2123 – Retirement and Insurance
SB 2124 – Appropriations
SB 2125 – Appropriations
SB 2126 – Rules
SB 2127 – Rules
SB 2128 – Rules
SB 2129 – Finance
SB 2130 – Appropriations
SB 2131 – Appropriations
SB 2132 – Rules
SB 2133 – Business and Labor
SB 2134 – Business and Labor
SB 2135 – Rules
SB 2136 – Rules

- SB 2137** – Finance
- SB 2138** – Rules
- SB 2139** – Appropriations
- SB 2140** – Rules
- SB 2141** – Appropriations
- SB 2142** – Judiciary
- SB 2143** – Retirement and Insurance
- SB 2144** – Appropriations
- SB 2145** – Retirement and Insurance
- SB 2146** – Rules
- SB 2147** – Appropriations
- SB 2148** – Rules
- SB 2149** – Rules
- SB 2150** – Appropriations
- SB 2151** – Judiciary
- SB 2152** – Appropriations
- SB 2153** – Finance
- SB 2154** – Appropriations
- SB 2155** – Judiciary
- SB 2156** – Retirement and Insurance
- SB 2157** – Retirement and Insurance
- SB 2158** – Retirement and Insurance
- SB 2159** – Retirement and Insurance
- SB 2160** – Judiciary
- SB 2161** – Appropriations
- SB 2162** – Appropriations
- SB 2163** – Judiciary
- SB 2164** – Appropriations
- SB 2165** – Appropriations
- SB 2166** – Appropriations
- SB 2167** – Appropriations
- SB 2168** – Retirement and Insurance
- SB 2169** – Retirement and Insurance
- SB 2170** – Retirement and Insurance
- SB 2171** – Judiciary
- SB 2172** – Rules
- SB 2173** – Appropriations
- SB 2174** – Judiciary
- SB 2175** – Rules
- SB 2176** – Appropriations
- SB 2177** – Rules
- SB 2178** – Rules
- SB 2179** – Rules
- SB 2180** – Retirement and Insurance

- SB 2181** – Rules
- SB 2182** – Appropriations
- SB 2183** – Rules
- SB 2184** – Rules
- SB 2185** – Finance
- SB 2186** – Judiciary
- SB 2187** – Rules
- SB 2188** – Rules
- SB 2189** – Rules
- SB 2190** – Appropriations
- SB 2191** – Rules
- SB 2192** – Rules
- SB 2193** – Rules
- SB 2194** – Judiciary
- SB 2195** – Rules
- SB 2196** – Rules
- SB 2197** – Rules
- SB 2198** – Rules
- SB 2199** – Rules

Pursuant to the Laster motion, the Senate adjourned at 1:50 p.m. to meet Wednesday, February 13, 2008, at 1:30 p.m.