

# Senate Journal

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

Seventh Legislative Day, Wednesday, February 13, 2008

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 Darrell Meadow, Westside Holiness Church, Claremore, the guest of Senator Burrage.

### REPORT OF ENGROSSED AND ENROLLED MEASURE

**SCR 49** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### INTRODUCTION

Senator Nichols introduced his daughter, Jessica, to the Senate.

### GENERAL ORDER

**SB 1830** by Williamson and Lerblance of the Senate and Duncan of the House was called up for consideration.

Senator Williamson moved that **SB 1830** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1830** 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, 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.--47.

Excused: Coates.--1.

The bill and emergency passed.

**SB 1830** was referred for engrossment.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 811** was adopted upon motion of Senator Laster.

Senator Laughlin asked to coauthor **SB 811**, which was the order.

**SB 811**, 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, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill and emergency passed.

**SB 811**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

## **INTRODUCTIONS**

Senator Mike Johnson introduced his granddaughters, Mary Lou and Anna Michelle Sanders, to the Senate.

## **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1820, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334 and 2335.**

**HB 1820** – By McPeak, Billy, Denney, Turner and Shoemake and Ballenger of the Senate.

An Act relating to the Muscogee (Creek) Nation Housing Authority; amending Section 1, Chapter 119, O.S.L. 2006, which relates to authorization for the Muscogee (Creek) Nation to assume management and control of the state agency, Muscogee (Creek) Nation Housing Authority; adding adoption of certain cooperation and payment in lieu of tax agreements as requirement; and declaring an emergency.

**HB 2310** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma School of Science and Mathematics - appropriation - effective date – emergency )

**HB 2311** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma School of Science and Mathematics - appropriation - effective date – emergency )

**HB 2312** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Commission for Teacher Preparation – appropriation - effective date – emergency )

**HB 2313** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Commission for Teacher Preparation – appropriation - effective date – emergency )

**HB 2314** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Will Rogers Memorial Commission – appropriation - effective date – emergency )

**HB 2315** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Will Rogers Memorial Commission – appropriations – effective date – emergency )

**HB 2316** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Alcoholic Beverage Laws Enforcement Commission - appropriation - effective date – emergency )

**HB 2317** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Alcoholic Beverage Laws Enforcement Commission – appropriation - effective date – emergency )

**HB 2318** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Office of the Attorney General – appropriation – effective date – emergency )

**HB 2319** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Office of the Attorney General – appropriation - effective date – emergency )

**HB 2320** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Department of Corrections – appropriation - effective date – emergency )

**HB 2321** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Department of Corrections - appropriation - effective date – emergency )

**HB 2322** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Court of Criminal Appeals - appropriation - effective date – emergency )

**HB 2323** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Court of Criminal Appeals – appropriation - effective date – emergency )

**HB 2324** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( District Attorneys Council - appropriation - effective date – emergency )

**HB 2325** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( District Attorneys Council - appropriation - effective date – emergency )

**HB 2326** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( district courts - State Judicial Revolving Fund - effective date – emergency )

**HB 2327** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( district courts – State Judicial Revolving Fund – effective date – emergency )

**HB 2328** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Department of Emergency Management - appropriation - effective date – emergency )

**HB 2329** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Department of Emergency Management – appropriation – effective date – emergency )

**HB 2330** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Office of the State Fire Marshal – appropriation - effective date – emergency )

**HB 2331** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Office of the State Fire Marshal – appropriation - effective date – emergency )

**HB 2332** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Indigent Defense System – appropriation – effective date – emergency )

**HB 2333** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Indigent Defense System - appropriation - effective date – emergency )

**HB 2334** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma State Bureau of Investigation – appropriation - effective date – emergency )

**HB 2335** – By Miller of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

(Oklahoma State Bureau of Investigation – appropriation - effective date – emergency )

The above-numbered measures were read the first time.

**CHANGE IN COMMITTEE ASSIGNMENTS**

The following bills will be reassigned as follows:

**SB 958** – Withdrawn from Rules and referred to Finance.

**SB 1521** – Withdrawn from Rules and referred to Health and Human Resources.

**SB 1530** – Withdrawn from Rules and referred to Criminal Jurisprudence.

**SB 1816** – Withdrawn from Rules and referred to Agriculture and Rural Development.

**SB 1842** – Withdrawn from Rules and referred to General Government.

**SB 1941** – Withdrawn from Appropriations and referred to Education.

**SB 2061** – Withdrawn from Finance and referred to Rules.

**SB 2148** – Withdrawn from Rules and referred to Education.

**MESSAGES FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 49**.

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

Advising fourth reading of and transmitting for signature Enrolled **HB 1711**.

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

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 14, 2008, at 9:00 a.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS:

**SB 1181** – Transportation, coauthored by Thompson (principal House author)

Ayes: Anderson, Branan, Coates, Crutchfield, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

**SB 1669** – Education, coauthored by Shumate (principal House author)

Ayes: Eason McIntyre, Jolley, Mazzei, Paddack, Reynolds, Riley, Williamson

Nays: Corn, Gumm, Lerblance, Sparks, Wilcoxson

DO PASS, As Amended:

**CS for SB 1503** – Education, coauthored by DeWitt (principal House author)

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

**SB 1550** – Business and Labor, coauthored by Miller (principal House author)

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

**SB 1644** – Transportation, coauthored by Pruett (principal House author)

Ayes: Anderson, Branan, Coates, Crutchfield, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Riley, Sweeden, Wyrick

**SB 1651** – Transportation, coauthored by Peterson (Ron) (principal House author)

Ayes: Anderson, Branan, Coates, Crutchfield, Ford, Garrison, Justice, Leftwich, Myers, Rabon, Wyrick  
Nays: Riley, Sweeden

**SB 1789** – Business and Labor, coauthored by Adkins (principal House author)

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

## **SECOND READING**

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

**SJR 33** – Rules

**SJR 34** – Rules

**SJR 35** – Rules

**SJR 36** – Appropriations

**SJR 37** – Appropriations

**SJR 38** – Tourism and Wildlife

**SJR 39** – Tourism and Wildlife

**SJR 40** – Appropriations

**SJR 41** – Health and Human Resources

**SJR 42** – Rules

**SJR 43** – Rules

**SJR 44** – Finance

**SJR 45** – Energy and Environment

**SJR 46** – Judiciary

**SJR 47** – Judiciary

**SJR 48** – Rules

**SJR 49** – Rules

**SJR 50** – Appropriations

**SJR 51** – Judiciary

- SJR 52** – Rules
- SJR 53** – Appropriations
- SJR 54** – Rules
- SJR 55** – Rules
- SJR 56** – Rules
- SJR 57** – Rules
- SJR 58** – Judiciary
- SJR 59** – Rules
- SJR 60** – Rules
- SJR 61** – Rules
- SJR 62** – Appropriations
- SJR 63** – Judiciary

Pursuant to the Laughlin motion, the Senate adjourned at 2:00 p.m. to meet Thursday, February 14, 2008, at 9:00 a.m.