

# Senate Journal

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

**Eleventh Legislative Day, Wednesday, February 20, 2008**

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 Reverend Dr. Michelle Moulden, Vernon AME Church, Tulsa, the guest of Senator Eason McIntyre.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 1442** and **1453** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **GENERAL ORDER**

**SB 1437** by Lerblance of the Senate and Renegar of the House was called up for consideration.

Senator Leftwich asked to coauthor **SB 1437**, which was the order.

Senator Lerblance asked unanimous consent, which was granted, to suspend Senate Rule 13-4 as it pertains to **SB 1437**.

Senator Lerblance moved to amend **SB 1437**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Lerblance moved that **SB 1437** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1437** 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, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee, Easley and Nichols.--3.

The bill and emergency passed.

**SB 1437** was referred for engrossment.

### **CHANGE IN COMMITTEE ASSIGNMENT**

The following bill will be reassigned as follows:

**SB 1999** – Withdrawn from Rules and referred to Retirement and Insurance.

### **MESSAGE FROM THE HOUSE HAs TO SENATE BILL**

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

**SB 41** - remove Lamons and substitute Martin (Steve) as principal House author and coauthored by Sears of the House

House amendment was read on the above-numbered bill.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2518 and 2731.**

**HB 2408** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( State Department of Rehabilitation Services - appropriation - effective date – emergency )

**HB 2409** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( State Department of Rehabilitation Services – appropriation - effective date – emergency )

**HB 2410** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Corporation Commission – appropriation – effective date – emergency )

**HB 2411** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Corporation Commission – appropriation - effective date - emergency )

**HB 2412** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Center for the Advancement of Science and Technology – appropriation - effective date – emergency )

**HB 2413** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Center for the Advancement of Science and Technology – appropriation - effective date – emergency )

**HB 2414** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Space Industry Development Authority – appropriation - effective date – emergency )

**HB 2415** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.

( Oklahoma Space Industry Development Authority – appropriation - effective date – emergency )

**HB 2416** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Commission on Consumer Credit – appropriation – effective date – emergency )

**HB 2417** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Commission on Consumer Credit – appropriation - effective date – emergency )

**HB 2418** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Horse Racing Commission – appropriation – effective date – emergency )

**HB 2419** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Horse Racing Commission – appropriation - effective date – emergency )

**HB 2420** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Insurance Department – appropriation – effective date – emergency )

**HB 2421** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Insurance Department – appropriation - effective date - emergency )

**HB 2422** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Labor – appropriation - effective date – emergency )

**HB 2423** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Labor - appropriation - effective date – emergency )

**HB 2424** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Mines – appropriation - effective date – emergency )

**HB 2425** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Department of Mines – appropriation – effective date – emergency )

**HB 2426** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Department of Agriculture, Food, and Forestry - appropriations - effective date – emergency )

**HB 2427** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Department of Agriculture, Food, and Forestry – appropriations - effective date – emergency )

**HB 2428** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Department of Commerce - appropriations - effective date – emergency )

**HB 2429** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Department of Commerce – appropriations - effective date – emergency )

**HB 2430** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Conservation Commission - appropriation - effective date – emergency )

**HB 2431** – By Miller and Jones of the House and Crutchfield, Johnson (Mike), Adelson and Myers of the Senate.  
( Oklahoma Conservation Commission – appropriation - effective date – emergency )

**HB 2518** – By Sherrer, Shumate and McDaniel (Jeannie) of the House and Burrage of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 13-103, which relates to transfers for children with disabilities; clarifying statutory language; making certain transfers granted for certain period of time permanent; providing an effective date; and declaring an emergency.

**HB 2731** – By Jordan, Derby and McCullough of the House and Anderson of the Senate.

An Act relating to schools; creating the School District Employee Direct Deposit Act; providing definitions of certain terms; authorizing a school district board of education to adopt a direct deposit system for school district employees; prohibiting certain service charges which decrease the net salary amount deposited for an employee; requiring all employees to participate; requiring new employees to begin participation upon employment; allowing previously hired employees to begin participation within certain time period; requiring a school district direct deposit system policy to provide exceptions; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

The above-numbered measures were read the first time.

Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 21, 2008, at 10:00 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 1134** – Veterans and Military Affairs, coauthored by Gumm, Sparks of the Senate, and coauthored by Rousselot (principal House author)

Ayes: Aldridge, Ballenger, Bingman, Gumm, Ivester, Rabon, Reynolds, Sparks

**SB 1553** – General Government, coauthored by Jackson (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**SB 1567** – Public Safety and Homeland Security, coauthored by Joyner (principal House author)

Ayes: Ballenger, Barrington, Bingman, Brown, Burrage, Easley, Jolley, Rice, Schulz

**SB 1604** – Energy and Environment, coauthored by Johnson (Rob) (principal House author)

Ayes: Bingman, Branan, Brogdon, Burrage, Crutchfield, Easley, Gumm, Ivester, Lerblance, Myers, Paddack, Williamson

**SB 1727** – Public Safety and Homeland Security, coauthored by Adkins (principal House author)

Ayes: Ballenger, Barrington, Bingman, Brown, Burrage, Easley, Jolley, Rice

Nays: Schulz

**SB 1841** – General Government, coauthored by Wright (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

Nays: Bass

**SB 1842** – General Government, coauthored by Wright (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

Nays: Bass

**SB 1851** – General Government, coauthored by Schwartz (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweeden

**SB 1945** – Public Safety and Homeland Security, coauthored by Blackwell (principal House author)

Ayes: Ballenger, Barrington, Bingman, Brown, Burrage, Easley, Jolley, Rice, Schulz

**SB 2070** – General Government, coauthored by Riley, Adelson, Bass, Ivester, Laster, Lerblance of the Senate, and coauthored by Collins (principal House author), and coauthored by Braddock, Dorman, Harrison, Hilliard, Inman, Kiesel, Luttrell, McAffrey, McMullen, Nations, Proctor, Renegar of the House

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

DO PASS, As Amended:

**CS for SB 1010** – General Government, coauthored by Johnson (Rob) (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Brown, Crain, Sweden

Nays: Anderson, Easley, Johnson (Constance)

**SB 1406** – General Government, coauthored by McNiel (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**SB 1500** – Retirement and Insurance, coauthored by Hickman (principal House author)

Ayes: Adelson, Bass, Brown, Corn, Mazzei, Riley, Sparks, Sykes

Nays: Aldridge, Jolley

**CS for SB 1505** – General Government, coauthored by Thompson (principal House author)

Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson (Constance), Sweden

**SB 1578** – Business and Labor, coauthored by Jordan (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Leftwich, Myers, Rice

**SB 1738** – Education, coauthored by Covey (principal House author)

Ayes: Branan, Eason McIntyre, Gumm, Jolley, Lerblance, Mazzei, Nichols, Paddock, Reynolds, Riley, Sparks, Wilcoxson

Nays: Corn

**SB 1783** – Business and Labor, coauthored by Wesselhoft (principal House author)

Ayes: Adelson, Brogdon, Burrage, Coates, Leftwich, Myers, Rice

**CS for SB 1816** – Agriculture and Rural Development, remove Senator Justice and substitute Senator Barrington as principal Senate author, and coauthored by Armes (principal House author)

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

Nays: Wyrick

**SB 1850** – General Government, coauthored by Steele (principal House author)  
Ayes: Aldridge, Anderson, Ballenger, Bass, Bingman, Brown, Crain, Easley, Johnson  
(Constance), Sweeden

**SB 2114** – Veterans and Military Affairs, coauthored by Gumm, Rice of the Senate,  
and coauthored by Morgan (principal House author)  
Ayes: Ballenger, Coates, Gumm, Ivester, Rabon, Sparks  
Nays: Aldridge, Bingman, Reynolds

Pursuant to the Laughlin motion, the Senate adjourned at 1:45 p.m. to meet Thursday,  
February 21, 2008, at 10:00 a.m.