

Senate Journal

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

Forty-fifth Legislative Day, Tuesday, April 22, 2008

The Senate was called to order by Senator Brogdon.

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 Brogdon declared a quorum present.

The prayer was offered by Reverend Micah Kersh, Henderson Hills Baptist Church, Edmond, the guest of Senator Jolley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 2458, 2531, 2568, 2580, 2704, 2793, 3098, 3122, 3268, 3326, 3352 and 3395 and **HJR 1080** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SB 1405 and **SCRs 61, 68 and 71** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

GENERAL ORDER

HB 2963 by Morgan of the House and Coates of the Senate was called up for consideration.

Senator Coates moved that **HB 2963** be advanced, which motion was declared adopted.

THIRD READING

HB 2963 was read for the third time 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, 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: Justice.--1.

The bill passed.

HB 2963 was referred for engrossment.

GENERAL ORDER

HB 3135 by Piatt of the House and Schulz of the Senate was called up for consideration.

Senator Rabon moved to amend **HB 3135**, Page 1, Line 15 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1E of Title 82, unless there is created a duplication in numbering, reads as follows:

Should a final judgment of a court of competent jurisdiction mandate that this state or any political subdivision thereof sell, export or transfer water under its control and jurisdiction, such conveyance shall not be done without compensation to the state or any such subdivision. Compensation means the value of the water taken, and in addition, any injury caused by the taking of the water.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Schulz moved that **HB 3135** be advanced, which motion was declared adopted.

THIRD READING

HB 3135 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, 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.

HB 3135 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
MOTION TO RECONSIDER VOTES**

Senator Laster asked unanimous consent, which was granted, to invoke the provisions of Senate Rule 13-22A and that all motions to reconsider votes on Third Reading of bills and joint resolutions be disposed of on the same day such notice is served.

PENDING CONSIDERATION OF CCRs

The **CCR**s to **SBs 519** and **829** were rejected upon motion of Senator Laster, further conference requested, and Senate conferees to be named later.

PENDING CONSIDERATION OF HAS

HAs to **SBs 483, 514** and **1381** were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Ford asked unanimous consent to suspend Rule 6-4 and refer **HCR 1047** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1047 by Dorman of the House and Ford of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1047**, which was the order.

HCR 1047 was adopted upon motion of Senator Ford and properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2833 by Steele et al of the House and Rice and Williamson of the Senate was called up for consideration.

Senators Burrage, Garrison and Johnson (Constance) asked to coauthor **HB 2833**, which was the order.

Senator Rice moved that **HB 2833** be advanced, which motion was declared adopted.

THIRD READING

HB 2833 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, 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, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill and emergency passed.

HB 2833 was referred for engrossment.

GENERAL ORDER

HB 2501 by Adkins of the House and Lamb of the Senate was called up for consideration.

Senator Lamb moved that **HB 2501** be advanced, which motion was declared adopted.

THIRD READING

HB 2501 was read for the third time 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, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

HB 2501 was referred for engrossment.

GENERAL ORDER

HB 2607 by Peterson (Pam) et al of the House and Nichols of the Senate was called up for consideration.

Senator Nichols moved that **HB 2607** be advanced, which motion was declared adopted.

THIRD READING

HB 2607 was read for the third time 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, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

HB 2607 was referred for engrossment.

GENERAL ORDER

HB 2882 by Shelton et al of the House and Morgan of the Senate was called up for consideration.

Senator Johnson (Constance) asked to coauthor **HB 2882**, which was the order.

Senator Eason McIntyre moved that **HB 2882** be advanced, which motion was declared adopted.

THIRD READING

HB 2882 was read for the third time 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, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 2882 was referred for engrossment.

GENERAL ORDER

HB 3001 by Johnson (Dennis) et al of the House and Sykes of the Senate was called up for consideration.

Senator Sykes moved to amend **HB 3001**, 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 Sykes moved to amend the floor substitute to **HB 3001**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Sykes moved that **HB 3001** be advanced, which motion was declared adopted.

THIRD READING

HB 3001 was read for the third time 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Johnson (C).--1.

Excused: Morgan.--1.

The bill passed.

HB 3001 was referred for engrossment.

GENERAL ORDER

HB 2935 by Nations and Shumate of the House and Sparks of the Senate was called up for consideration.

Senator Sparks moved that **HB 2935** be advanced, which motion was declared adopted.

THIRD READING

HB 2935 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, 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.

HB 2935 was referred for engrossment.

GENERAL ORDER

HB 2564 by Martin (Steve) of the House and Branan of the Senate was called up for consideration.

Senator Branan moved that **HB 2564** be advanced, which motion was declared adopted.

THIRD READING

HB 2564 was read for the third time 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, 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: Adelson.--1.

The bill passed.

HB 2564 was referred for engrossment.

GENERAL ORDER

HB 1460 by Kern et al of the House and Coffee and Corn of the Senate was called up for consideration.

Senator Coffee moved that **HB 1460** be advanced, which motion was declared adopted.

THIRD READING

HB 1460 was read for the third time 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, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 1460 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Corn asked unanimous consent to suspend Rule 6-4 and refer **SCR 42** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 42 by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Rabon asked to coauthor **SCR 42**, which was the order.

Senator Corn moved to amend **SCR 42**, 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.)

SCR 42 was adopted upon motion of Senator Corn and referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Anderson asked unanimous consent to suspend Rule 6-4 and refer **SCRs 78** and **79** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 78 by Anderson and Morgan of the Senate and Murphey of the House was called up for consideration.

SCR 78 was adopted upon motion of Senator Anderson and referred for engrossment.

GENERAL ORDER

SCR 79 by Anderson and Morgan of the Senate and Murphey of the House was called up for consideration.

SCR 79 was adopted upon motion of Senator Anderson and referred for engrossment.

GENERAL ORDER

HB 3325 by Murphey and Miller of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge asked that **HB 3325** be laid over temporarily, which was the order.

HB 3325 remains on General Order.

GENERAL ORDER

HB 3148 by Derby and Roan of the House and Nichols of the Senate was called up for consideration.

Senator Nichols moved that **HB 3148** be advanced, which motion was declared adopted.

THIRD READING

HB 3148 was read for the third time 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 3148 was referred for engrossment.

GENERAL ORDER

HB 2566 by Cooksey of the House and Jolley of the Senate was called up for consideration.

Senator Jolley moved that **HB 2566** be advanced, which motion was declared adopted.

THIRD READING

HB 2566 was read for the third time 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 2566 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 2245, 2544** and **2675** and **HJR 1105**.

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 bills:

SB 1575 - coauthored by Martin (Steve)

SB 1793 - coauthored by Carey and Shannon

The above-numbered measures were referred for enrollment.

Advising the signing of and returning Enrolled **SCRs 61, 68** and **71**.

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

Advising fourth reading of and returning Enrolled **SB 1405**.

The above-numbered enrolled measure was referred to the Governor.

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

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

SB 906 - coauthored by Derby

SB 1181

SB 1352

SB 1383 - coauthored by Terrill, Faught, McCullough, McDaniel (Randy), Peters, Reynolds and Winchester

SB 1475

SB 1505

SB 1507 - coauthored by Jett, Derby and Schwartz

SB 1558 - coauthored by Cooksey

SB 1599

SB 1601 – coauthored by Kern, Pittman, Coody, Cooksey, Dank, Derby, Faught, Johnson (Dennis), Joyner, Martin (Steve), McDaniel (Jeannie), McNiel, Rousselot, Sears, Shannon and Tibbs, and coauthored by Paddock of the Senate

SB 1656 - coauthored by Cannaday, McAffrey and Wright

SB 1699

SB 1759

SB 1799 - coauthored by Jett

SB 1842

SB 1873

SB 1927

SB 1994

SB 2061

SB 2082 - remove Roan and substitute Duncan as principal House author

SB 2101 - coauthored by Shumate

House amendments were read on the above-numbered bills.

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

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The Senate reconvened with Senator Brogdon presiding.

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

GENERAL ORDER

HB 2250 by Cooksey and Johnson (Dennis) of the House and Nichols of the Senate was called up for consideration.

Senator Nichols moved that **HB 2250** be advanced, which motion was declared adopted.

THIRD READING

HB 2250 was read for the third time 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, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson, Wilson and Wyrick.--46.

Excused: Morgan and Wilcoxson.--2.

The bill passed.

HB 2250 was referred for engrossment.

GENERAL ORDER

HB 2240 by Schwartz of the House and Branan of the Senate was called up for consideration.

Senator Branan moved that **HB 2240** be advanced, which motion was declared adopted.

THIRD READING

HB 2240 was read for the third time at length.

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

Aye: Adelson, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Justice, Laster, Leftwich, Lerblance, Nichols, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Wilcoxson, Williamson, Wilson and Wyrick.--35.

Nay: Aldridge, Brogdon, Brown, Coffee, Crain, Jolley, Lamb, Laughlin, Mazzei, Myers, Reynolds and Sykes.--12.

Excused: Morgan.--1.

The bill passed.

HB 2240 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2530 by Steele et al of the House and Coates of the Senate was called up for consideration.

Senator Coates moved that **HB 2530** be advanced, which motion was declared adopted.

THIRD READING

HB 2530 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, 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.

HB 2530 was referred for engrossment.

MESSAGE FROM THE HOUSE

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

HB 2074

HB 2583

GENERAL ORDER

HB 3076 by Dorman and Pittman of the House and Aldridge of the Senate, considered on Page 1360, was called up for further consideration.

Senator Brown pressed adoption of his prior amendment, which amendment failed of adoption upon roll call as follows:

Aye: Aldridge, Bingman, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Nichols, Schulz, Sykes, Wilcoxson and Williamson.--18.

Nay: Adelson, Anderson, Ballenger, Barrington, Bass, Brogdon, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Myers, Paddack, Rabon, Reynolds, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--29.

Excused: Branan.--1.

Senator Aldridge moved that **HB 3076** be advanced, which motion was declared adopted.

THIRD READING

HB 3076 was read for the third time 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, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.-47.

Excused: Morgan.--1.

The bill passed.

HB 3076 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1519 by Dorman et al of the House and Barrington of the Senate was called up for consideration.

Senator Barrington moved that **HB 1519** be advanced, which motion was declared adopted.

Senator Jolley presiding.

THIRD READING

HB 1519 was read for the third time at length.

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

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

Nay: Brogdon.--1.

Excused: Coffee, Ford and Morgan.--3.

The bill passed.

HB 1519 was referred for engrossment.

GENERAL ORDER

HB 2490 by Hilliard et al of the House and Sparks of the Senate was called up for consideration.

Senator Brown moved to amend **HB 2490**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Sparks moved that **HB 2490** be advanced, which motion was declared adopted.

THIRD READING

HB 2490 was read for the third time 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, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee and Morgan.--2.

The bill passed.

HB 2490 was referred for engrossment.

MOTION

RESCIND SIGNING AND FOURTH READING

Senator Justice moved to rescind the Fourth Reading and signing of **HJR 1105**, which motion was declared adopted and requests the Honorable House to rescind their Fourth Reading and signing to allow further consideration of **HJR 1105**.

GENERAL ORDER

HB 3340 by Thompson of the House and Branan of the Senate was called up for consideration.

Senator Branan moved to amend **HB 3340**, Page 1, by striking the title, which amendment was declared adopted.

Senator Branan moved that **HB 3340** be advanced, which motion was declared adopted.

THIRD READING

HB 3340 was read for the third time 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, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

Pursuant to Rule 13-22, Senator Branan served notice that the vote be reconsidered whereby **HB 3340** passed.

GENERAL ORDER

HB 2214 by Murphey of the House and Coates and Ballenger of the Senate was called up for consideration.

Senator Brogdon moved to amend **HB 2214**, Page 5, Line 16 ½, by inserting a new Section 3 to read as follows:

”SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-107.1 of Title 11, unless there is created a duplication in numbering, reads as follows:

A municipality which adopts trade building standards for mechanical, plumbing and electrical contractors shall adopt and enforce the building code as last adopted by the Construction Industries Board; provided, however, municipalities may make amendments to the building code to enforce stricter measures.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Coates moved that **HB 2214** be advanced, which motion was declared adopted.

THIRD READING

HB 2214 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Burrage, Coates, Coffee, Corn, Crain, Eason McIntyre, Ford, Gumm, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Myers, Nichols, Reynolds, Schulz, Sparks, Sweeden, Sykes, Williamson and Wilson.--33.

Nay: Bass, Brown, Crutchfield, Easley, Garrison, Ivester, Johnson (C), Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Wilcoxson and Wyrick.--15.

The bill passed.

HB 2214 was referred for engrossment.

GENERAL ORDER

HB 3325 by Murphey and Miller of the House and Aldridge of the Senate was called up for further consideration.

Senator Aldridge moved to amend **HB 3325**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Aldridge moved that **HB 3325** be advanced, which motion was declared adopted.

THIRD READING

HB 3325 was read for the third time 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, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--48.

The bill passed.

HB 3325 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 2004 - coauthored by Derby, McCullough, Tibbs, Kern, Peterson (Pam), Reynolds, and Wesselhoft

The above-numbered measure was referred for enrollment.

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

HB 1392

HB 2699

HB 2889

HB 2970

HB 3201

HB 3342

Advising the Honorable Senate that the House has rescinded the signing and Fourth Reading of **HJR 1105** and returning the measure for further consideration.

EXECUTIVE NOMINATIONS

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

Baker, Thomas L., Tulsa, as a member of the State Fire Marshal Commission - General Government

Beard, Herschel, Madill, as a member of the Oklahoma Abstractors Board - Business and Labor

Cheek, Richard O., Midwest City, as a member of the Oklahoma Department of Libraries Board - General Government

Dunlap, Tom, Ardmore, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Forshee, Richard D., Edmond, as a member of the Oklahoma State Credit Union Board - Business and Labor

Franks, John Charles, Okemah, as a member of the Polygraph Examiners Board - Judiciary

Gifford, Bill, Tulsa, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Guest, David, Edmond, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Jordan, Emma, Alva, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Resources

McGraw, Kyle D., Edmond, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Resources

Olberding, Cynda, Edmond, as a member of the Board of Examiners for Speech-Language Pathology and Audiology - Health and Human Resources

Real, David, Blanchard, as a member of the Polygraph Examiners Board - Judiciary

Wiebener, Peggy, Thomas, as a member of the Oklahoma State Board of Examiners for Long-Term Care Administrators - Health and Human Resources

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 23, 2008, at 10:00 a.m., which motion prevailed.

BILLS RELEASED

TIME EXPIRED TO RECONSIDER

HBs 2633 and **3340** were referred for engrossment.

HB 2492 was properly signed and ordered returned to the Honorable House.

FIRST READING

The following were introduced and read the first time:

SCR 80 – By Branan of the Senate and Thompson of the House.

A Concurrent Resolution creating the Road Construction and Utility Relocation Task Force; stating purpose; providing for membership and meetings; requiring report by certain date; providing for travel reimbursement; and directing distribution.

SCR 81 – By Sykes of the Senate and Johnson (Dennis) of the House.

A Concurrent Resolution congratulating Stephens County Sheriff Jimmie Bruner for her selection as Sheriff of the Year; commending her many accomplishments; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising his approval April 21, 2008, of Enrolled **SBs 1178, 1389, 1410, 1546, 1734** and **1735**.

Pursuant to the Laster motion, the Senate adjourned at 3:00 p.m. to meet Wednesday, April 23, 2008, at 10:00 a.m.

JOURNAL CORRECTION

Page 1372, Line 8 by deleting:

“**HB 3326** was properly signed and ordered returned to the Honorable House.” and inserting in lieu thereof the language:

“**HB 3326** was referred for engrossment.”