Senate Journal

Second Regular Session of the Fifty-first Legislature
of the State of Oklahoma
Forty-eighth Legislative Day, Monday, April 28, 2008

The Senate was called to order by Senator Leftwich.

Roll Call:


Senator Leftwich declared a quorum present.

The prayer was offered by Reverend Bobbie Jean Merck, A Great Love, Inc., Taccoa, GA, the guest of Senator Brogdon.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed measures:

SB 1761
SJR 41 – coauthored by Kiesel and Lamons
SCR 58 - coauthored by all other House Members

The above-numbered measures were referred for enrollment.

PENDING CONSIDERATION OF CCR

The 2nd CCR on SB 811 was adopted upon motion of Senator Laster.

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:


The bill and emergency passed.

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

**UNANIMOUS CONSENT REQUEST**
**DIRECT TO CALENDAR**

Senator Anderson asked unanimous consent to suspend Rule 6-4 and refer SCR 84 direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

SCR 84 by Anderson of the Senate and Peters of the House was called up for consideration.

All other members of the Senate asked to coauthor SCR 84, which was the order.

SCR 84 was adopted upon motion of Senator Anderson and referred for engrossment.

**PENDING CONSIDERATION OF HAs**

HAs to SB 1662 were concurred in upon motion of Senator Barrington.

SB 1662, as amended by the Honorable House, was read at length.

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

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 1507 were concurred in upon motion of Senator Gumm.

Senator Jolley asked to coauthor SB 1507, which was the order.

SB 1507, as amended by the Honorable House, was read at length.

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


Nay: Sykes.--1.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

Senator Corn presiding.

PENDING CONSIDERATION OF HAs

HAs to SB 2186 were concurred in upon motion of Senator Ivester.

Senator Sparks asked to coauthor SB 2186, which was the order.

SB 2186, as amended by the Honorable House, was read at length.

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

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 1463 were concurred in upon motion of Senator Williamson.

SB 1463, as amended by the Honorable House, was read at length.

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


The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 1453 were concurred in upon motion of Senator Ballenger.

SB 1453, as amended by the Honorable House, 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.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 539 were concurred in upon motion of Senator Bass.

SB 539, as amended by the Honorable House, was read at length.

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


Nay: Brogdon, Johnson (M), Justice, Laughlin, Myers, Nichols, Sykes and Williamson.--8.

The bill passed.

Pursuant to Rule 13-22, Senator Bass served notice that the vote be reconsidered whereby SB 539 passed.

PENDING CONSIDERATION OF HAs

HAs to SB 2000 were concurred in upon motion of Senator Brogdon.

SB 2000, as amended by the Honorable House, was read at length.

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

Nay: Crain.--1.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 1392 were concurred in upon motion of Senator Crutchfield.

SB 1392, as amended by the Honorable House, was read at length.

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


Excused: Coffee.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 1872 were concurred in upon motion of Senator Garrison.

SB 1872, as amended by the Honorable House, was read at length.

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


The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

**UNANIMOUS CONSENT REQUEST**  
**DIRECT TO CALENDAR**

Senator Leftwich asked unanimous consent to suspend Rule 6-4 and refer **SCR 82** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 82** by Leftwich of the Senate and Cox of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 82**, which was the order.

**SCR 82** was adopted upon motion of Senator Leftwich and referred for engrossment.

**PENDING CONSIDERATION OF HAs**

**HAs to SB 1641** were concurred in upon motion of Senator Mazzei.

**SB 1641**, as amended by the Honorable House, was read at length.

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


- **Nay:** Gumm, Ivester and Johnson (C).--3.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.
PENDING CONSIDERATION OF HAs

**HAs to SB 1685** were concurred in upon motion of Senator Wilson.

**SB 1685**, as amended by the Honorable House, was read at length.

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


The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

**HAs to SB 1766** were concurred in upon motion of Senator Wyrick.

**SB 1766**, as amended by the Honorable House, was read at length.

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


Excused: Morgan.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

**HAs to SB 1673** were concurred in upon motion of Senator Barrington.
SB 1673, as amended by the Honorable House, was read at length.

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


Excused: Morgan.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAs

HAs to SB 2163 were concurred in upon motion of Senator Leftwich.

SB 2163, as amended by the Honorable House, was read at length.

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


Excused: Morgan.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.
Senator Leftwich presiding.

PENDING CONSIDERATION OF HAs

HAs to SB 1181 were called up for consideration upon motion of Senator Rabon.

SB 1181 was laid over for this legislative day, pending consideration of the HAs.

PENDING CONSIDERATION OF HAs

HAs to SB 1839 were concurred in upon motion of Senator Corn.

SB 1839, as amended by the Honorable House, was read at length.

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


Nay: Branan, Brogdon, Jolley, Laughlin, Mazzei, Nichols, Sykes and Williamson.--8.

Excused: Rice.--1.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

CONFERENCE COMMITTEE APPOINTMENTS – GCCA

President Pro Tempore Morgan and Co-President Pro Tempore Coffee announced the appointment of the following Senators as conferees on the General Conference Committee on Appropriations.
GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

Johnson (Mike), Co-Chair
Crutchfield, Co-Chair

Adelson            Justice
Aldridge           Lamb
Anderson           Laster
Ballenger          Laughlin
Barrington         Leftwich
Bass               Lerblance
Bingman            Mazzei
Branan             Myers
Brogdon            Nichols
Brown              Paddack
Burrage            Rabon
Coates             Reynolds
Corn               Rice
Crain              Riley
Easley             Schulz
Eason McIntyre     Sparks
Ford               Sweeden
Garrison           Sykes
Gumm               Wilcoxson
Ivester            Williamson
Johnson (Constance) Wilson
Jolley             Wyrick

MESSAGE FROM THE HOUSE

HAs TO SENATE BILLS

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

SB 74
SB 498
SB 746 - remove Adkins and substitute McNiel as principal House author and add Martin (Steve) of the House as coauthor
SB 1010
SB 1024 - remove Trebilcock and substitute Sullivan as principal House author and add Derby and Tibbs of the House as coauthors
SB 1168 - coauthored by Renegar of the House
SB 1186 - coauthored by Shumate, Shelton and Steele of the House
SB 1413 - coauthored by Key, Reynolds, Kern and Terrill of the House
SB 1420 - coauthored by Lamons and McDaniel (Jeannie) of the House
SB 1422 - remove Shelton and substitute Steele as principal House author and add as coauthors: Shelton, Hilliard, McCullough, McDaniel (Jeannie) and Pittman of the House
SB 1525 - coauthored by Pittman of the House
SB 1533
SB 1618
SB 1628
SB 1658 - coauthored by Cooksey, Johnson (Rob) and McDaniel (Randy) of the House
SB 1697 - coauthored by Cannaday of the House
SB 1709
SB 1714
SB 1725 - coauthored by Kiesel, Sherrer and Shelton of the House
SB 1769 - coauthored by Shumate of the House
SB 1807 - coauthored by Coffee of the Senate
SB 1865 - coauthored by Kern, Reynolds, Terrill and Tibbs of the House
SB 1869
SB 1880 - coauthored by Kern of the House
SB 1881
SB 1891 - coauthored by Armes and Coody of the House
SB 1900
SB 1941 - coauthored by Collins of the House
SB 1956 - coauthored by Derby of the House
SB 1964 - coauthored by Tibbs of the House
SB 1985 - coauthored by McMullen, Blackwell and Hickman of the House
SB 2001 - remove Blackwell and substitute Johnson (Dennis) as principal House author and add as coauthors: Sullivan, Blackwell, Tibbs, Kern, Peterson (Pam), Reynolds and Terrill of the House
SB 2007
SB 2016 - coauthored by Dank, Enns, Faught, Hoskin, Lamons, Martin (Scott), McDaniel (Randy), Proctor and Sherrer of the House
SB 2034
SB 2037 - coauthored by Kern and Collins of the House
SB 2041 - coauthored by Derby, Roan, Coody, Martin (Steve), Sears, Billy and Denney of the House
SB 2046 - coauthored by Brown of the House
SB 2047 - coauthored by Billy of the House
SB 2066
SB 2104
SB 2106
SB 2129 - coauthored by Crain of the Senate
SB 2143 - coauthored by Jett of the House
SB 2153
SJR 36 - remove Sears and substitute Johnson (Rob) as principal House author and show Sears of the House as coauthor, remove Ford as principal Senate author and substitute Crain as principal Senate author

House amendments were read on the above-numbered bills.
PENDING CONSIDERATION OF HAs

HAs to SBs 1194 through 1233; 1235 through 1293; 1295 through 1353; 1355 through 1364; 1367 through 1378 were rejected upon motion of Senator Laster, conference requested, and referred to GCCA.

HAs to SBs 1533, 1599, 1604, 1754, 1765, 1956, 2034, 2047, 2104, 2129 and 2153 were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SCR 59 - coauthored by all other House members

The above-numbered measure was referred for enrollment.

Advising concurrence in SAs to and passage of Engrossed HB 2462.

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

HB 1418
HB 1519
HB 1546
HB 1903
HB 2238
HB 2239
HB 2242
HB 2250
HB 2446
HB 2530
HB 2566
HB 2580
HB 2587
HB 2642
HB 2713
HB 2714
HB 2725
HB 2726
HB 2732
HB 2775
EXECUTIVE NOMINATIONS

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

Cassil, Larry, Jr., Oklahoma City, as a member of the State Board of Licensed Social Workers - Health and Human Resources

Davis, Charles B., Norman, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Hartwell, David, Bethany, as a member of the Crime Victims Compensation Board - Criminal Jurisprudence

Hudson, Patricia Murphy, Oklahoma City, as a member of the Crime Victims Compensation Board - Criminal Jurisprudence

Knight, Hope Siddons, Oklahoma City, as a member of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission - Judiciary

Krishna, R. Murali, M.D., Edmond, as a member of the State Board of Health - Health and Human Resources

Moore, David K., Duncan, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Root, David, Canute, as a member of the Oklahoma Liquefied Petroleum Gas Board - Energy and Environment

Stanaland, Deb, Edmond, as a member of the Crime Victims Compensation Board - Criminal Jurisprudence
Senator Laughlin moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 29, 2008, at 1:30 p.m., which motion prevailed.

MESSAGES FROM THE GOVERNOR

Advising his approval April 24, 2008, of Enrolled SBs 1585, 1757, 1760, 1770, 1945 and 1975.

Advising his approval April 25, 2008, of Enrolled SB 2111.

Advising his approval April 28, 2008, of Enrolled SB 1405.

Pursuant to the Laughlin motion, the Senate adjourned at 2:45 p.m. to meet Tuesday, April 29, 2008, at 1:30 p.m.