

# Senate Journal

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

**Fifty-third Legislative Day, Tuesday, May 6, 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 Dr. Reverend Arlen Fowler, St. Mark's Episcopal Church of Hugo, Ardmore, the guest of Senator Rabon.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 80** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SBs 811, 958, 1525, 1578, 1625, 1863, 1900, 2046 and 2066 and SJR 38 and SCRs 76 and 84** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 55** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### PENDING CONSIDERATION OF HAS

**HAs to SB 1155** were concurred in upon motion of Senator Bass.

**SB 1155**, 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, 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, Sykes, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Morgan, Sweeden and Wilcoxson.--4.

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 Sykes asked unanimous consent to suspend Rule 6-4 and refer **SCR 81** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SCR 81** by Sykes of the Senate and Johnson (Dennis) of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 81**, which was the order.

**SCR 81** was adopted upon motion of Senator Sykes and referred for engrossment.

#### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1627** were concurred in upon motion of Senator Paddack.

Representative Hilliard asked to coauthor **SB 1627**, which was the order.

**SB 1627**, 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, 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 and Wyrick.--44.

Excused: Crutchfield, Morgan, Wilcoxson and Wilson.--4.

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 **SBs 70** and **1950** were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

#### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1406** were called up for consideration.

Senator Bingman asked that **SB 1406** be laid over temporarily, which was the order.

**SB 1406** remains on General Order pending consideration of the **HAs**.

#### **MOTION TO RECONSIDER VOTE**

Senator Rice moved to reconsider the vote whereby **SB 1577** passed.

Senator Crain moved to table the Rice motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, Barrington, Bass, Bingman, Branan, Brown, Coates, Coffee, Crain, Crutchfield, Eason McIntyre, Ford, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Mazzei, Myers, Paddack, Rabon, Rice, Sweeden, Williamson and Wyrick.--27.

Nay: Aldridge, Ballenger, Brogdon, Burrage, Corn, Easley, Garrison, Gumm, Johnson (C), Laster, Laughlin, Lerblance, Nichols, Reynolds, Riley, Schulz, Sparks and Sykes.--18.

Excused: Morgan, Wilcoxson and Wilson.--3.

House amendments on **SB 1577** were properly signed and the above-numbered bill was referred for enrollment.

## **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCRs 1075** and **1084**.

**HCR 1075** – By Derby, Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, DeWitt, Denney, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen and Wright of the House and Brogdon of the Senate.

A Concurrent Resolution designating Carroll Shelby Day; recognizing achievements; and directing distribution.

**HCR 1084** – By DeWitt, Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen and Wright of the House and Myers of the Senate.

A Concurrent Resolution renaming the Oklahoma State Art Collection Gallery the Betty Price Gallery; and directing distribution.

The above-numbered measures were read the first time.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Myers asked unanimous consent to suspend Rule 6-4 and refer **HCR 1084** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1084** by DeWitt et al of the House and Myers of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1084**, which was the order.

**HCR 1084** was adopted upon motion of Senator Myers and properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 2003** were concurred in upon motion of Senator Nichols.

**SB 2003**, as amended by the Honorable House, was read at length.

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

Aye: Adelson, 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, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson and Wyrick.--43.

Excused: Aldridge, Coffee, Morgan, Wilcoxson and Wilson.--5.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1970** were concurred in upon motion of Senator Bass.

Representative Pittman asked to coauthor **SB 1970**, which was the order.

**SB 1970**, as amended by the Honorable House, was read 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, Williamson and Wyrick.--44.

Excused: Coffee, Morgan, Wilcoxson and Wilson.--4.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1141** were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

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

Senator Paddack asked unanimous consent to suspend Rule 6-4 and refer **SCR 73** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SCR 73** by Paddack of the Senate and Thomsen of the House was called up for consideration.

**SCR 73** was adopted upon motion of Senator Paddack and referred for engrossment.

#### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1961** were concurred in upon motion of Senator Sykes.

Representative Tibbs asked to coauthor **SB 1961**, which was the order.

**SB 1961**, 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, Williamson, Wilson and Wyrick.--47.

Excused: Wilcoxson.--1.

The bill and emergency passed.

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

**Senator Brogdon presiding.**

**PENDING CONSIDERATION OF HAS**

**HAs to SB 2007** were concurred in upon motion of Senator Nichols.

**SB 2007**, as amended by the Honorable House, was read 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, Ford, Gumm, Ivester, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Rice, Schulz, Sparks, Sykes and Williamson.--33.

Nay: Easley, Eason McIntyre, Garrison, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Riley, Sweeden, Wilson and Wyrick.--14.

Excused: Wilcoxson.--1.

The bill passed.

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

**Senator Jolley presiding.**

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1842** were concurred in upon motion of Senator Aldridge.

**SB 1842**, 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Williamson and Wyrick.--45.

Nay: Johnson (C) and Wilson.--2.

Excused: Wilcoxson.--1.

The bill and emergency passed.

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

**DEDICATION**

Senator Charles Ford presented the painting "Tinker Field". Senator Ford introduced the artist, R.T. Foster. Mr. Foster addressed the Senate. Senator Aldridge introduced his wife, DeeAnn, and former Senator Jim Howell, to the Senate. General Reno addressed the Senate. Senator Aldridge addressed the Senate.

Senator Cliff and DeeAnn Aldridge presented the painting to the Senate as a gift.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Rabon asked unanimous consent to suspend Rule 6-4 and refer **SCR 86** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 86** by Rabon of the Senate and Pruett et al of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 86**, which was the order.

**SCR 86** was adopted upon motion of Senator Rabon and referred for engrossment.

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 Jolley presiding.

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

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1021, 1460, 2226, 2490, 2822 and 2882**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HBs 3060, 3124, 3143, 3187 and 3341**.

Advising adding House conferees as follows:

**SB 1398** - Denney and Jones

Advising further conference granted and naming House conferees on Engrossed:

**SB 519** - Jones, Thomsen, Coody, Cannaday, Brannon and Kern

Advising naming of House conferees as follows:

**HB 2238** - Schwartz, Adkins, Liebmann, Shannon, Walker, Braddock, Carey, Johnson (Rob) and Cox

**HB 2239** - Schwartz, Cox, Steele, Watson, McDaniel (Jeannie), Hilliard, Smithson and Piatt

**HB 2242** - Ingmire, Jett, Derby, Hyman, Nations, Joyner, Shumate and Jones

- HB 2460** - Schwartz, Duncan, Sullivan, Blackwell, Roan, Luttrell, Smithson and Cox  
**HB 2474** - Walker, Liebmann, Billy, Joyner, Turner, Duncan and Blackwell  
**HB 2501** - Adkins, Jackson, Peterson (Ron), Schwartz, Watson, Hilliard, Lamons and Morgan  
**HB 2564** - Martin (Steve), Peterson (Ron), Cooksey, Inman, Proctor and Faught  
**HB 2568** - Peterson (Pam), Tibbs, Peters, Johnson (Dennis), Shumate, McDaniel (Jeannie), Harrison and Winchester  
**HB 2607** - Peterson (Pam), Tibbs, Peters, McCullough, Duncan, Hamilton, Braddock, Shumate, Pittman and Shannon  
**HB 2631** - Jordan, McCullough, McNiell, Sherrer, Inman, Duncan and Sullivan  
**HB 2699** - McDaniel (Randy), Thompson, Nations, Miller, Cooksey and McAffrey  
**HB 2704** - Steele, Dank, Hilliard, McDaniel (Jeannie), Hickman, Denney, Sherrer, Miller and Jones  
**HB 2715** - Auffet, Renegar, Rousselot, BigHorse, Jett, Cox, Armes, Blackwell, Duncan, Tibbs, Miller and Jones  
**HB 2732** - Renegar, Richardson, Denney, Billy, Cox, Harrison, Cannaday, Auffet, Miller, Jones, Steele and Thompson  
**HB 2784** - Jackson, Adkins, Shannon, McCullough, Walker, Shelton, Pittman, Miller and Jones  
**HB 2791** - Jackson, Richardson, Billy, Armes, Roan, Carey, Renegar and McNiell  
**HB 2821** - Sullivan, McCullough, Jordan, Tibbs, Roan, Smithson, Braddock and Duncan  
**HB 2963** - Morgan, Hickman, Ingmire, Adkins, Steele, Dorman, Turner, Shumate, Denney, Tibbs and Duncan  
**HB 2970** - Hoskin, Banz, Sears, Jordan, Kiesel, Luttrell, Glenn, Duncan and Coody  
**HB 3070** - Shannon, Peterson (Ron), Luttrell, Pittman, Joyner and Faught  
**HB 3112** - Peterson (Ron), Faught, Adkins, Smithson, Brannon and Piatt  
**HB 3114** - Peterson (Ron), Jett, Miller, Adkins, Auffet, Terrill, Morgan and Dorman  
**HB 3148** - Derby, Schwartz, Billy, McCullough, Shannon, Roan, Proctor and Smithson  
**HB 3201** - Denney, Billy, Winchester, Johnson (Dennis), Sears, McNiell, Thomsen, Ellis, Pruet, Glenn, Shumate and Pittman  
**HB 3342** - Thompson, Liebmann, Martin (Scott), Schwartz, Johnson (Rob), Jackson, Joyner, Armes, Pruet, Glenn, Turner, Proctor, Miller and Jones  
**HB 3384** - Cooksey, Duncan, Sullivan, Morrissette, Sherrer and Miller  
**HJR 1014** - Cox, Roan, Steele, Denney, Schwartz, Auffet, Carey, Jones, Miller and Terrill  
**HJR 1065** - Winchester, Johnson (Dennis), Martin (Scott), McDaniel (Randy), Dorman, Pruet, Rousselot, Miller and Jones

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 483** - Coody, Jones, Sears, Johnson (Dennis), Brannon, Cannaday, Dorman and Thomsen

**SB 514** - Coody, Jones, Sears, Johnson (Dennis), Brannon, Cannaday, Dorman and Thomsen

**SB 1423** - Adkins, Jackson, Johnson (Rob), Peterson (Ron), Schwartz, Watson, Hilliard, Lamons, and Morgan

**SB 1479** - Wright, Brown, Derby, Johnson (Dennis), Lamons, McMullen, Reynolds, Trebilcock and Watson

**SB 1529** - Peterson (Ron), Faught, Adkins, Gilbert and Shoemake

**SB 1765** - Adkins, Jackson, Johnson (Rob), Peterson (Ron), Schwartz, Watson, Hilliard, Lamons, Morgan and Sherrer

**SB 1789** - Adkins, Jackson, Johnson (Rob), Peterson (Ron), Schwartz, Watson, Hilliard, Lamons and Morgan

**SB 1918** - Denney, Cox, Steele, Billy, Winchester, Peters, Trebilcock, McDaniel (Jeannie), Shumate, Shelton and Glenn

**SB 2129** - Peterson (Ron), Miller, Piatt, Adkins, Hoskin and Brown

**SB 2131** - Peterson (Ron), Faught, Adkins, Auffet and Shoemake

**SB 2153** - Peterson (Ron), Adkins, Faught, Miller, Jones, Gilbert and Hoskin

**SB 2194** - Duncan, Banz, Peterson (Pam), Shumate, Ellis and Peters

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 2028** were concurred in upon motion of Senator Sykes.

**SB 2028**, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Ballenger, Bass, Branan, Brogdon, Brown, Burrage, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick.--36.

Excused: Aldridge, Anderson, Barrington, Bingman, Coates, Coffee, Johnson (M), Laughlin, Mazzei, Myers, Reynolds and Schulz.--12.

The bill passed.

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

#### **INTRODUCTIONS**

Senator Morgan introduced his father, Vurnell Morgan; his sister, Kathy Duffy; his brother and sister-in-law, Trace and Ellen Morgan; and his nephews, Matthew and Travis Morgan, to the Senate.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Morgan asked unanimous consent to suspend Rule 6-4 and refer **SR 80** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 80** by Morgan and Coffee was called up for consideration.

All other members of the Senate, except Senator Rabon, asked to coauthor **SR 80**, which was the order.

**SR 80** was adopted upon motion of Senator Morgan and referred for enrollment.

**SPECIAL RECOGNITION OF SENATOR JEFF RABON**

Senator Rabon was honored by the Oklahoma State Senate for his 12 years of service. His portrait was displayed as a tribute in the Senate Chamber for this legislative day.

President Pro Tempore Morgan addressed the Senate commending Senator Rabon for his years of service to the citizens of Senate District 5 in the Oklahoma State Senate.

Senators Wilcoxson, Eason McIntyre, Brogdon, Williamson, Coffee, Leftwich, Burrage, Corn, Brown, Lerblance, Riley, Wilson, Rice, Branan, Crain, Lamb, Wyrick, Anderson, Gumm, Laughlin, Crutchfield, Paddock, Garrison, Bass, Constance Johnson and Jolley also addressed the Senate.

Senator Rabon addressed the Senate and introduced his family to the Senate. His guests in attendance were his wife, Dana; his children, Jeff, Jackson and Berrie; his parents, Bob and Linda Rabon; his aunt and uncle, Mike and Carla Rabon; his brother, Robert Lee Rabon; his nephews, Chance and Temple Rabon; his guests, Governor Bill Anoatubby, Chief Gregory Pyle, Steve Burrage, Bruce and Gwen Willingham, James and Christy Ray, Hunter Ray, Benton Ray, Denise Trent, Hank Austin and Father Fowler. Senator Rabon also recognized his executive assistant, Linda Terrill, for her dedication and hard work.

**REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SR 80** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**SCs NAMED**

Upon motion of Senators Laughlin and Laster, Senate conferees were appointed as follows:

**SB 1190** – GCCA

**SB 1422** – GCCA

**SB 1754** – Garrison, Gumm, Bass, Laughlin, Bingman, Myers

**SB 2104** – Leftwich, Burrage, Crutchfield, Coffee, Laughlin, Mazzei

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed measure:

**SCR 85** - coauthored by all other House members

The above-numbered measure was referred for enrollment.

Advising the signing of and returning Enrolled **SCRs 76** and **84**.

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

Advising fourth reading of and returning Enrolled **SBs 811, 958, 1525, 1578, 1625, 1863, 1900, 2046** and **2066** and **SJR 38**.

The above-numbered enrolled measures were referred to the Governor.

**PENDING CONSIDERATION OF HAs**

**HAs** to **SB 1964** were concurred in upon motion of Senator Corn.

**SB 1964**, as amended by the Honorable House, was read 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, Paddack, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Williamson, Wilson and Wyrick.--45.

Nay: Sykes.--1.

Excused: Nichols and Wilcoxson.--2.

The bill passed.

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

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1640** were concurred in upon motion of Senator Ivester.

Senator Johnson (Constance) asked to coauthor **SB 1640**, which was the order.

**SB 1640**, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Anderson, Ballenger, Bass, Burrage, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (C), Laster, Laughlin, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon, Rice, Riley, Schulz, Sparks, Sweeden, Wilson and Wyrick.--30.

Nay: Aldridge, Barrington, Bingman, Branan, Brogdon, Brown, Coffee, Crain, Johnson (M), Jolley, Justice, Lamb, Mazzei, Myers, Reynolds, Sykes, Wilcoxson and Williamson.--18.

The bill passed.

Pursuant to Rule 13-22, Senator Ivester served notice that the vote be reconsidered whereby **SB 1640** passed.

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1150**, considered on Page 1464, were called up for further consideration.

**HAs to SB 1150** were concurred in upon motion of Senator Ford upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Morgan, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--23.

**SB 1150**, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Laster, Leftwich, Lerblance, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Johnson (C) and Morgan.--2.

The bill failed.

The Chair advised that Senator Johnson (Constance), having been present in the Chamber during the vote on **SB 1150** would be shown voting Nay in compliance with Rule 15-1B. The vote thereby resulted as follows: Aye: 24; Nay: 23; Excused: 1.

Pursuant to Rule 13-22, Senator Ford served notice that the vote be reconsidered whereby **SB 1150** failed.

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1696** were concurred in upon motion of Senator Bass.

**SB 1696**, 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 (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: Johnson (C) and Morgan.--2.

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 SBs 1091, 1149, 1384, 1658, 2016 and 2061 and SJR 29** were rejected upon motion of Senator Laster, conference requested, and Senate conferees to be named later.

#### **PENDING CONSIDERATION OF HAs**

**HAs to SB 1406** were called up for further consideration.

**HAs to SB 1406** were concurred in upon motion of Senator Bingman upon division of the question.

**SB 1406**, as amended by the Honorable House, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddock, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--23.

Excused: Morgan.--1.

The bill failed.

Pursuant to Rule 13-22, Senator Bingman served notice that the vote be reconsidered whereby **SB 1406** failed.

#### **PENDING CONSIDERATION OF HAs**

**HAs to SB 1822** were concurred in upon motion of Senator Eason McIntyre.

**SB 1822**, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Rice, Riley, Sparks, Sweeden, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Schulz, Sykes, Wilcoxson and Williamson.--24.

The bill failed.

Pursuant to Rule 13-22, Senator Eason McIntyre served notice that the vote be reconsidered whereby **SB 1822** failed.

### **SCs NAMED**

Upon motion of Senators Laughlin and Laster, Senate conferees were appointed as follows:

**SB 1816** – Barrington, Laughlin, Schulz, Wyrick, Crutchfield, Rabon

**SB 1960** – Sykes, Laughlin, Lamb, Rice, Leftwich, Crutchfield

**SB 1994** – GCCA

**SB 2101** – GCCA

**SB 2131** – Coates, Laughlin, Lamb, Crutchfield, Leftwich, Bass

### **EXECUTIVE NOMINATIONS**

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

Anderson, Mike, Oklahoma City, as a member of the State Fire Marshal Commission - General Government

DeFehr, Joel A., Oklahoma City, as a member of the Organ Donor Education and Awareness Program Advisory Council - Health and Human Resources

Senator Laster moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 7, 2008, at 9:30 a.m., which motion prevailed.

**COMMITTEE REPORT**

The following was reported by the committee named, ordered printed and placed on the Calendar:

DO PASS, As Amended:

**SR 67** – Finance

Ayes: Corn, Gumm, Paddack, Sparks, Wilcoxson, Wilson

Nays: Aldridge, Johnson (Mike), Mazzei

**FIRST READING**

The following was introduced and read the first time:

**SR 82** – By Gumm.

A Resolution congratulating Roma Italian Restaurant in Durant, Oklahoma, for winning the 19th Annual Oklahoma Main Street Award for “Best New Business Downtown”; commending Durant, Oklahoma, for their participation and showing in the Oklahoma Main Street Program; and directing distribution.

**MESSAGE FROM THE GOVERNOR**

Advising his approval May 6, 2008, of Enrolled **SBs 498, 1558 and 1998**.

Pursuant to the Laster motion, the Senate adjourned at 4:25 p.m. to meet Wednesday, May 7, 2008, at 9:30 a.m.