

# Senate Journal

## First Regular Session of the Fifty-second Legislature of the State of Oklahoma

**Fifth Legislative Day, Thursday, February 5, 2009**

The Senate was called to order by Senator Bingman.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—47.

Excused: Mazzei.—1.

Senator Bingman declared a quorum present.

The prayer was offered by Pastor Burge Troxel, Heaston Community Church, El Reno, the guest of President Pro Tempore Coffee.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 4** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SR 5** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Leftwich asked unanimous consent to refer **SR 3** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 3** by Leftwich was called up for consideration.

All other members of the Senate asked to coauthor **SR 3**, which was the order.

**SR 3** was adopted upon motion of Senator Leftwich and referred for enrollment.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154 and 1155.**

**HB 1132** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Arts Council – appropriation - effective date – emergency )

**HB 1133** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Arts Council – appropriation – effective date – emergency )

**HB 1134** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Board of Career and Technology Education - appropriation - effective date – emergency )

**HB 1135** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Board of Career and Technology Education – appropriation - effective date - emergency )

**HB 1136** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( education - appropriations – Teachers’ Retirement System Dedicated Revenue Revolving Fund - effective date – emergency )

**HB 1137** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( education - appropriations - Teachers’ Retirement System Dedicated Revenue Revolving Fund - effective date – emergency )

**HB 1138** – By Miller, Martin (Scott), Hoskin and Kiesel of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Educational Television Authority –appropriation - effective date – emergency )

**HB 1139** – By Miller, Martin (Scott) and Kiesel of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Educational Television Authority – appropriation - effective date – emergency )

**HB 1140** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma State Regents for Higher Education – appropriations - effective date – emergency )

**HB 1141** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma State Regents for Higher Education – appropriations - effective date – emergency )

**HB 1142** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Commissioners of the Land Office – appropriation – effective date – emergency )

**HB 1143** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Commissioners of the Land Office – appropriation – effective date – emergency )

**HB 1144** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Department of Libraries – appropriation - effective date – emergency )

**HB 1145** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Department of Libraries – appropriation - effective date – emergency )

**HB 1146** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Physician Manpower Training Commission – appropriations – effective date – emergency )

**HB 1147** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Physician Manpower Training Commission – appropriations - effective date – emergency )

**HB 1148** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Board of Private Vocational Schools - expenditures - effective date – emergency )

**HB 1149** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Board of Private Vocational Schools - expenditures - effective date – emergency )

**HB 1150** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

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

**HB 1151** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

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

**HB 1152** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

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

**HB 1153** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

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

**HB 1154** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

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

**HB 1155** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

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

The above-numbered measures were read the first time.

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 9, 2009, at 1:30 p.m., which motion prevailed.

## **COMMITTEE REPORTS**

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

DO PASS:

**SB 476** – Judiciary, coauthored by Duncan (principal House author)  
Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

DO PASS, As Amended:

**SB 248** – Tourism and Wildlife, coauthored by Sweeden of the Senate, and coauthored by Sears (principal House author)

Ayes: Anderson, Barrington, Eason McIntyre, Ellis, Ford, Garrison, Justice, Marlatt, Paddack, Reynolds, Schulz, Sweeden, Wyrick

**SB 286** – Judiciary, coauthored by Roan (principal House author)  
Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

**SB 473** – Education, coauthored by Banz (principal House author)  
Ayes: Branan, Brown, Corn, Eason McIntyre, Ford, Halligan, Jolley, Lerblance, Paddack, Reynolds, Sparks, Stanislawski

**SB 487** – Judiciary, coauthored by Cox (principal House author)  
Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

## **SECOND READING**

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

**SB 632** – Appropriations  
**SB 633** – Appropriations  
**SB 635** – Appropriations  
**SB 636** – Agriculture and Rural Development  
**SB 637** – Rules  
**SB 638** – Rules  
**SB 639** – Rules  
**SB 640** – Rules  
**SB 641** – Education  
**SB 642** – Appropriations  
**SB 643** – Appropriations  
**SB 644** – Finance

**SB 645** – Business and Labor  
**SB 646** – Appropriations  
**SB 647** – Appropriations  
**SB 648** – Appropriations  
**SB 649** – Energy and Environment  
**SB 650** – Energy and Environment  
**SB 651** – Tourism and Wildlife  
**SB 652** – Rules  
**SB 653** – Judiciary  
**SB 654** – Rules  
**SB 655** – Energy and Environment  
**SB 656** – Rules  
**SB 657** – Appropriations  
**SB 658** – Finance  
**SB 659** – Judiciary  
**SB 660** – Judiciary  
**SB 661** – Appropriations  
**SB 662** – Transportation  
**SB 663** – Appropriations  
**SB 664** – Rules  
**SB 665** – Business and Labor  
**SB 666** – Judiciary  
**SB 667** – Rules  
**SB 668** – General Government  
**SB 669** – Appropriations  
**SB 670** – Appropriations  
**SB 671** – General Government  
**SB 672** – Judiciary  
**SB 673** – Judiciary  
**SB 674** – Energy and Environment  
**SB 675** – Rules  
**SB 676** – Education  
**SB 677** – Health and Human Services  
**SB 678** – Energy and Environment  
**SB 679** – Energy and Environment  
**SB 680** – Rules  
**SB 681** – Rules  
**SB 682** – Appropriations  
**SB 683** – Rules  
**SB 684** – General Government  
**SB 685** – General Government  
**SB 686** – Rules  
**SB 687** – Rules  
**SB 688** – Rules

- SB 689** – Rules
- SB 690** – Rules
- SB 691** – Appropriations
- SB 692** – Rules
- SB 693** – Retirement and Insurance
- SB 694** – Rules
- SB 695** – Judiciary
- SB 696** – Rules
- SB 697** – Rules
- SB 698** – Judiciary
- SB 699** – Judiciary
- SB 700** – Retirement and Insurance
- SB 701** – Judiciary
- SB 702** – Appropriations
- SB 703** – Appropriations
- SB 704** – Rules
- SB 705** – Rules
- SB 706** – Appropriations
- SB 707** – Appropriations
- SB 708** – Appropriations
- SB 709** – Rules
- SB 710** – Rules
- SB 711** – Appropriations
- SB 712** – Veterans and Military Affairs
- SB 713** – Rules
- SB 714** – Finance
- SB 715** – Appropriations
- SB 716** – Judiciary
- SB 717** – Appropriations
- SB 718** – Rules
- SB 719** – Appropriations
- SB 720** – Finance
- SB 721** – Finance
- SB 722** – Finance
- SB 723** – Finance
- SB 724** – Appropriations
- SB 725** – Appropriations
- SB 726** – Retirement and Insurance
- SB 727** – Appropriations
- SB 728** – Rules
- SB 729** – Appropriations
- SB 730** – Health and Human Services
- SB 731** – Appropriations
- SB 733** – Appropriations

**SB 734** – Health and Human Services  
**SB 735** – Energy and Environment  
**SB 736** – Appropriations  
**SB 737** – Rules  
**SB 738** – Health and Human Services  
**SB 739** – General Government  
**SB 740** – Rules  
**SB 741** – Health and Human Services  
**SB 743** – Judiciary  
**SB 744** – Judiciary  
**SB 746** – Rules  
**SB 747** – Education  
**SB 748** – Appropriations  
**SB 749** – Appropriations  
**SB 750** – Businesses and Labor  
**SB 751** – Rules  
**SB 752** – Appropriations  
**SB 753** – Appropriations  
**SB 754** – Energy and Environment  
**SB 755** – Appropriations  
**SB 756** – Health and Human Services  
**SB 757** – Appropriations  
**SB 758** – Transportation  
**SB 759** – Rules  
**SB 760** – Public Safety and Homeland Security  
**SB 761** – Rules  
**SB 762** – Appropriations  
**SB 763** – Appropriations  
**SB 764** – Direct to Calendar  
**SB 765** – Education  
**SB 766** – Appropriations  
**SB 767** – Rules  
**SB 769** – Appropriations  
**SB 770** – Appropriations  
**SB 771** – Rules  
**SB 772** – Rules  
**SB 773** – Judiciary  
**SB 774** – Appropriations  
**SB 775** – Rules  
**SB 776** – Rules  
**SB 777** – Rules  
**SB 778** – Rules  
**SB 779** – Rules  
**SB 780** – Rules  
**SB 781** – Appropriations

- SB 783** – Rules
- SB 784** – Judiciary
- SB 785** – Appropriations
- SB 786** – Appropriations
- SB 787** – Health and Human Services
- SB 788** – Appropriations
- SB 789** – Judiciary
- SB 790** – Appropriations
- SB 791** – Appropriations
- SB 792** – Health and Human Services
- SB 793** – Judiciary
- SB 794** – Health and Human Services
- SB 795** – Appropriations
- SB 796** – Judiciary
- SB 797** – Rules
- SB 798** – Rules
- SB 799** – Rules
- SB 800** – Rules
- SB 801** – Health and Human Services
- SB 802** – Appropriations
- SB 803** – Appropriations
- SB 804** – Appropriations
- SB 805** – General Government
- SB 806** – Rules
- SB 807** – Appropriations
- SB 808** – Public Safety and Homeland Security
- SB 809** – General Government
- SB 810** – Health and Human Services
- SB 811** – Rules
- SB 812** – Finance
- SB 813** – Transportation
- SB 814** – Rules
- SB 815** – Judiciary
- SB 816** – Judiciary
- SB 817** – Judiciary
- SB 818** – Rules
- SB 819** – Retirement and Insurance
- SB 820** – Rules
- SB 821** – Rules
- SB 822** – Retirement and Insurance
- SB 823** – Public Safety and Homeland Security
- SB 824** – Education
- SB 825** – Education
- SB 826** – Appropriations
- SB 827** – Energy and Environment
- SB 828** – Energy and Environment

**SB 829** – Appropriations  
**SB 830** – Retirement and Insurance  
**SB 831** – Energy and Environment  
**SB 832** – Appropriations  
**SB 833** – Appropriations  
**SB 834** – Education  
**SB 835** – Rules  
**SB 836** – Appropriations  
**SB 837** – Judiciary  
**SB 838** – General Government  
**SB 839** – Retirement and Insurance  
**SB 840** – Retirement and Insurance  
**SB 841** – Health and Human Services  
**SB 842** – Energy and Environment  
**SB 843** – Rules  
**SB 844** – Health and Human Services  
**SB 845** – Appropriations  
**SB 846** – Appropriations  
**SB 847** – Rules  
**SB 848** – Business and Labor  
**SB 849** – Rules  
**SB 850** – Finance  
**SB 851** – Rules  
**SB 852** – Rules  
**SB 853** – General Government  
**SB 854** – Appropriations  
**SB 855** – Retirement and Insurance  
**SB 856** – Appropriations  
**SB 857** – Appropriations  
**SB 858** – Rules  
**SB 859** – Retirement and Insurance  
**SB 860** – Appropriations  
**SB 861** – Tourism and Wildlife  
**SB 862** – Finance  
**SB 863** – Finance  
**SB 864** – Rules  
**SB 865** – Rules  
**SB 866** – Rules  
**SB 867** – Education  
**SB 868** – Finance  
**SB 869** – Rules  
**SB 870** – Finance  
**SB 871** – General Government  
**SB 872** – Rules  
**SB 873** – Rules  
**SB 874** – Rules

**SB 875** – Finance  
**SB 876** – Rules  
**SB 877** – Rules  
**SB 878** – Appropriations  
**SB 879** – Finance  
**SB 880** – Education  
**SB 881** – Finance  
**SB 882** – Finance  
**SB 883** – Business and Labor  
**SB 884** – Business and Labor  
**SB 885** – Judiciary  
**SB 886** – Appropriations  
**SB 887** – Judiciary  
**SB 888** – Finance  
**SB 889** – Judiciary  
**SB 890** – Appropriations  
**SB 891** – Finance  
**SB 892** – Rules  
**SB 893** – Rules  
**SB 894** – Health and Human Services  
**SB 895** – Judiciary  
**SB 896** – Rules  
**SB 897** – Appropriations  
**SB 898** – Rules  
**SB 899** – Retirement and Insurance  
**SB 900** – Public Safety and Homeland Security  
**SB 1133** – Health and Human Services

**FIRST READING**

The following were introduced and read the first time:

**SR 7** – By Anderson.

A Resolution recognizing the talent of Amanda LaMunyon; urging Oklahomans to be encouraged by her story; and directing distribution.

**SR 8** – By Adelson and Rice.

A Resolution commending the President and the Congress for their support of the State Children’s Health Insurance Program; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 9:55 a.m. to meet Monday, February 9, 2009, at 1:30 p.m.