

Senate Journal

First Regular Session of the Fifty-second Legislature of the State of Oklahoma Twenty-first Legislative Day, Thursday, March 5, 2009

The Senate was called to order by Senator Aldridge.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, 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.—45.

Excused: Bingman, Eason McIntyre and Mazzei. —3.

Senator Aldridge declared a quorum present.

The prayer was offered by Dr. Everett Piper, First Wesleyan Church, Bartlesville, the guest of Senator Ford.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 277, 288, 318, 335, 391, 409, 509, 539, 546, 564, 602, 635, 702, 738, 741, 749, 827, 828, 832, 833, 857, 886, 971, 989, 1016, 1031, 1065, 1127, 1132, 1147, 1168, 1184 and 1234 and SJRs 10, 11, 13 and 34 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 10 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 453 by Schulz of the Senate and Schwartz of the House was called up for consideration.

Senator Schulz moved that **SB 453** be advanced, which motion was declared adopted.

THIRD READING

SB 453 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Excused: Anderson, Bingman, Brogdon, Coffee, Eason McIntyre, Gumm, Mazzei and Russell.--8.

The bill passed.

SB 453 was referred for engrossment.

GENERAL ORDER

SB 322 by Jolley of the Senate and Coody of the House was called up for consideration.

Senator Jolley moved that **SB 322** be advanced, which motion was declared adopted.

THIRD READING

SB 322 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, Branan, Brown, Burrage, Coates, Corn, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--40.

Excused: Bingman, Brogdon, Coffee, Crain, Eason McIntyre, Gumm, Mazzei and Russell.--8.

The bill and emergency passed.

SB 322 was referred for engrossment.

GENERAL ORDER

SB 486 by Jolley and Lamb of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Rice asked to coauthor **SB 486**, which was the order.

Senator Jolley moved that **SB 486** be advanced, which motion was declared adopted.

THIRD READING

SB 486 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Branan, Brogdon, Brown, Coates, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Rice, Russell, Schulz, Stanislawski and Sykes.--24.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Ellis, Garrison, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddock, Sparks, Sweeden, Wilson and Wyrick.--19.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill failed.

Pursuant to Rule 12-21, Senator Jolley served notice that the vote be reconsidered whereby **SB 486** failed.

GENERAL ORDER

SJR 21 by Crain and Johnson (Constance) of the Senate and Cox of the House was called up for consideration.

Senator Crain moved that **SJR 21** be advanced, which motion was declared adopted.

THIRD READING

SJR 21 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--42.

Nay: Corn.--1.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The resolution passed.

SJR 21 was referred for engrossment.

GENERAL ORDER

SB 1179 by Marlatt of the Senate and Armes of the House was called up for consideration.

Senator Marlatt moved that **SB 1179** be advanced, which motion was declared adopted.

THIRD READING

SB 1179 was read for the third time at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--42.

Excused: Anderson, Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--6.

The bill passed.

SB 1179 was referred for engrossment.

GENERAL ORDER

SB 314 by Branan and Mazzei of the Senate and Terrill of the House was called up for consideration.

Senator Branan moved that **SB 314** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Branan, Brogdon, Brown, Coates, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--23.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Ellis, Garrison, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--20.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

THIRD READING

SB 314 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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 and Wilson.--42.

Nay: Wyrick.--1.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 314 was referred for engrossment.

GENERAL ORDER

SB 399 by Branan et al of the Senate and Shannon of the House was called up for consideration.

Senator Branan moved that **SB 399** be advanced, which motion was declared adopted.

THIRD READING

SB 399 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 399 was referred for engrossment.

GENERAL ORDER

SB 413 by Brown of the Senate and Wright (John) of the House was called up for consideration.

Senator Brown moved to amend **SB 413**, 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 Brown moved that **SB 413** be advanced, which motion was declared adopted.

THIRD READING

SB 413 was read for the third time at length.

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

Aye: Adelson, Branan, Brown, Crain, Ford, Halligan, Johnson (M), Jolley, Lamb, Laster, Marlatt, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--18.

Nay: Aldridge, Anderson, Ballenger, Barrington, Bass, Brogdon, Burrage, Coates, Corn, Crutchfield, Easley, Ellis, Garrison, Ivester, Johnson (C), Justice, Leftwich, Lerblance, Myers, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--25.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill failed.

Pursuant to Rule 12-21, Senator Brown served notice that the vote be reconsidered whereby **SB 413** failed.

GENERAL ORDER

SB 1070 by Paddock of the Senate and Hilliard of the House was called up for consideration.

Senator Paddock moved that **SB 1070** be advanced, which motion was declared adopted.

THIRD READING

SB 1070 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 1070 was referred for engrossment.

GENERAL ORDER

SB 340 by Myers of the Senate and Liebmann of the House was called up for consideration.

Senator Myers moved that **SB 340** be advanced, which motion was declared adopted.

THIRD READING

SB 340 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 340 was referred for engrossment.

GENERAL ORDER

SB 551 by Myers of the Senate and DeWitt of the House was called up for consideration.

Senator Myers moved that **SB 551** be advanced, which motion was declared adopted.

THIRD READING

SB 551 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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 and Wyrick.--42.

Nay: Wilson.--1.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 551 was referred for engrossment.

GENERAL ORDER

SB 679 by Myers and Ivester of the Senate and Watson of the House was called up for consideration.

Senator Myers moved that **SB 679** be advanced, which motion was declared adopted.

THIRD READING

SB 679 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 679 was referred for engrossment.

GENERAL ORDER

SB 1036 by Myers et al of the Senate and Cox of the House was called up for consideration.

Senator Myers moved that **SB 1036** be advanced, which motion was declared adopted.

THIRD READING

SB 1036 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, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, 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.--43.

Nay: Brogdon.--1.

Excused: Bingman, Coffee, Eason McIntyre and Mazzei.--4.

The bill and emergency passed.

SB 1036 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Sweeden moved to reconsider the vote whereby **SB 694** passed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Bingman, Coffee, Eason McIntyre and Mazzei.--4.

THIRD READING

Senator Sweeden moved to reconsider the vote whereby **SB 694** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 694 by Sweeden of the Senate and Armes of the House was called up for further consideration.

Senator Sweeden asked unanimous consent, which was granted, to amend **SB 694**, Page 1, by restoring the title.

Senator Sweeden moved that **SB 694** be advanced, which motion was declared adopted.

THIRD READING

SB 694 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, 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 and Wilson.--43.

Excused: Bingman, Coffee, Eason McIntyre, Mazzei and Wyrick.--5.

The bill passed.

SB 694 was referred for engrossment.

GENERAL ORDER

SB 867 by Anderson of the Senate and Enns of the House was called up for consideration.

Senator Anderson moved that **SB 867** be advanced, which motion was declared adopted.

THIRD READING

SB 867 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 867 was referred for engrossment.

GENERAL ORDER

SB 1105 by Anderson and Mazzei of the Senate and Morrissette of the House was called up for consideration.

Senator Anderson moved that **SB 1105** be advanced, which motion was declared adopted.

THIRD READING

SB 1105 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 1105 was referred for engrossment.

GENERAL ORDER

SB 842 by Branan of the Senate and Blackwell of the House was called up for consideration.

Senator Branan asked that **SB 842** be laid over for this legislative day, which motion was the order.

SB 842 remains on General Order.

Senator Sykes presiding.

GENERAL ORDER

SB 1126 by Jolley of the Senate and Nelson of the House was called up for consideration.

Senator Jolley moved that **SB 1126** be advanced, which motion was declared adopted.

THIRD READING

SB 1126 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 1126 was referred for engrossment.

GENERAL ORDER

SB 1166 by Jolley of the Senate and Terrill of the House was called up for consideration.

Senator Garrison asked to coauthor **SB 1166**, which was the order.

Senator Jolley moved that **SB 1166** be advanced, which motion was declared adopted.

THIRD READING

SB 1166 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 1166 was referred for engrossment.

Senator Aldridge presiding.

MOTION TO RECONSIDER VOTE

Senator Jolley moved to reconsider the vote whereby **SB 981** passed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

THIRD READING

Senator Jolley moved to reconsider the vote whereby **SB 981** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 981 by Mazzei and Ivester of the Senate and Hickman of the House was called up for further consideration.

Senator Jolley asked unanimous consent, which was granted, to amend **SB 981**, Page 1, by restoring the title.

Senator Jolley moved that **SB 981** be advanced, which motion was declared adopted.

THIRD READING

SB 981 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 981 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1012, 1019, 1022, 1063, 1101, 1319, 1321, 1332, 1462, 1472, 1481, 1581, 1591, 1603, 1604, 1616, 1707, 1747, 2054, 2149, 2176, 2249, 2251 and 2264** and **HJR 1014** and **HCR 1010** .

HB 1012 – By Wright (John) of the House and Aldridge of the Senate.

An Act relating to sunset; amending Section 3, Chapter 121, O.S.L. 2003, as last amended by Section 1, Chapter 111, O.S.L. 2007 (10 O.S. Supp. 2008, Section 640.1), which relates to the Oklahoma Partnership for School Readiness Board; re-creating the Board; and modifying termination date.

HB 1019 – By Wright (John) of the House and Aldridge of the Senate.

An Act relating to sunset; amending 10 O.S. 2001, Section 1430.4, as amended by Section 1, Chapter 9, O.S.L. 2003 (10 O.S. Supp. 2008, Section 1430.4), which relates to the Group Homes for Persons with Developmental or Physical Disabilities Advisory Board; re-creating the Board; and modifying termination date.

HB 1022 – By Wright (John) of the House and Aldridge of the Senate.

An Act relating to sunset; amending Section 2, Chapter 348, O.S.L. 2005 (74 O.S. Supp. 2008, Section 18p-2), which relates to the Domestic Violence and Sexual Assault Advisory Council; re-creating the Council; eliminating obsolete language; and modifying termination date.

HB 1063 – By Sherrer of the House and Burrage of the Senate.

An Act relating to court procedure; creating the Oklahoma District Court Improvement Act; providing short title; amending 28 O.S. 2001, Section 86, as amended by Section 2, Chapter 525, O.S.L. 2004 (28 O.S. Supp. 2008, Section 86), which relates to fees paid to jurors; modifying persons required to pay fee to the Lengthy Trial Fund; modifying purposes for the Lengthy Trial Fund; modifying exemptions from payment of fee to the Lengthy Trial Fund; amending 38 O.S. 2001, Sections 18, as last amended by Section 1, Chapter 234, O.S.L. 2003, 20.1 and 28, as last amended by Section 1, Chapter 339, O.S.L. 2008 (38 O.S. Supp. 2008, Sections 18 and 28), which relate to jury service; expanding sources for ascertaining names of persons qualified for jury service; modifying oath; modifying mandatory exemption from jury service; amending 68 O.S. 2001, Section 205, as last amended by Section 5, Chapter 378, O.S.L. 2008 (68 O.S. Supp. 2008, Section 205), which relates to confidential records and files of the Oklahoma Tax Commission; expanding exceptions; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1101 – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

(Constitutional Reserve Fund – appropriation - stating purpose – nonfiscal)

HB 1319 – By Shoemake of the House and Ballenger of the Senate.

An Act relating to probate procedure; amending 58 O.S. 2001, Section 393, as amended by Section 1, Chapter 417, O.S.L. 2004 (58 O.S. Supp. 2008, Section 393), which relates to the payment of certain debts or the transfer of certain interests to a decedent's successor; adding mineral interests to items transferable upon presentment of an affidavit; requiring county court clerks to accept certain affidavits as conveyances; and providing an effective date.

HB 1321 – By Reynolds, Martin (Steve) and Shumate of the House and Sykes of the Senate.

An Act relating to motor vehicles; creating the Eliminate Driver License Lines Act; amending 47 O.S. 2001, Section 6-110, as last amended by Section 2, Chapter 394, O.S.L. 2005 (47 O.S. Supp. 2008, Section 6-110), which relates to examinations for driver license applicants; authorizing certain persons to apply for certification; requiring Department of Public Safety to adopt curriculum of courses and training; requiring payment of initial certification fee; stating amount of fee; requiring payment of annual certification fee; stating amount of fee; stating purpose of fee; providing for deposit of fees; providing for promulgation of certain rules; amending 47 O.S. 2001, Sections 6-101, as last amended by Section 23, Chapter 44, 2nd Extraordinary Session, O.S.L. 2006 and 6-105, as last amended by Section 1, Chapter 83, O.S.L. 2008 (47 O.S. Supp. 2008, Sections 6-101 and 6-105), which relate to the issuance, renewal and expiration of driver licenses; modifying waiver exception for motorcycle endorsement; allowing waiver of written and driving examinations for certain permits and licenses under certain circumstances; amending 47 O.S. 2001, Section 6-201, as last amended by Section 5, Chapter 149, O.S.L. 2004 (47 O.S. Supp. 2008, Section 6-201), which relates to the cancellation or denial of driving privileges; modifying name of unit within the Department of Public Safety; amending 47 O.S. 2001, Section 805, which relates to commercial driver training license fees; providing term amount for the issuance of certain licenses; increasing license fee amounts; providing for noncodification; and providing an effective date.

HB 1332 – By Denney, Williams, Renegar, Nations, McDaniel (Jeannie) and Kiesel of the House and Branan and Coates of the Senate.

(animals - Oklahoma Pet Quality Assurance and Protection Act - Pet Quality Assurance Enforcement Fund – codification – noncodification – effective date)

HB 1462 – By Trebilcock of the House and Nichols of the Senate.

An Act relating to schools; amending Section 1, Chapter 160, O.S.L. 2006 (70 O.S. Supp. 2008, Section 1210.284), which relates to vision screening; modifying duties of certain advisory committee; and providing an effective date.

HB 1472 – By Sanders, Murphey, Hickman and Walker of the House and Schulz and Marlatt of the Senate.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 662, as amended by Section 3, Chapter 157, O.S.L. 2006 (69 O.S. Supp. 2008, Section 662), which relates to county bridge improvement; increasing certain account reimbursement limits; providing an effective date; and declaring an emergency.

HB 1481 – By Kern and Denney of the House and Paddock of the Senate.

An Act relating to professions and occupations; amending Section 1, Chapter 138, O.S.L. 2003, as last amended by Section 3, Chapter 133, O.S.L. 2007 (59 O.S. Supp. 2008, Section 493.5), which relates to the special volunteer medical license; expanding class of persons eligible for license; amending Section 34, Chapter 368, O.S.L. 2004 (76 O.S. Supp. 2008, Section 32), which relates to the Volunteer Medical Professional Services Immunity Act; eliminating certain requirements; specifying certain licensing covered by act; and providing an effective date.

HB 1581 – By Coody, Kern, Shumate and Tibbs of the House and Jolley of the Senate.

An Act relating to schools; amending Section 4, Chapter 431, O.S.L. 2005 (70 O.S. Supp. 2008, Section 1210.508F), which relates to training for teachers of students with reading difficulties; requiring certain institutions within The Oklahoma State System of Higher Education to incorporate into certain teaching programs the study of certain reading instruction elements; requiring certain teacher candidates to pass an assessment of reading instruction skills; specifying skills to be measured in the assessment; requiring institutions to report results of the assessment on an annual report; directing the Oklahoma Commission for Teacher Preparation to include the data in certain annual report; stating legislative intent; providing an effective date; and declaring an emergency.

HB 1591 – By Coody, Kern, Shumate and Tibbs of the House and Jolley of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1210.508B, as last amended by Section 1, Chapter 146, O.S.L. 2006 (70 O.S. Supp. 2008, Section 1210.508B), which relates to the Reading Sufficiency Act; requiring all reading instruction in certain grades to include certain elements of instruction; listing elements; providing an effective date; and declaring an emergency.

HB 1603 – By Sullivan, McCullough, Derby and Osborn of the House and Coffee of the Senate.

An Act relating to civil procedure; requiring appointment of attorney for specified purpose; providing for award of certain fees; requiring plaintiff to attach certain affidavit in civil action for negligence; defining term; providing statute of repose for product liability actions; providing exclusions; clarifying scope and application; amending Section 2, Chapter 368, O.S.L. 2004 and 12 O.S. 2001, Sections 134 and 137 (12 O.S. Supp. 2008, Section 130), which relate to venue; modifying venue for certain actions; authorizing the court to decline to exercise jurisdiction under the doctrine of forum non conveniens; providing that bringing action in county in which venue does not lie does not toll statute of

limitations; requiring each plaintiff to establish venue in cases in which there are multiple plaintiffs; providing for interlocutory appeals; providing requirements for Oklahoma Uniform Jury Instructions; amending 12 O.S. 2001, Section 588, which relates to general and specific findings; modifying procedure; amending 12 O.S. 2001, Sections 683 and 684, as amended by Sections 3 and 4, Chapter 368, O.S.L. 2004 (12 O.S. Supp. 2008, Sections 683 and 684), which relate to dismissal; modifying procedure for dismissal without court order; providing for dismissal of action under certain circumstances; allowing for extension under certain circumstances; requiring plaintiff to provide certain information; amending Section 7, Chapter 368, O.S.L. 2004 (12 O.S. Supp. 2008, Section 727.1), which relates to interest on judgments; modifying time of accrual of prejudgment interest on certain actions; modifying method of computing interest; amending 12 O.S. 2001, Sections 990.4, as last amended by Section 6, Chapter 1, O.S.L. 2005, 993, 2004, as amended by Section 7, Chapter 402, O.S.L. 2002, 2008, 2009, 2011, as amended by Section 10, Chapter 368, O.S.L. 2004, Section 1, Chapter 370, O.S.L. 2004, as amended by Section 10, Chapter 12, O.S.L. 2007, 2023 and 2702 (12 O.S. Supp. 2008, Sections 990.4, 2004, 2011 and 2011.1), which relate to stays of enforcement, interlocutory appeals, the Oklahoma Pleading Code, frivolous claims or defenses, class actions and expert testimony; modifying certain appeal bond procedures; modifying grounds and procedure for interlocutory appeals; modifying time limit for service of process; modifying monetary threshold for which amount of damages is not specified; limiting amount of damages that may be recovered under certain circumstances; modifying procedure for petition for special damages; modifying definitions; providing procedure for pretrial conferences; requiring certain standard of review upon appeal of order maintaining a class action; requiring stay of discovery while appeal is pending; requiring potential class members to request inclusion in the class; providing for determination of attorney fees in class actions; requiring plaintiffs to sign representation agreements; providing method of calculating attorney fees for class action cases; providing for judicial discretion to modify the fee award; requiring attorney fees to include noncash benefits in certain circumstances; defining term; providing class membership limitations; providing procedure for summary judgment; providing that certain evidence is admissible in certain actions; providing requirements for expert testimony; providing role of the court; providing for interpretation; stating legislative intent; amending 12 O.S. 2001, Section 3226, as last amended by Section 3, Chapter 519, O.S.L. 2004 (12 O.S. Supp. 2008, Section 3226), which relates to discovery; eliminating requirement that a party produce certain agreement; requiring certain disclosures prior to discovery request; amending 15 O.S. 2001, Sections 754 and 761.1, which relate to the Oklahoma Consumer Protection Act; updating statutory reference; excepting certain actions, transactions, and claims from the Oklahoma Consumer Protection Act; requiring certain losses to be ascertainable; providing for private right of action for actual damages; providing for determination of actual damages; allowing court to order reimbursement of certain costs and fees; providing for maximum amount that court may order as reimbursement of certain costs and fees; requiring certain proof in order to recover damages; defining terms; amending 23 O.S. 2001, Section 9.1, as amended by Section 1, Chapter 462, O.S.L. 2002 (23 O.S. Supp. 2008, Section 9.1), which relates to punitive damages; modifying factors to be considered in awarding punitive damages; requiring presentation of prima facie evidence for punitive damages claims prior to certain discovery; prohibiting punitive damages in product liability actions under certain conditions; providing restrictions and procedures for

punitive damages in medical liability actions; providing for periodic payment of certain damages; amending Section 18, Chapter 368, O.S.L. 2004 and 23 O.S. 2001, Section 61 (23 O.S. Supp. 2008, Section 15), which relate to joint and several liability and obligations not arising from contract; modifying exceptions to severability; providing limits of liability for noneconomic damages for certain actions; requiring certain adjustment; defining term; requiring admission of evidence of certain payments; limiting evidence to amounts paid; excluding certain payments; allowing discretion in limiting award of certain damages; providing exception; defining term; providing that proof of certain losses must be in the form of a net loss after reduction for income tax payments or unpaid tax liability; amending 47 O.S. 2001, Sections 11-1112, as last amended by Section 1, Chapter 361, O.S.L. 2005 and 12-420, as amended by Section 13, Chapter 50, O.S.L. 2005 (47 O.S. Supp. 2008, Sections 11-1112 and 12-420), which relate to child passenger restraint systems and seat belts; eliminating prohibitions against admissibility of certain evidence in civil actions; amending Section 7, Chapter 390, O.S.L. 2003 (63 O.S. Supp. 2008, Section 1-1708.1G), which relates to prejudgment interest for medical liability actions; providing time that prejudgment interest accrues; amending 63 O.S. 2001, Section 1-1709.1, as last amended by Section 2, Chapter 558, O.S.L. 2004 (63 O.S. Supp. 2008, Section 1-1709.1), which relates to peer review information; providing that certain information is not subject to discovery or admissible at trial; requiring certain findings for certain information to be admissible; creating the Uniform Emergency Volunteer Health Practitioners Act; providing short title; defining terms; providing for application; authorizing the State Department of Health to regulate volunteer health practitioners in a declared emergency; requiring certain consultation and compliance of specified host entities; setting requirements for a volunteer health practitioner registration system; permitting certain confirmation; requiring certain notification; authorizing host entities to refuse the services of a volunteer health practitioner; permitting certain volunteer health practitioners to practice in this state during a declared emergency; prohibiting certain volunteer health practitioners from certain protections; defining terms; clarifying credentialing or privileging standards; requiring adherence to certain scopes of practice; prohibiting the providing of services outside a practitioner's scope of practice; authorizing the Department or a host entity to restrict certain services; providing certain protection; permitting certain licensing boards to impose administrative sanctions; requiring certain reporting; requiring certain consideration; providing for certain rights, privileges or immunities; permitting the Department to incorporate certain volunteer health practitioners; authorizing the State Board of Health to promulgate rules; requiring consideration for uniformity; amending 63 O.S. 2001, Sections 683.9 and 683.13, as amended by Sections 9 and 12, Chapter 329, O.S.L. 2003 (63 O.S. Supp. 2008, Sections 683.9 and 683.13), which relate to the Emergency Management Act of 2003; modifying definition; providing certain exclusion; stating legislative findings; defining terms; providing for confidentiality of certain records; prohibiting certain testimony; limiting liability of certain persons; prohibiting submission of certain information into evidence; amending 76 O.S. 2001, Sections 5.5, 25 and 31, which relate to limitations for certain actions, professional review bodies, civil immunity for volunteers, charitable organizations, and not-for-profit corporations; establishing a statute of repose for certain actions; providing that peer review information is private, confidential and privileged; providing exception; providing notice requirement; providing that certain information is not subject to discovery or admissible at trial; prohibiting testimony by

certain persons; modifying definition; creating the Common Sense Consumption Act; providing short title; stating legislative intent; defining terms; providing immunity from civil liability for certain claims; providing exception; providing pleading requirements; providing for stay of discovery and other proceedings in certain circumstances; providing scope of claims covered; stating legislative findings; limiting liability of certain manufacturers; limiting liability of certain associations; clarifying applicability of certain provisions; creating the Product Liability Act; providing short title; defining terms; providing that a manufacturer or seller shall not be liable for inherently unsafe products; providing procedures and requirements in actions alleging design defect; limiting liability of nonmanufacturing sellers; providing rebuttable presumption in actions relating to pharmaceutical products; providing rebuttable presumption concerning compliance with government standards; defining term; making evidence regarding measures taken after injury inadmissible; requiring filing of certain affidavit and procedures therefor; creating the Asbestos and Silica Claims Priorities Act; providing legislative findings; stating purposes; defining terms; providing elements of proof and proceedings for asbestos or silica claims; providing that certain evidence does not create a presumption; providing that certain evidence is inadmissible; providing for discovery; providing for consolidation of claims; authorizing the court to decline to exercise jurisdiction in certain circumstances; providing for venue; providing a statute of limitations; establishing two-disease rule; providing scope of applicability of the Asbestos and Silica Claims Priorities Act; creating the Innocent Successor Asbestos-Related Liability Fairness Act; defining terms; providing limitations on successor asbestos-related liabilities; providing method for establishing fair market value of gross assets; providing for adjustment of fair market value; providing scope of act; providing date of application; repealing Section 1, Chapter 368, O.S.L. 2004 (5 O.S. Supp. 2008, Section 7.1), which relates to the award of attorney fees in class actions; repealing Section 4, Chapter 390, O.S.L. 2003, Section 6, Chapter 390, O.S.L. 2003, as amended by Section 21, Chapter 368, O.S.L. 2004 and Section 22, Chapter 368, O.S.L. 2004 (63 O.S. Supp. 2008, Sections 1-1708.1D, 1-1708.1F and 1-1708.1F-1), which relate to limits on noneconomic damages in medical liability actions; repealing Section 19, Chapter 473, O.S.L. 2003 (63 O.S. Supp. 2008, Section 6602), which relates to emergency powers regarding licensing and appointment of health personnel; providing for codification; providing for noncodification; providing for severability; and providing an effective date.

HB 1604 – By Sullivan of the House and Bingman of the Senate.

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Section 521, as last amended by Section 2, Chapter 349, O.S.L. 2008 (37 O.S. Supp. 2008, Section 521), which relates to licenses; modifying scope of actions authorized by wholesaler licensee; limiting the amount of inventory licensee may purchase from certain wholesalers; providing exception; providing method to calculate volume of inventory; prohibiting certain purchase of inventory until threshold is attained; providing for valuation of inventory; requiring wholesalers maintain certain amounts of certain brands; requiring sales report; providing for volume calculation; providing for severability; and providing an effective date.

HB 1616 – By Sullivan of the House and Crain of the Senate.

An Act relating to mental health; amending 43A O.S. 2001, Section 5-207, as last amended by Section 16, Chapter 97, O.S.L. 2006 (43A O.S. Supp. 2008, Section 5-207),

which relates to emergency detention of persons appearing to be mentally ill, alcohol dependent, or drug dependent; specifying procedures for an officer to take when a person is medically unstable; authorizing a physician to detain a person until medically stable; specifying procedures upon determination of emergency detention subsequent to an initial assessment; and providing an effective date.

HB 1707 – By Derby of the House and Crain of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Sections 2-402, as amended by Section 3, Chapter 396, O.S.L. 2004 and 2-410, as amended by Section 1, Chapter 308, O.S.L. 2008 (63 O.S. Supp. 2008, Sections 2-402 and 2-410), which relate to the Uniform Controlled Dangerous Substances Act; modifying certain penalties to include imposition of a fine; providing time limitation for use of prior conviction records; and providing an effective date.

HB 1747 – By Blackwell of the House and Schulz of the Senate.

(energy - electric transmission system advisor – codification – emergency)

HB 2054 – By Thompson of the House and Marlatt of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 14-101, as last amended by Section 1, Chapter 324, O.S.L. 2007 (47 O.S. Supp. 2008, Section 14-101), which relates to the issuance of annual overweight permits; allowing Commissioner of Public Safety to issue certain permit; providing for the issuance of oversize and overweight annual vehicle permits for specific motor vehicles and motor carriers; providing procedures and guidelines for issuing permits; prohibiting transferability of permits between permittees; providing for transferability of permits between vehicles; providing for the replacement of permits under certain circumstances; prohibiting replacement of permits under certain circumstances; providing for codification; and providing an effective date.

HB 2149 – By Armes of the House and Anderson of the Senate.

An Act relating to agriculture; creating the Agriculture Evidence and Law Enforcement Fund; providing for administration; stating purpose; providing for expenditures; establishing certain limitations; amending 4 O.S. 2001, Section 270.2, which relates to the enforcement of laws relating to livestock brands; authorizing agriculture law enforcement agents to enforce laws; amending 47 O.S. 2001, Section 4-103, which relates to receiving or disposing of a vehicle; including implement of husbandry in certain crime; providing for codification; and providing an effective date.

HB 2176 – By Nelson and Hickman of the House and Aldridge of the Senate.

An Act relating to public finance; amending 62 O.S. 2001, Section 45.1, as amended by Section 4, Chapter 301, O.S.L. 2003 (62 O.S. Supp. 2008, Section 45.1), which relates to the Oklahoma Program Performance Budgeting and Accountability Act; modifying filing requirement; providing penalty for certain agencies; providing an effective date; and declaring an emergency.

HB 2249 – By Terrill, Hilliard, Kern, Shumate, Fields, McDaniel (Jeannie), Denney, Tibbs and Inman of the House and Myers of the Senate.

(schools - Oklahoma Higher Learning Access Program - nonguaranteed resident tuition – effective date – emergency)

HB 2251 – By Terrill of the House and Nichols of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-106, as amended by Section 1, Chapter 456, O.S.L. 2004 (63 O.S. Supp. 2008, Section 1-106), which relates to the State Commissioner of Health; modifying purposes for which a subpoena may be issued; creating the Legal Expense Operating Account; providing certain limitation on deposits; authorizing the State Department of Health to issue vouchers; specifying purpose of account; providing for certain authority over appropriations; providing for codification; and providing an effective date.

HB 2264 – By Christian of the House and Russell of the Senate.

An Act relating to motor vehicles; making certain acts unlawful; amending 47 O.S. 2001, Section 12-417, as last amended by Section 10, Chapter 190, O.S.L. 2005 (47 O.S. Supp. 2008, Section 12-417), which relates to the Oklahoma Mandatory Seat Belt Use Act; clarifying scope of certain prohibited act; modifying definition of certain term; amending 47 O.S. 2001, Section 14-118, as last amended by Section 1, Chapter 55, O.S.L. 2007 (47 O.S. Supp. 2008, Section 14-118), which relates to size, weight and load restrictions on state highways; deleting length limitation for saddlemount tow combinations; amending 47 O.S. 2001, Section 230.6, as last amended by Section 14, Chapter 390, O.S.L. 2004 (47 O.S. Supp. 2008, Section 230.6), which relates to the Oklahoma Motor Carrier Safety and Hazardous Materials Transportation Act; clarifying scope of certain prohibited acts; increasing amount of administrative penalties; levying certain fee on motorcycles; stating amount of fee; providing for collection of fee; providing for transfer of collected revenue to the Motorcycle Safety and Education Program Revolving Fund; requiring collection and payment of fee as prerequisite to licensing or registration of motorcycle; providing for codification; and providing an effective date.

HJR 1014 – By Osborn, Enns, Reynolds, Martin (Steve) and Tibbs of the House and Lamb of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 55A to Article V; prohibiting restrictions on certain powers of Legislature; providing expenditures not required based upon certain predetermined basis or by reference to expenditures of other government or other entities; providing ballot title; and directing filing.

HCR 1010 – By Lamons, Armes, Auffet, Bailey, Banz, Benge, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, DeWitt, Denney, Derby, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy),

McMullen, McNeil, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold) and Wright (John).

A Concurrent Resolution recognizing the importance of finding the cause and cure for multiple sclerosis; expressing appreciation to the Oklahoma Chapter of the National Multiple Sclerosis Society for its work; proclaiming March, 2009 as Multiple Sclerosis Awareness Month; and providing for distribution.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 878 by Johnson (Mike) of the Senate and Miller of the House was called up for consideration.

Senator Johnson (Mike) moved that **SB 878** be advanced, which motion was declared adopted.

THIRD READING

SB 878 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, Ballenger, Barrington, Bass, Branan, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--40.

Nay: Anderson, Brogdon and Corn.--3.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill and emergency passed.

SB 878 was referred for engrossment.

GENERAL ORDER

SB 800 by Sykes of the Senate and Murphey of the House was called up for consideration.

Senator Sykes moved that **SB 800** be advanced, which motion was declared adopted.

THIRD READING

SB 800 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 800 was referred for engrossment.

GENERAL ORDER

SB 826 by Sykes of the Senate and Johnson of the House was called up for consideration.

Senators Leftwich and Brogdon asked to coauthor **SB 826**, which was the order.

Senator Sykes moved that **SB 826** be advanced, which motion was declared adopted.

THIRD READING

SB 826 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, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, 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.--43.

Excused: Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--5.

The bill passed.

SB 826 was referred for engrossment.

Senator Sykes presiding.

GENERAL ORDER

SB 508 by Wilson of the Senate and DeWitt and Auffet of the House was called up for consideration.

Senator Wilson moved that **SB 508** be advanced, which motion was declared adopted.

THIRD READING

SB 508 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, Anderson, Ballenger, Barrington, Bass, Branan, Burrage, Coates, Corn, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Rice, Russell, Sparks, Sweeden, Wilson and Wyrick.--34.

Nay: Brogdon, Brown, Crain, Justice, Reynolds, Schulz, Stanislawski and Sykes.--8.

Excused: Aldridge, Bingman, Coffee, Eason McIntyre, Gumm and Mazzei.--6.

The bill and emergency passed.

SB 508 was referred for engrossment.

GENERAL ORDER

SB 919 by Sparks of the Senate and McDaniel (Randy) of the House was called up for consideration.

Senator Sparks moved that **SB 919** be advanced, which motion was declared adopted.

THIRD READING

SB 919 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, Anderson, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--39.

Excused: Aldridge, Bingman, Coffee, Corn, Eason McIntyre, Gumm, Mazzei, Nichols and Reynolds.--9.

The bill and emergency passed.

SB 919 was referred for engrossment.

GENERAL ORDER

SB 848 by Branan of the Senate and Nelson of the House was called up for consideration.

Senator Branan moved that **SB 848** be advanced, which motion was declared adopted.

THIRD READING

SB 848 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, Branan, Brogdon, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--39.

Excused: Aldridge, Bingman, Coffee, Corn, Eason McIntyre, Gumm, Mazzei, Nichols and Reynolds.--9.

The bill passed.

SB 848 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 764

The above-numbered measure was referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HB 1127**.

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

GENERAL ORDER

SB 483 by Jolley and Lamb of the Senate and Terrill of the House was called up for consideration.

Senator Jolley moved to amend **SB 483**, Page 1, by striking the title, which amendment failed of adoption upon roll call as follows:

Aye: Anderson, Brogdon, Brown, Crain, Ford, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Russell, Schulz, Stanislawski and Sykes.--18.

Nay: Adelson, Ballenger, Barrington, Bass, Branan, Burrage, Coates, Crutchfield, Easley, Ellis, Garrison, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweden, Wilson and Wyrick.--21.

Excused: Aldridge, Bingman, Coffee, Corn, Eason McIntyre, Gumm, Mazzei, Nichols and Reynolds.--9.

Senator Jolley moved that **SB 483** be advanced, which motion was declared adopted.

THIRD READING

SB 483 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, Branan, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--37.

Excused: Aldridge, Bingman, Brogdon, Coffee, Corn, Eason McIntyre, Gumm, Johnson (M), Mazzei, Nichols and Reynolds.--11.

The bill passed.

SB 483 was referred for engrossment.

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 9, 2009, at 10:00 a.m., which motion prevailed.

**BILL RELEASED
TIME EXPIRED TO RECONSIDER**

SB 1133 was referred for engrossment.

Pursuant to the Lamb motion, the Senate adjourned at 12:00 p.m. to meet Monday, March 9, 2009, at 10:00 a.m.