

# Senate Journal

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

**Fifty-first Legislative Day, Wednesday, April 29, 2009**

The Senate was called to order by Senator Sykes.

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 Sykes declared a quorum present.

The prayer was offered by Reverend Paul Taylor, Liberty Church, Tulsa, the guest of Senator Mazzei.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HB 1332** and **HJR 1035** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

### MESSAGES FROM THE HOUSE

Advising naming House conferees on Engrossed:

**HB 1032** - Murphey, Derby, Martin (Scott), Pittman, Scott and Miller

**HB 1294** - Murphey, Kern, Tibbs, Ortega, Pruett and Liebmann

**HB 1389** - Osborn, McNiel, McDaniel (Randy), McCullough, Kouplen, Buck and Johnson

**HB 1460** - Peterson, Duncan, Jordan, Rousselot and Morrissette

**HB 1474** - Murphey, Coody, Denney, Scott and Pruett

**HB 1780** - Jones, Denney, DeWitt, Morrissette, Ownbey, Thomsen, Sherrer and Miller

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

**SB 300** - Thompson, Watson, Proctor, Morgan, Peters, Sanders, Shannon, Schwartz and Walker

**SB 306** - Jordan, Schwartz, Martin (Scott), McNeil, Proctor and Scott

**SB 313** - Thompson, Miller, Liebmann, Jackson, Sanders, Watson, Brannon, Sherrer and Pruett

**SB 394** - Sullivan, Coody, Dank, Sears, Shumate, McDaniel (Jeannie) and Kern

**SB 411** - Nelson, Peterson, McCullough, Watson, Rousselot, Sherrer and Shelton

**SB 490** - Sullivan, Duncan, Terrill, Kirby, Morrissette and Lamons

**SB 521** - Peters, Pittman, Shumate, Liebmann, Duncan and Miller

**SB 610** - Watson, Martin (Scott), Peters, Thompson, Sanders, Jordan, Morgan, Scott, Kouplen and Rousselot

**SB 718** - Holland, Ortega, Enns, Buck, Dorman and Jackson

**SB 757** - Steele, Cox, DeWitt, Rousselot and Glenn

**SB 794** - Murphey, McCullough, Moore, Kern, Dorman, Carey and Nelson

**SB 800** - Murphey, Key, Terrill, Kern, Pruett, Scott, Jackson and Pittman

**SB 812** - Liebmann, Moore, Joyner, Duncan, Pruett and Shumate

**SB 980** - Murphey, Derby, Martin (Scott), Shannon, Osborn, Dorman, Scott and Miller

**SB 987** - Ownbey, Sears, Buck, Nelson, Carey and Miller

**SB 989** - Enns, Duncan, Jordan, Sullivan, Lamons and Inman

**SB 1073** - Sullivan, Duncan, McCullough, Jordan, Morrissette and Kiesel

**SB 1123** - Thompson, Duncan, Christian, Sanders, Sullivan, Jackson, Dorman, Hilliard and Lamons

**SB 1126** - Nelson, Duncan, Peterson, Sullivan, Lamons, Rousselot and Inman

**SB 1175** - Watson, Miller, McDaniel (Randy), Sears, Martin (Scott), Jackson, Morgan, Hilliard, Carey and Pruett

## **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 602** were concurred in upon motion of Senator Bingman.

**SB 602**, 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, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster,

Leftwich, Lerblance, Marlatt, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Nay: Johnson (C).--1.

Excused: Coffee, Mazzei and Myers.--3.

The bill passed.

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

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

**HAs** to **SBs 390** and **738** were rejected upon motion of Senator Lamb, conference requested, and Senate conferees to be named later.

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

Senator Easley asked unanimous consent to refer **SCR 11** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SCR 11** by Easley of the Senate and Sherrer of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 11**, which was the order.

**SCR 11** was adopted upon motion of Senator Easley and referred for engrossment.

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

Senator Aldridge asked unanimous consent to refer **SR 45** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SR 45** by Aldridge was called up for consideration.

All other members of the Senate asked to coauthor **SR 45**, which was the order.

**SR 45** was adopted upon motion of Senator Aldridge and referred for enrollment.

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

**HAs** to **SB 934** were concurred in upon motion of Senator Anderson.

Senator Johnson (Constance) asked to coauthor **SB 934**, which was the order.

**SB 934**, 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, Ballenger, Branan, Brogdon, Burrage, Coates, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Lerblance, Marlatt, Newberry, Reynolds, Schulz, Stanislawski, Sweeden and Sykes.--28.

Nay: Adelson, Barrington, Bass, Bingman, Brown, Corn, Eason McIntyre, Halligan, Laster, Leftwich, Nichols, Paddack, Rice, Russell, Sparks, Wilson and Wyrick.--17.

Excused: Coffee, Mazzei and Myers.--3.

The bill passed.

Pursuant to Rule 12-21, Senator Anderson served notice that the vote be reconsidered whereby **SB 934** passed.

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

**HAs** to **SB 335** were concurred in upon motion of Senator Paddack.

**SB 335**, 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, 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.--45.

Excused: Coffee, Easley and Mazzei.--3.

The bill passed.

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

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

**HAs** to **SB 572** were called up for consideration.

**SB 572**, as amended by the Honorable House, was read at length.

Senator Crain asked that **SB 572** be laid over temporarily, which was the order.

**SB 572** remains on pending consideration of HAs.

#### **EXECUTIVE NOMINATIONS**

The following executive nominations have been approved by the committees named:

Abel, Ed, Oklahoma City, to the Oklahoma Wildlife Conservation Commission, to serve an eight year term ending July 1, 2017, succeeding Malcolm J. Maguire. (Tourism and Wildlife Committee) Motion to confirm made by Senator Glenn Coffee.

Anglin, Harold Francis, Pryor, to the State Board of Career and Technology Education, to serve a six year term ending April 1, 2015, succeeding himself. (Education Committee) Motion to confirm made by Senator Sean Burrage.

Atha, Floyd W., Yukon, to the Oklahoma State Credit Union Board, to serve a four year term ending October 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Mike Johnson.

Baer, Gary, Oklahoma City, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Cliff Branan.

Beard, Charlie, Calumet, to the Board of Regents for Redlands Community College, to serve a seven year term ending April 22, 2016, succeeding Vicki Myers. (Education Committee) Motion to confirm made by Senator Mike Johnson.

Bell, Brent, Edmond, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2016, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Todd Lamb.

Boatman, Ken, Bethany, to the Crime Victims Compensation Board, to serve a four year term ending September 30, 2013, succeeding himself. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Glenn Coffee.

Boyd, Betty, Tulsa, to the Board of Trustees for Oklahoma State University/Tulsa, to serve a seven year term ending June 30, 2016, succeeding Joel Sander. (Education Committee) Motion to confirm made by Senator Brian Crain.

Capps, Gilmer J., Jr., Lawton, to the Board of Regents of Western Oklahoma State College, to serve a seven year term ending March 24, 2016, succeeding himself. (Education Committee) Motion to confirm made by Senator Randy Bass.

Cassidy, Mike, Edmond, to the Oklahoma Real Estate Commission, to serve a three year term ending July 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Clark Jolley.

Charlton, George R., Jr., Tulsa, to the Oklahoma Lottery Commission - Board of Trustees, to serve a four year term ending January 1, 2014, succeeding himself. (Finance Committee) Motion to confirm made by Senator Gary Stanislawski.

Chastain, LeAnn, Norman, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Glenda Mahaffey. (Education Committee) Motion to confirm made by Senator Jonathan Nichols.

Chumbley, Gene, Edmond, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2015, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Clark Jolley.

Clingman, Michael, Edmond, to the Director of State Finance, to serve at the pleasure of the Governor, succeeding Tony Hutchison. (Finance Committee) Motion to confirm made by Senator Clark Jolley.

Cohen, Julie, Norman, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an initial term ending June 30, 2014, succeeding a new position. (Education Committee) Motion to confirm made by Senator John Sparks.

Collins, Gary, Claremore, to the Air Quality Advisory Council, to serve an unexpired term ending June 15, 2010, succeeding Rick W. Treeman. (Energy and Environment Committee) Motion to confirm made by Senator Sean Burrage.

Conn, Chris, Tulsa, to the State Banking Board, to serve a six year term ending June 1, 2015, succeeding himself. (Finance Committee) Motion to confirm made by Senator Dan Newberry.

Cunningham, Ron, Hartshorne, to the Oklahoma Mining Commission, to serve a seven year term ending January 1, 2016, succeeding Ernest R. Achterberg. (Energy and Environment Committee) Motion to confirm made by Senator Richard Lerblance.

Dark, Anthony, Tulsa, to the Environmental Quality Board, to serve a five year term ending January 31, 2014, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Gary Stanislawski.

Deering, Myles, Norman, as Adjutant General, to serve at the pleasure of the Governor, succeeding Harry Wyatt III. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Jonathan Nichols.

Deering, Myles, Norman, as Cabinet Secretary of the Military, to serve at the pleasure of the Governor, succeeding Harry Wyatt III. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Jonathan Nichols.

Fagan, Tom, Weatherford, to the Oklahoma Student Loan Authority, to serve a five year term ending April 6, 2014, succeeding James O. Waites. (Education Committee) Motion to confirm made by Senator Mike Schultz.

Finley-McFalls, Maxine L., Ada, to the Alcoholic Beverage Laws Enforcement Commission, to serve a five year term ending September 18, 2014, succeeding herself. (Judiciary Committee) Motion to confirm made by Senator Susan Paddock.

Gault, Jeannie K., Elgin, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2012, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Don Barrington.

Godlove, Jane, Lawton, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an initial term ending June 30, 2012, succeeding a new position. (Education Committee) Motion to confirm made by Senator Randy Bass.

Greenhaw, Joshua, Oklahoma City, to the Capitol Medical Center Improvement and Zoning Commission, to serve an unexpired term ending January 31, 2010, succeeding D. Casey Davis. (General Government Committee) Motion to confirm made by Senator Andrew Rice.

Hancock, Joe, Hobart, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an initial term ending June 30, 2011, succeeding a new position. (Education Committee) Motion to confirm made by Senator Tom Ivester.

Hartin, Brent, Marietta, to the Board of Trustees for the Ardmore Higher Education Program, to serve a nine year term ending June 30, 2018, succeeding himself. (Education Committee) Motion to confirm made by Senator Johnnie Crutchfield.

Hartley-Kelso, Deanna, Ada, to the Board of Juvenile Affairs, to serve a four year term ending March 15, 2013, succeeding Jay Keel. (Health and Human Services Committee) Motion to confirm made by Senator Susan Paddack.

Hartz, Jim, Alexandria, to the Will Rogers Memorial Commission, to serve a six year term ending March 1, 2015, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

Hefton, Dick, Oklahoma City, to the Board of Regents for Rose State College, to serve a seven year term ending July 1, 2016, succeeding Ray Hardin. (Education Committee) Motion to confirm made by Senator Cliff Branan.

Henderson, Kenneth, Seminole, to the Board of Regents of Seminole State College, to serve a seven year term ending July 1, 2016, succeeding Roger Nansel. (Education Committee) Motion to confirm made by Senator Harry Coates.

Hendrick, Jenny, Oklahoma City, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an initial term ending June 30, 2013, succeeding a new position. (Education Committee) Motion to confirm made by Senator Andrew Rice.

Huff, Mark R., Watonga, to the State Fire Marshal Commission, to serve a five year term ending July 1, 2014, succeeding himself. (General Government Committee) Motion to confirm made by Senator Ron Justice.

Jackson, Teresa Kay, Harshorne, to the Board of Regents of Eastern Oklahoma State College, to serve a seven year term ending June 1, 2016, succeeding Ken Bass. (Education Committee) Motion to confirm made by Senator Richard Lerblance.

Johnson, Hannibal B., Tulsa, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2015, succeeding himself. (General Government Committee) Motion to confirm made by Senator Judy Eason McIntyre.

Jones, John Selden, Lawton, to the Committee of Home Inspector Examiners, to serve a three year term ending June 30, 2012, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Randy Bass.

Jones, Hugh R., Woodward, to the Oklahoma Development Finance Authority, to serve a six year term ending October 11, 2015, succeeding Homer Paul. (Finance Committee) Motion to confirm made by Senator Bryce Marlatt.

Jones, Hugh R., Woodward, to the Oklahoma Industrial Finance Authority, to serve a six year term ending October 11, 2015, succeeding Homer Paul. (Finance Committee) Motion to confirm made by Senator Bryce Marlatt.

Jones, Dan C., Kaw City, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2012, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Joe Sweeden.

Ketter, Travis, El Reno, to the Board of Regents for Redlands Community College, to serve a seven year term ending April 22, 2015, succeeding Richard C. Lemon. (Education Committee) Motion to confirm made by Senator Ron Justice.

LaBrake, Dan, Broken Arrow, to the Committee of Home Inspector Examiners, to serve a three year term ending June 30, 2012, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Mary Easley.

Lassiter, John Douglas, Moore, to the Board of Pharmacy, to serve a five year term ending June 30, 2014, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Anthony Sykes.

Lawson, Ron, Spiro, to the Board of Regents for Carl Albert State College, to serve a seven year term ending July 1, 2016, succeeding himself. (Education Committee) Motion to confirm made by Senator Kenneth Corn.

Lindley, George W., Duncan, to the Board of Juvenile Affairs, to serve a four year term ending July 1, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Anthony Sykes.

Matlock, Terry, Garvin, to the Regional University System of Oklahoma, to serve a nine year term ending June 10, 2018, succeeding Ann Holloway. (Education Committee) Motion to confirm made by Senator Jerry Ellis.

McElderry, Neil, Jr., Purcell, to the Oklahoma Human Rights Commission, to serve an unexpired term ending July 15, 2012, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator John Sparks.

Meacham, Randolph S., Clinton, to the Oklahoma Indigent Defense System Board, to serve a five year term ending July 1, 2014, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Mike Schulz.

Meshri, Dayal T., Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2013, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Gary Stanislawski.

Moses, Bob, Guthrie, to the Commission on Consumer Credit, to serve an unexpired term ending January 1, 2010, succeeding Wanda DeBruler. (Business and Labor Committee) Motion to confirm made by Senator Jim Halligan.

Myers, Sharon, Ada, to the Air Quality Advisory Council, to serve a seven year term ending June 15, 2016, succeeding herself. (Energy and Environment Committee) Motion to confirm made by Senator Susan Paddack.

Nero, Donnie, Warner, to the Board of Juvenile Affairs, to serve a four year term ending March 15, 2013, succeeding Lonelia Lee Simmons. (Health and Human Services Committee) Motion to confirm made by Senator Earl Garrison.

Newsome, David, Tulsa, to the Board of Dentistry, to serve a three year term ending July 1, 2012, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Noble, Stan B., Sand Springs, to the Commission on Marginally Producing Oil and Gas Wells, to serve a three year term ending December 31, 2012, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Dan Newberry.

Packwood, Carl, Shawnee, to the Council of Bond Oversight, to serve an unexpired term ending September 26, 2008, succeeding Robert B. Holland, Jr.. (Finance Committee) Motion to confirm made by Senator Charlie Laster.

Packwood, Carl, Shawnee, to the Council of Bond Oversight, to serve a two year term ending September 26, 2010, succeeding himself. (Finance Committee) Motion to confirm made by Senator Charlie Laster.

Paul, William G., Oklahoma City, to the Oklahoma Lottery Commission - Board of Trustees, to serve a five year term ending January 1, 2014, succeeding himself. (Finance Committee) Motion to confirm made by Senator Glenn Coffee.

Petete, Vicky, Ada, to the Oklahoma Accountancy Board, to serve a five year term ending June 30, 2014, succeeding herself. (Business and Labor Committee) Motion to confirm made by Senator Susan Paddack.

Pfeifer, Nancy J., Tulsa, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2012, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Pierce, Paul, M.D., Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2016, succeeding Jack Turner. (Health and Human Services Committee) Motion to confirm made by Senator Constance N. Johnson.

Regan, Amy, Tulsa, to the Oklahoma Tourism and Recreation Commission, to serve a six year term ending July 1, 2015, succeeding herself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Tom Adelson.

Riley, David, Amber, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Ron Justice.

Rodden, Kirk A., Madill, to the Board of Trustees for the Ardmore Higher Education Program, to serve an unexpired term ending June 30, 2014, succeeding Cindy R. Stewart. (Education Committee) Motion to confirm made by Senator Jay Paul Gumm.

Root, Joey, Oklahoma City, to the Commission on Consumer Credit, to serve a five year term ending January 1, 2014, succeeding Gary L. Betow. (Business and Labor Committee) Motion to confirm made by Senator Todd Lamb.

Rose, Sandra, Norman, to the Environmental Quality Board, to serve a five year term ending January 31, 2014, succeeding herself. (Energy and Environment Committee) Motion to confirm made by Senator John Sparks.

Rubenstein, Michael, Edmond, to the Oklahoma Human Rights Commission, to serve an unexpired term ending July 15, 2009, succeeding Keith O. McArtor. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Rubenstein, Michael, Edmond, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2012, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Sack, Theodore A., Sand Springs, to the State Board of Registration for Professional Engineers and Land Surveyors, to serve a six year term ending June 28, 2015, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Joe Sweden.

Salmon, Terry L., Norman, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2013, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Jonathan Nichols.

Scott, Kelly M., Tecumseh, to the State Board of Licensed Social Workers, to serve a five year term ending July 1, 2013, succeeding Elaine V. Eddens. (Health and Human Services Committee) Motion to confirm made by Senator Charlie Laster.

Scott, Stephen, Mangum, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an initial term ending June 30, 2010, succeeding a new position. (Education Committee) Motion to confirm made by Senator Tom Ivester.

Seirafi-Pour, Marjan, Norman, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Mary "Molly" Tolbert. (Education Committee) Motion to confirm made by Senator Jonathan Nichols.

Sessions, Barbara, Burneyville, to the Board of Regents of Murray State College, to serve an unexpired term ending June 1, 2012, succeeding Kenneth L. Delashaw. (Education Committee) Motion to confirm made by Senator Johnnie Crutchfield.

Sevenoaks, Richard, Tulsa, to the Oklahoma Water Resources Board, to serve a seven year term ending May 14, 2016, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Gary Stanislawski.

Siegfried, Hastings, Tulsa, to the Board of Juvenile Affairs, to serve a four year term ending March 15, 2013, succeeding Charles Jackson. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Smith, Jeff, Ponca City, to the Board of Regents of the Northern Oklahoma College, to serve a five year term ending June 30, 2014, succeeding Richard L. Detten. (Education Committee) Motion to confirm made by Senator David Myers.

Sparkman, Ron, Fairland, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2012, succeeding Charles D. Enyart. (Health and Human Services Committee) Motion to confirm made by Senator Charles Wyrick.

Sullivan, J. Andy, M.D., Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve an unexpired term ending December 31, 2013, succeeding a vacant position. (Health and Human Services Committee) Motion to confirm made by Senator Andrew Rice.

Taylor, Gary A., Oklahoma City, to the Board of Juvenile Affairs, to serve a four year term ending July 1, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Branan.

Tucker, Jimmy W., Broken Bow, to the Board of Trustees for the McCurtain County Higher Education Program, to serve a nine year term ending June 30, 2018, succeeding himself. (Education Committee) Motion to confirm made by Senator Jerry Ellis.

Vaughan, Vicki, Oklahoma City, to the State Textbook Committee, to serve a three year term ending March 1, 2012, succeeding Martin "Marty" Bernich. (Education Committee) Motion to confirm made by Senator Todd Lamb.

Vernon, Glen Franklin, Pryor, to the Oklahoma State Athletic Commission, to serve a three year term ending June 30, 2012, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Sean Burrage.

Virgin, Blake, Norman, to the Oklahoma Lottery Commission - Board of Trustees, to serve an unexpired term ending January 1, 2011, succeeding Pete Wilson. (Finance Committee) Motion to confirm made by Senator John Sparks.

Weaver, Bill R., Oklahoma City, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three term ending July 1, 2012, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Todd Lamb.

Wegener, Robert A., Oklahoma City, as Cabinet Secretary of Energy, to serve at the pleasure of the Governor, succeeding David S. Fleischaker. (Energy and Environment Committee) Motion to confirm made by Senator Cliff Branan.

White, Terri, Oklahoma City, as Cabinet Secretary of Health, to serve at the pleasure of the Governor, succeeding Dr. Mike Crutcher. (Health and Human Services Committee) Motion to confirm made by Senator Andrew Rice.

Williams, Shari, Milburn, to the Board of Regents of Murray State College, to serve a seven year term ending June 1, 2016, succeeding Wendell Ray Blair. (Education Committee) Motion to confirm made by Senator Jay Paul Gumm.

Williams, Terry W., Oklahoma City, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2012, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Andrew Rice.

Wilmes, Jeffrey E., Altus, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an initial term ending June 30, 2009, succeeding a new position. (Education Committee) Motion to confirm made by Senator Mike Schulz.

Wilmes, Jeffrey E., Altus, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve a seven year term ending June 30, 2016, succeeding himself. (Education Committee) Motion to confirm made by Senator Mike Schulz.

Wood, Mark, M.D., Edmond, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve a three year term ending August 17, 2012, succeeding Keith F. Clark, M.D.. (Health and Human Services Committee) Motion to confirm made by Senator Clark Jolley.

Motions to confirm the above named executive nominations were declared adopted upon roll call as follows:

Aye: 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.

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

**HAs to SB 572** were called up for further consideration.

**HAs to SB 572** were concurred in upon motion of Senator Crain.

**SB 572**, 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, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--39.

Nay: Adelson, Ballenger, Bass, Garrison, Johnson (C), Leftwich and Sweeden.--7.

Excused: Corn and Mazzei.--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 292** were concurred in upon motion of Senator Anderson.

**SB 292**, 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, 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.--46.

Excused: Corn and Mazzei.--2.

The bill passed.

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

**Senator Brogdon presiding.**

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1934** was adopted upon motion of Senator Myers.

**HB 1934**, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Easley, Ford, Gumm, Ivester, Johnson (M), Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Stanislawski and Sykes.--28.

Nay: Adelson, Ballenger, Burrage, Crutchfield, Eason McIntyre, Ellis, Garrison, Halligan, Johnson (C), Laster, Leftwich, Lerblance, Rice, Sparks, Sweeden, Wilson and Wyrick.--17.

Excused: Corn, Jolley and Mazzei.--3.

The bill passed and the emergency failed.

Pursuant to Rule 12-21, Senator Myers served notice that the vote be reconsidered whereby **HB 1934** passed.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 290** were concurred in upon motion of Senator Coates.

Senator Corn asked to be removed and Senator Coates asked to be named principal Senate author on **SB 290**, which was the order.

**SB 290**, 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Corn, Johnson (M), Jolley and Mazzei.--4.

The bill and emergency passed.

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

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

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

**HB 1004**  
**HB 1021**  
**HB 1030**  
**HB 1035**  
**HB 1055**  
**HB 1081**  
**HB 1295**  
**HB 1322**  
**HB 1468**  
**HB 1483**  
**HB 1487**  
**HB 1775**  
**HB 1802**  
**HB 1834**  
**HB 1897**  
**HB 1919**  
**HB 2028**  
**HB 2029**  
**HB 2047**  
**HJR 1014**  
**HJR 1016**  
**HJR 1021**

Advising concurrence in **SAs** to and passage of Engrossed **HB 2016**.

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

**HAs** to **SB 834** 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, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddock, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Mazzei.--1.

**SB 834**, 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, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddock, Rice, Sparks, Sweeden, Wilson and Wyrick.--22.

Excused: Mazzei.--1.

The bill passed.

Pursuant to Rule 12-21, Senator Ford served notice that the vote be reconsidered whereby **SB 834** passed.

#### **INTRODUCTION**

Senator Lamb introduced his son, Griffin Lamb, and his special guest, Jackson Baker, to the Senate. Senator Lamb asked unanimous consent, which was granted, that Griffin and Jackson be named Honorary Pages for this legislative day.

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

### **FIRST READING**

The following was introduced and read the first time:

**SCR 23** – By Branan.

A Concurrent Resolution praising the life of the late John W. Nichols; recognizing his integrity; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 5:45 p.m. to meet Thursday, April 30, 2009, at 9:30 a.m.