

# Senate Journal

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

Sixtieth Legislative Day, Thursday, May 14, 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 (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweden, Sykes, Wilson and Wyrick.—47.

Excused: Johnson (C).—1.

Senator Sykes declared a quorum present.

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

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 225, 388, 721 and 1102** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 38** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2028** was adopted upon motion of Senator Coates.

**HB 2028**, as amended in conference, 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, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Brogdon, Eason McIntyre, Johnson (C), Johnson (M), Mazzei, Nichols, Reynolds and Sweeden.--8.

The bill and emergency passed.

**HB 2028**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2029** was adopted upon motion of Senator Coates.

**HB 2029**, as amended in conference, 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, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Rice, Russell, Schulz, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Brogdon, Coffee, Eason McIntyre, Johnson (C), Mazzei, Nichols, Reynolds and Sweeden.--8.

The bill and emergency passed.

**HB 2029**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

Senator Gumm asked unanimous consent to refer **SR 48** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 48** by Gumm was called up for consideration.

All other members of the Senate asked to coauthor **SR 48**, which was the order.

**SR 48** was adopted upon motion of Senator Gumm and referred for enrollment.

**PENDING CONSIDERATION OF CCRs**

The **CCR** on **SB 635** was rejected upon motion of Senator Lamb, further conference requested, and same Senate conferees appointed as follows: GCCA.

**PENDING CONSIDERATION OF CCRs**

The **CCR** on **SB 413** was rejected upon motion of Senator Lamb, further conference requested, and Senate conferees to be named later.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 452** was adopted upon motion of Senator Schulz.

**SB 452**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Halligan, Ivester, Johnson (M), Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Reynolds, Rice, Russell, Schulz, Stanislawski, Sweeden and Wyrick.--36.

Nay: Anderson, Corn, Gumm, Jolley, Paddack, Sparks, Sykes and Wilson.--8.

Excused: Ellis, Johnson (C), Newberry and Nichols.--4.

The bill and emergency passed.

**SB 452**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1003 and 1760**.

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

Advising the signing of and transmitting for signature Enrolled **HCRs 1008, 1014, 1019, 1026, 1028, 1029, 1030, 1032, 1033 and 1037**.

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

Advising rejection of **CCR** to **HB 1483**, requesting further conference and naming House conferees as follows: DeWitt, Schwartz, Liebmann, Armes, Thomsen, Ortega, Fields, Morgan, Inman, Hoskin, McMullen and Walker.

Advising further conference granted and naming same House conferees on Engrossed:

**SB 665** - Jordan, Derby, Watson, McDaniel (Randy), Inman, Dorman and Sullivan  
**SB 1073** - Sullivan, Duncan, McCullough, Jordan, Morrissette and Kiesel

**MESSAGE FROM THE HOUSE  
CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HB 1084** - coauthored by Tibbs  
**HB 1295**  
**HB 1576**  
**HB 1592**  
**HB 1616**  
**HB 1753**  
**HB 2078** - coauthored by Faught

Conference committee reports were read on the above-numbered bills.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 812** was adopted upon motion of Senator Stanislawski.

Representative Liebmann asked to be removed and Representative Duncan asked to be named principal House author on **SB 812**, which was the order.

Representative Liebmann asked to coauthor **SB 812**, which was the order.

**SB 812**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Gumm, Halligan, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--38.

Nay: Bass, Ellis and Garrison.--3.

Excused: Coffee, Ivester, Johnson (C), Johnson (M), Newberry, Nichols and Rice.--7.

The bill passed.

**SB 812**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **2ND CCR** on **SB 431** was adopted upon motion of Senator Aldridge.

**SB 431**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Coffee, Ivester, Johnson (C), Newberry, Nichols and Rice.--6.

The bill and emergency passed.

**SB 431**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1389** was adopted upon motion of Senator Anderson.

**HB 1389**, as amended in conference, 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, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Paddack, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Coffee, Ivester, Johnson (C), Nichols, Reynolds and Rice.--6.

The bill passed.

**HB 1389**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**FOURTH READING**

**SB 888**, considered on page 1670, was called up for further consideration.

**SB 888**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Barrington, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--39.

Nay: Anderson, Ballenger, Bass, Crain, Garrison and Lerblance.--6.

Excused: Johnson (C), Reynolds and Rice.--3.

The bill and emergency passed.

**SB 888**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**SB 353** – remove GCCA and name Rice, Lamb, Jolley, Crain

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1066** was adopted upon motion of Senator Marlatt.

**SB 1066**, as amended in conference, 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, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brogdon, Coffee, Johnson (C), Mazzei and Rice.--5.

The bill passed.

**SB 1066**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1759** was adopted upon motion of Senator Justice.

**HB 1759**, as amended in conference, 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, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brogdon, Coffee, Johnson (C), Mazzei and Rice.--5.

The bill and emergency passed.

**HB 1759**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1739** was adopted upon motion of Senator Anderson.

**HB 1739**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Nay: Laster.--1.

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

The bill passed.

Pursuant to Rule 12-21, Senator Laster served notice that the vote be reconsidered whereby **HB 1739** passed.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1021** was adopted upon motion of Senator Newberry.

**HB 1021**, as amended in conference, 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, Mazzei, Myers, Newberry, Nichols, Reynolds, Schulz, Stanislawski and Sykes.--25.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Laster, Leftwich, Lerblance, Paddack, Russell, Sparks, Sweeden, Wilson and Wyrick.--21.

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

The bill passed.

Pursuant to Rule 12-21, Senator Newberry served notice that the vote be reconsidered whereby **HB 1021** passed.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1035** was adopted upon motion of Senator Newberry.

**HB 1035**, as amended in conference, 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, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--26.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Laster, Leftwich, Lerblance, Paddack, Sparks, Sweeden, Wilson and Wyrick.--20.

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

The bill passed.

Pursuant to Rule 12-21, Senator Newberry served notice that the vote be reconsidered whereby **HB 1035** passed.

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

Advising fourth reading of and returning Enrolled **SBs 225, 388, 721** and **1102**.

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

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**SB 275** - coauthored by Brannon  
**SB 994**

The above-numbered measures, as amended in conference, were referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1069** was adopted upon motion of Senator Paddack.

**HB 1069**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

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

The bill passed.

**HB 1069**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 832**

**SB 909**

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 909** was adopted upon motion of Senator Mazzei.

**SB 909**, as amended in conference, was read at length.

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

Aye: 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 (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Adelson, Johnson (C) and Rice.--3.

The bill passed.

**SB 909**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**MESSAGE FROM THE HOUSE  
CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HB 1597**

**HB 1603** - coauthored by Faught, Ritze, Dank, McDaniel (Randy) and Wright (John)

**HB 1661**

Conference committee reports were read on the above-numbered bills.

**MESSAGE FROM THE HOUSE**

Advising adding House conferees as follows:

**SB 665** - Thompson

Senator Lamb moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

\*

The Senate reconvened with Senator Sykes presiding.

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

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1603** was adopted upon motion of Senator Coffee.

Senators Jolley, Sykes, Branan, Schulz, Brogdon, Lamb, Justice, Barrington, Mazzei, Bingman, Crain, Halligan, Ford, Johnson (Mike), Reynolds, Myers, Stanislowski and Marlatt asked to coauthor **HB 1603**, which was the order.

**HB 1603**, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--42.

Nay: Adelson, Ballenger, Eason McIntyre, Ellis and Wilson.--5.

Excused: Johnson (C).--1.

The bill passed.

Pursuant to Rule 12-21, Senator Coffee served notice that the vote be reconsidered whereby **HB 1603** passed.

#### **CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**SB 665** – remove Newberry and add Brogdon

**SB 1073** – add Jolley

#### **SCs NAMED**

Upon motion of Senator Lamb, same Senate conferees were appointed as follows:

**SB 413** – Brown, Coates, Lamb, Leftwich

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1742** was adopted upon motion of Senator Anderson.

**HB 1742**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, 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: Johnson (C) and Mazzei.--2.

The bill and emergency passed.

**HB 1742**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 887** was adopted upon motion of Senator Anderson.

**SB 887**, as amended in conference, 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, Burrage, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--40.

Nay: Branan, Brogdon, Brown, Laster and Sykes.--5.

Excused: Coates, Johnson (C) and Mazzei.--3.

The bill passed.

**SB 887**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1071** was adopted upon motion of Senator Barrington.

Senators Bass and Garrison asked to coauthor **SB 1071**, which was the order.

**SB 1071**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Johnson (C), Mazzei and Nichols.--3.

The bill and emergency passed.

**SB 1071**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1004** was adopted upon motion of Senator Coates.

**HB 1004**, as amended in conference, 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, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Johnson (C), Mazzei and Nichols.--4.

The bill passed.

**HB 1004**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

Advising rejection of **CCR** to the following bill, requesting further conference and naming same House conferees as follows:

**SB 828** - Blackwell, Thompson, Watson, Morgan, Walker, Johnson, Brannon and Kirby

Advising further conference granted and naming same House conferees on Engrossed:

**SB 413** - Wright (John), Sullivan, McDaniel (Randy), Auffet, Carey, Faught, Key, Liebmann, McNiel, Moore, Morgan, Ownbey, Peters, Shelton and Shumate

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

**SB 612**

The above-numbered measure, as amended in conference, were referred for enrollment.

Senator Lamb moved that the Senate recess to the call of the Chair, which motion was declared adopted.

\*

The Senate reconvened with Senator Jolley presiding.

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

**PENDING CONSIDERATION OF CCRs**

The following **CCR**s were rejected upon motion of Senator Lamb, further conference requested, and same Senate conferees appointed as follows:

**SB 885** – Anderson, Coffee, Lamb, Gumm

**SB 1076** – Sparks, Anderson, Sykes, Crain, Lamb

**SB 1132** – Anderson, Lamb, Coffee, Ivester

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1025** was adopted upon motion of Senator Sykes.

Senator Garrison asked to coauthor **HB 1025**, which was the order.

**HB 1025**, as amended in conference, 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, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Russell, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--40.

Nay: Eason McIntyre.--1.

Excused: Coffee, Corn, Johnson (C), Mazzei, Nichols, Rice and Stanislawski.--7.

The bill and emergency passed.

Pursuant to Rule 12-21, Senator Sykes served notice that the vote be reconsidered whereby **HB 1025** passed.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1698** was adopted upon motion of Senator Sykes.

**HB 1698**, as amended in conference, 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, Brown, Burrage, Coates, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--41.

Excused: Brogdon, Coffee, Corn, Johnson (C), Mazzei, Rice and Stanislawski.--7.

The bill passed.

**HB 1698**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1095** was adopted upon motion of Senator Bingman.

Senators Garrison and Sparks asked to coauthor **HB 1095**, which was the order.

**HB 1095**, as amended in conference, 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, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Johnson (C), Mazzei, Rice and Stanislawski.--5.

The bill passed.

**HB 1095**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 833** was adopted upon motion of Senator Bingman.

Senator Sparks asked to coauthor **SB 833**, which was the order.

**SB 833**, as amended in conference, 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, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Nay: Brogdon.--1.

Excused: Coffee, Johnson (C), Mazzei and Rice.--4.

The bill passed.

**SB 833**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1775** was adopted upon motion of Senator Corn.

**HB 1775**, as amended in conference, 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, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Johnson (C), Mazzei and Rice.--4.

The bill passed.

**HB 1775**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1081** was adopted upon motion of Senator Gumm.

**HB 1081**, as amended in conference, 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, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Coffee, Johnson (C), Mazzei and Rice.--4.

The bill passed.

**HB 1081**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1424** was adopted upon motion of Senator Brogdon.

Senator Adelson asked to coauthor **HB 1424**, which was the order.

**HB 1424**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Johnson (C), Mazzei and Rice.--3.

The bill passed.

**HB 1424**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 796** was adopted upon motion of Senator Brogdon.

**SB 796**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Johnson (C), Mazzei and Rice.--3.

The bill and emergency passed.

**SB 796**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1411** was adopted upon motion of Senator Lamb.

Senators Marlatt, Garrison, Stanislawski, Schulz, Sparks and Russell asked to coauthor **HB 1411**, which was the order.

**HB 1411**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Johnson (C), Mazzei and Rice.--3.

The bill passed.

**HB 1411**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1182** was adopted upon motion of Senator Brogdon.

Senators Jolley, Ballenger and Coates asked to coauthor **SB 1182**, which was the order.

**SB 1182**, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Johnson (C), Mazzei and Rice.--3.

The bill and emergency passed.

**SB 1182**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

**HAs** to **SB 605** were concurred in upon motion of Senator Lamb.

**SB 605**, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Johnson (C), Mazzei and Rice.--3.

The bill and emergency passed.

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

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

Senator Gumm asked unanimous consent to refer **SR 54** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SR 54** by Gumm was called up for consideration.

All other members of the Senate asked to coauthor **SR 54**, which was the order.

**SR 54** was adopted upon motion of Senator Gumm and referred for enrollment.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1179** was adopted upon motion of Senator Marlatt.

**SB 1179**, as amended in conference, 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 (M), Jolley, Justice, Lamb, Laster,

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

Excused: Corn, Johnson (C), Mazzei and Rice.--4.

The bill passed.

**SB 1179**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1184** was adopted upon motion of Senator Marlatt.

Senator Barrington asked to coauthor **SB 1184**, which was the order.

**SB 1184**, as amended in conference, 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 (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wyrick.--43.

Excused: Corn, Johnson (C), Mazzei, Rice and Wilson.--5.

The bill passed.

**SB 1184**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **NOTICE OF ELECTRONIC AVAILABILITY SENATE RULE 5-6**

Senator Lamb notified the members of the Senate that, pursuant to the provisions of paragraph 2 of subsection B of Senate Rule 5-6, copies of the floor/conference committee substitutes for **HBs 1576, 1616 and 1647** have been made available electronically, via e-mail to all Senators and Executive Assistants.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 342** was adopted upon motion of Senator Crain.

**SB 342**, as amended in conference, 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Corn, Johnson (C), Mazzei and Rice.--5.

The bill passed.

**SB 342**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Eason McIntyre asked unanimous consent to refer **HCR 1039** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1039** by Scott of the House and Eason McIntyre of the Senate was called up for consideration.

**HCR 1039** was adopted upon motion of Senator Eason McIntyre and properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 643** was adopted upon motion of Senator Myers.

**SB 643**, as amended in conference, 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, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Coffee, Corn, Johnson (C), Mazzei and Rice.--5.

The bill passed.

**SB 643**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

Advising further conference granted and naming same House conferees on Engrossed:

**SB 635** - DeWitt, Armes, McNiel, Pruett and Bailey

Advising passage of and returning the following Engrossed measure:

**SCR 27** - coauthored by Murphey and Ritze

The above-numbered measure was referred for enrollment.

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

**SB 653**

The above-numbered measure, as amended in conference, were referred for enrollment.

#### **MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HB 1800** - coauthored by Sherrer

**HB 1963** - coauthored by Sullivan

Conference committee reports were read on the above-numbered bills.

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Lamb, the request of the Honorable House for further conference on **HB 2013** was ordered granted and Senate conferees appointed as follows: Aldridge, Barrington, Halligan, Reynolds, Russell.

**EXECUTIVE NOMINATIONS**

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

Hindenburg, Nancy, Inola, as a member of the State Textbook Committee - Education

Mellor, George, Jr., McAlester, as a member of the Oklahoma Motor Vehicle Commission - Business and Labor

Penrod, Ray, Yukon, as a member of the War Veterans Commission of Oklahoma - Veterans and Military Affairs

Streater, Eddie, Holdenville, as a member of the Forensic Review Board - Public Safety and Homeland Security

Turpen, Mike, Oklahoma City, as a member of the Oklahoma State Regents for Higher Education - Education

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 15, 2009, at 9:30 a.m., which motion prevailed.

**CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 2**

**SB 48** – conferees unable to agree

**SB 613 (2ND CCR)**

**SB 48** will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

**SECOND READING**

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

**HJR 1047** – Direct To Calendar

**SJR 44** – Direct To Calendar

**FIRST READING**

The following were introduced and read the first time:

**SR 56** – By Lamb.

A Resolution declaring the official motto of the State of Oklahoma to be:  
“Oklahoma — In God We Trust!”

**SR 57** – By Branan.

A Resolution praising Hobbes; wishing him well in his retirement; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 4:15 p.m. to meet Friday, May 15, 2009, at 9:30 a.m.