

Senate Journal

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

Sixty-first Legislative Day, Friday, May 15, 2009

The Senate was called to order by Senator Bingman.

Roll Call:

Present: Adelson, Aldridge, Anderson, Ballenger, 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, Paddock, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—45.

Excused: Barrington, Johnson (C) and Mazzei.—3.

Senator Bingman declared a quorum present.

The prayer was offered by Senator Lamb.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 275, 605, 612, 653 and 994 and SCR 27 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 48 and 54 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

UNANIMOUS CONSENT REQUEST MOTION TO RECONSIDER VOTES

Senator Lamb asked unanimous consent, which was granted, to invoke the provisions of Senate Rule 12-21A and that all motions to reconsider votes be disposed of on the same day such notice is served.

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORT**

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

HB 1114 - remove Miller and substitute Peterson as principal House author, remove as coauthor Martin (Scott), and coauthored by Reynolds and Faught

Conference committee report was read on the above-numbered bill.

MESSAGES FROM THE HOUSE

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

SB 885 - Sherrer, Jones, Steele, Osborn, McCullough, Morgan, Scott, Renegar, Hoskin, Duncan, Jordan and Cooksey

SB 1076 - Martin (Scott), Jackson, Sears, Ownbey, Jett, Nations, Williams, Carey, Peterson and Rousselot

SB 1132 - Sherrer, Hilliard, Lamons, Carey, Inman, Sullivan, Jordan, Joyner, Cox, McDaniel (Randy) and Faught

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

SB 346 - coauthored by Faught

SB 458

SB 827

SB 1123 - coauthored by Sears

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1004, 1069, 1081, 1095, 1389, 1411, 1424, 1698, 1742, 1759** and **1775**.

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 **HCR 1039**.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1595** was adopted upon motion of Senator Lamb.

HB 1595, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Russell, Schulz, Stanislawski and Sykes.--35.

Nay: Adelson, Crutchfield, Eason McIntyre, Leftwich, Lerblance, Rice, Sparks, Sweeden and Wilson.--9.

Excused: Barrington, Johnson (C), Mazzei and Wyrick.--4.

The bill passed.

Pursuant to Rule 12-21, Senator Lamb served notice that the vote be reconsidered whereby **HB 1595** passed.

Senator Jolley presiding.

MOTION TO RECONSIDER VOTE

Senator Coffee moved to reconsider the vote whereby **HB 1603** passed.

Senator Lamb moved to table the Coffee motion, which tabling motion was declared adopted.

HB 1603, together with the conference committee report thereon, was ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Lamb moved to reconsider the vote whereby **HB 1595** passed.

Senator Sykes moved to table the Lamb motion, which tabling motion was declared adopted.

HB 1595, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1114** was adopted upon motion of Senator Lamb.

Senator Johnson (Mike) asked to be removed and Senator Lamb asked to be named principal Senate author on **HB 1114**, which was the order.

Senators Johnson (Mike), Marlatt and Stanislawski asked to coauthor **HB 1114**, which was the order.

HB 1114, 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, 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 and Wilson.--44.

Excused: Barrington, Johnson (C), Mazzei and Wyrick.--4.

The bill passed.

Pursuant to Rule 13-22, Senator Lamb served notice that the vote be reconsidered whereby **HB 1114** passed.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1661** was adopted upon motion of Senator Leftwich.

HB 1661, 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, 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, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--43.

Excused: Barrington, Johnson (C), Mazzei, Reynolds and Wyrick.--5.

The bill passed.

HB 1661, together with the conference committee report thereon, was ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Lamb moved to reconsider the vote whereby **HB 1114** passed.

Senator Sykes moved to table the Lamb motion, which tabling motion was declared adopted.

HB 1114, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 2** was adopted upon motion of Senator Gumm.

SB 2, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--42.

Excused: Ballenger, Barrington, Johnson (C), Johnson (M), Mazzei and Wyrick.--6.

The bill passed.

SB 2, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1013** was adopted upon motion of Senator Newberry.

SB 1013, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--42.

Excused: Ballenger, Barrington, Johnson (C), Johnson (M), Mazzei and Wyrick.--6.

The bill passed.

SB 1013, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2154** was adopted upon motion of Senator Schulz.

HB 2154, 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, 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, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--42.

Nay: Paddack.--1.

Excused: Ballenger, Barrington, Johnson (C), Mazzei and Wyrick.--5.

The bill passed.

HB 2154, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1576** was adopted upon motion of Senator Aldridge.

HB 1576, 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, 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, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--42.

Excused: Ballenger, Barrington, Coffee, Johnson (C), Mazzei and Wyrick.--6.

The bill and emergency passed.

HB 1576, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1042**.

HCR 1042 – By Smithson of the House and Ballenger of the Senate.

A Concurrent Resolution encouraging the sale of certain land owned by the United States Army Corps of Engineers; and directing distribution.

The above-numbered measure was read the first time.

EXECUTIVE NOMINATIONS

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

Asmussen, Marlene, Harrah, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve an unexpired term ending July 1, 2011, succeeding Gary Alan Johnson, M.D.. (Health and Human Services Committee) Motion to confirm made by Senator Charlie Laster.

Austin, Jerry, Oklahoma City, to the Oklahoma Capital Investment Board, to serve a five year term ending December 31, 2012, succeeding himself. (Finance Committee) Motion to confirm made by Senator Todd Lamb.

Ballard, Bill, Stratford, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four year term ending June 30, 2013, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Susan Paddack.

Barnes, Susan Jane, Marlow, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2012, succeeding a vacant position. (Health and Human Services Committee) Motion to confirm made by Senator Jolley on behalf of Senator Don Barrington.

Barrick, Lona A., Ada, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2012, succeeding Martha Griffin. (Education Committee) Motion to confirm made by Senator Susan Paddack.

Bjorgo, Harlan "Jay", Ripley, to the War Veterans Commission of Oklahoma, to serve a three year term ending July 1, 2012, succeeding himself. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Joe Sweeden.

Bowers, Jim R., Oklahoma City, to the Oklahoma Horse Racing Commission, to serve a six year term ending June 30, 2015, succeeding himself. (Finance Committee) Motion to confirm made by Senator Steve Russell.

Bruce, Paul, Skiatook, 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 Joe Sweeden.

Cavett, Danny L., Moore, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2012, succeeding Catherine Mercer. (Health and Human Services Committee) Motion to confirm made by Senator Steve Russell.

Davis, Sharon King, Tulsa, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2012, succeeding herself. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Denny, Frank, Cushing, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2014, succeeding Dwight Olson, D.V.M.. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Jim Halligan.

Follis, Bill, Miami, 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 Jolley on behalf of Senator Charles Wyrick.

Foresee, Staci, Oklahoma City, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2013, succeeding a vacant position. (Health and Human Services Committee) Motion to confirm made by Senator Andrew Rice.

Galbraith, Peter T., Jr., Sapulpa, to the Oklahoma Real Estate Commission, to serve a four year term ending July 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Brian Bingman.

Galvin, Jennifer B., Bartlesville, 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 Ford.

Gendill, Jim, Edmond, to the Committee of Home Inspector Examiners, to serve a three year term ending June 30, 2011, succeeding Roderick Van Gordon. (Business and Labor Committee) Motion to confirm made by Senator Clark Jolley.

Glanz, Stanley D., Tulsa, to the Oklahoma State Bureau of Investigation Commission, to serve a seven year term ending July 1, 2016, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Brian Crain.

Grammer, Tracy, Norman, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve a three year term ending August 17, 2012, succeeding Kim Winston. (Health and Human Services Committee) Motion to confirm made by Senator Jonathan Nichols.

Griffin, Roger O., Broken Bow, to the State Board of Registration for Foresters, to serve a five year term ending June 1, 2014, succeeding himself. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Jerry Ellis.

Hanstein, Mark T., D.D.S., Oklahoma City, 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 Cliff Branan.

Hartsell, Russell "Rusty", Weatherford, 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 Mike Schulz.

Higgins, William R., Claremore, to the J. M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

Hill, Don, Claremore, to the J.M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding James Frank Marr. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

Hovell, Yvonne, Tulsa, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2013, succeeding a new position. (Education Committee) Motion to confirm made by Senator Brian Crain.

Hudson, Leslie, Oklahoma City, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve an unexpired term ending June 30, 2013, succeeding Jack Mildren. (Education Committee) Motion to confirm made by Senator Andrew Rice.

Hyde, Nancy, Edmond, to the Oklahoma Securities Commission, to serve a six year term ending July 27, 2015, succeeding Wesley D. Brantley, Jr.. (Finance Committee) Motion to confirm made by Senator Clark Jolley.

Jemison, M. L., Oklahoma City, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2016, succeeding a new position. (Education Committee) Motion to confirm made by Senator Cliff Branan.

Jones, Will K., Edmond, to the Oklahoma Arts Council, to serve an unexpired term ending July 1, 2010, succeeding Simon A. Levit. (Education Committee) Motion to confirm made by Senator Mike Johnson.

Killian, James Keith, Edmond, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2014, succeeding Patty Gail Patton. (Health and Human Services Committee) Motion to confirm made by Senator Mike Johnson.

Kitz, Hilary, Tulsa, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve a seven year term ending June 30, 2016, succeeding Patti LaForge Rogstad. (Education Committee) Motion to confirm made by Senator Tom Adelson.

Kucukosman, Orhan, Oklahoma City, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2011, succeeding a new position. (Education Committee) Motion to confirm made by Senator Jolley on behalf of Senator Glenn Coffee.

Leonard, Larry D., Tulsa, to the Board of Regents of the Tulsa Community College, to serve a seven year term ending June 30, 2016, succeeding himself. (Education Committee) Motion to confirm made by Senator Tom Adelson.

Leuthard, Joy L., Choctaw, to the State Board of Licensed Social Workers, to serve a five year term ending June 1, 2014, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Aldridge.

Liston, Michael, Oklahoma City, to the Construction Industries Board, to serve a four year term ending September 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Steve Russell.

Longacre, John T.IV, Kellyville, to the Oklahoma Used Motor Vehicle and Parts Commission, to serve coterminous with the Governor, succeeding Sam Grubb. (Business and Labor Committee) Motion to confirm made by Senator Brian Bingman.

Lowder, Jim, Broken Arrow, to the Alcoholic Beverage Laws Enforcement Commission, to serve a five year term ending June 23, 2014, succeeding Joe R. Perkins. (Judiciary Committee) Motion to confirm made by Senator Mary Easley.

Lowrance, Dan, Duncan, to the Oklahoma Conservation Commission, to serve a five year term ending June 30, 2014, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Anthony Sykes.

Major, Douglas R., Stillwater, to the Oklahoma Employment Security Commission, to serve a six year term ending July 2, 2015, succeeding Julius C. Hilburn. (Business and Labor Committee) Motion to confirm made by Senator Jim Halligan.

Massey, Sandra, Ph.D., Tulsa, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2014, succeeding a new position. (Education Committee) Motion to confirm made by Senator Jolley on behalf of Senator Mike Mazzei.

Mayberry, Jack K., Claremore, to the J. M. Davis Memorial Commission, to serve a four year term ending August 1, 2013, succeeding himself. (Tourism and Wildlife Committee) Motion to confirm made by Senator Sean Burrage.

McGill, Jean, Tulsa, to the Oklahoma Capital Investment Board, to serve a five year term ending December 31, 2014, succeeding herself. (Finance Committee) Motion to confirm made by Senator Tom Adelson.

Miles-Scott, Gayle P., Oklahoma City, to the State Board of Education, to serve a six year term ending April 1, 2015, succeeding herself. (Education Committee) Motion to confirm made by Senator Jolley on behalf of Senator Constance N. Johnson.

Miller, Jan, Tulsa, to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission, to serve a seven year term ending December 31, 2016, succeeding Donald L. Van Alstine. (Judiciary Committee) Motion to confirm made by Senator Jolley on behalf of Senator Mike Mazzei.

Mitchell, Leona, Enid, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2012, succeeding herself. (Education Committee) Motion to confirm made by Senator Patrick Anderson.

Mittasch, Glenda, Morrison, to the Oklahoma Abstractors Board, to serve an unexpired term ending July 1, 2009, succeeding Steve Boone. (Business and Labor Committee) Motion to confirm made by Senator David Myers.

Mittasch, Glenda, Morrison, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2013, succeeding herself. (Business and Labor Committee) Motion to confirm made by Senator David Myers.

Moisant, Teresa, Oklahoma City, to the Board of Regents of Oklahoma City Community College, to serve a seven year term ending April 22, 2016, succeeding Candy Hines. (Education Committee) Motion to confirm made by Senator Steve Russell.

Morgan, Michael L., Shawnee, to the State Board of Health, to serve a nine year term ending June 30, 2018, succeeding Glen E. Diacon, Jr., M.D.. (Health and Human Services Committee) Motion to confirm made by Senator Charlie Laster.

Patterson, James, Oklahoma City, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2014, succeeding Terry Wallace. (Health and Human Services Committee) Motion to confirm made by Senator Todd Lamb.

Pickel, James, Oklahoma City, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2012, succeeding Myra Block Kaiser. (Education Committee) Motion to confirm made by Senator Jolley on behalf of Senator Constance N. Johnson.

Real, David, Broken Arrow, to the Polygraph Examiners Board, to serve a six year term ending May 17, 2015, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Jolley on behalf of Senator Mike Mazzei.

Reynolds, Dick, Norman, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2015, succeeding Patrick M. Moore. (Business and Labor Committee) Motion to confirm made by Senator Jonathan Nichols.

Ridley, Gary, Yukon, to the Cabinet Secretary of Transportation, to serve at the pleasure of the Governor, succeeding Phil Tomlinson. (Transportation Committee) Motion to confirm made by Senator Mike Johnson.

Riley, Jerry G., Bristow, to the War Veterans Commission of Oklahoma, to serve a three year term ending July 1, 2012, succeeding Frank Zanbrano. (Veterans and Military Affairs Committee) Motion to confirm made by Senator Brian Bingman.

Sherman, Stephen A., Oklahoma City, to the Oklahoma Real Estate Commission, to serve a four year term ending July 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Cliff Branan.

Soder, Robert, Tulsa, to the Construction Industries Board, to serve a four year term ending September 1, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Jolley on behalf of Senator Mike Mazzei.

Stevens, Robert L., Oklahoma City, to the Oklahoma Board of Licensed Alcohol and Drug Counselors, to serve a five year term ending July 1, 2014, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Steve Russell.

Steward, Jerry L., M.D., Oklahoma City, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2015, succeeding a new position. (Education Committee) Motion to confirm made by Senator Glenn Coffee.

Stroud, Clarke, Norman, to the Oklahoma Educational Television Authority, to serve a seven year term ending June 30, 2016, succeeding Sue Healey. (Education Committee) Motion to confirm made by Senator John Sparks.

Todd, Melvin R., Oklahoma City, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2012, succeeding a new position. (Education Committee) Motion to confirm made by Senator Jolley on behalf of Senator Constance N. Johnson.

von Glahn, Bill, Tulsa, to the Oklahoma Arts Council, to serve a three year term ending July 1, 2012, succeeding himself. (Education Committee) Motion to confirm made by Senator Gary Stanislawski.

Ward, Tammy, Elmore City, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2014, succeeding Ross Dewbre. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Susan Paddack.

Ware, Earnest D., Spencer, to the State Board of Corrections, to serve a six year term ending March 15, 2015, succeeding himself. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Jolley on behalf of Senator Constance N. Johnson.

Wester, John Michael, Shawnee, to the Oklahoma Employment Security Commission, to serve a six year term ending July 2, 2015, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Charlie Laster.

White, Pete, Oklahoma City, to the Air Quality Advisory Council, to serve a seven year term ending June 15, 2015, succeeding Gary Martin. (Energy and Environment Committee) Motion to confirm made by Senator Jonathan Nichols.

Wilson, Vernetta, Tulsa, to the Board of Trustees for Langston University-Oklahoma City and Langston University-Tulsa, to serve an initial term ending June 30, 2010, succeeding a new position. (Education Committee) Motion to confirm made by Senator Judy Eason McIntyre.

Wise, Sherri L., Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2013, succeeding herself. (Energy and Environment Committee) Motion to confirm made by Senator Jolley on behalf of Senator Mike Mazzei.

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

Aye: Adelson, Aldridge, Anderson, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--42.

Excused: Ballenger, Barrington, Johnson (C), Johnson (M), Mazzei and Wyrick.--6.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 27**.

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

Advising fourth reading of and returning Enrolled **SBs 275, 605, 612, 653 and 994**.

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

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 613** was adopted upon motion of Senator Anderson.

Senator Gumm asked to coauthor **SB 613**, which was the order.

SB 613, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--42.

Excused: Ballenger, Barrington, Johnson (C), Johnson (M), Mazzei and Wyrick.--6.

The bill passed.

SB 613, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 832** was adopted upon motion of Senator Bingman.

Representative Tibbs asked to coauthor **SB 832**, which was the order.

SB 832, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--41.

Excused: Ballenger, Barrington, Johnson (C), Johnson (M), Mazzei, Nichols and Wyrick.--7.

The bill and emergency passed.

SB 832, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1616** was adopted upon motion of Senator Crain.

HB 1616, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--41.

Excused: Ballenger, Barrington, Johnson (C), Johnson (M), Mazzei, Nichols and Wyrick.--7.

The bill passed.

HB 1616, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1897** was adopted upon motion of Senator Ford.

HB 1897, 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, 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 and Wilson.--43.

Excused: Ballenger, Barrington, Johnson (C), Mazzei and Wyrick.--5.

The bill and emergency passed.

HB 1897, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1647** was adopted upon motion of Senator Garrison.

HB 1647, 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, 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 and Wilson.--43.

Excused: Ballenger, Barrington, Johnson (C), Mazzei and Wyrick.--5.

The bill and emergency passed.

HB 1647, together with the conference committee report thereon, was ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Sykes moved to reconsider the vote whereby **HB 1025** passed.

Senator Lamb moved to table the Sykes motion, which tabling motion was declared adopted.

HB 1025, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1084** was adopted upon motion of Senator Paddack.

HB 1084, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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 and Wilson.--41.

Excused: Ballenger, Barrington, Coates, Johnson (C), Mazzei, Nichols and Wyrick.--7.

The bill passed.

HB 1084, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Sykes presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2078** was adopted upon motion of Senator Stanislawski.

HB 2078, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, 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 and Wilson.--41.

Excused: Ballenger, Barrington, Coates, Johnson (C), Mazzei, Nichols and Wyrick.--7.

The bill passed.

HB 2078, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1295** was adopted upon motion of Senator Jolley.

HB 1295, 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, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Reynolds, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes and Wilson.--39.

Excused: Ballenger, Barrington, Coates, Johnson (C), Mazzei, Nichols, Paddack, Rice and Wyrick.--9.

The bill passed.

HB 1295, together with the conference committee report thereon, was ordered returned 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 substitute for **SB 353** have been made available electronically, via e-mail to all Senators and Executive Assistants.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 346 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

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

- SB 269** - coauthored by Tibbs
- SB 277** - coauthored by Fields
- SB 394** – coauthored by Derby
- SB 452** (emergency failed) – coauthored by Jett
- SB 490**
- SB 551** – coauthored by Walker
- SB 757**
- SB 794**
- SB 987**
- SB 1029**
- SB 1075**
- SB 1166** - coauthored by Roan and Walker

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

Advising fourth reading of and returning Enrolled **SB 346**.

The above-numbered enrolled measure was referred to the Governor.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1114, 1595, 1603 and 2028**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned 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 1077

HB 1491

HB 1717

HB 1837

HB 1919

HB 2252 - coauthored by Cox and Roan

HJR 1014 - coauthored by Faught, Kern, and McDaniel (Randy)

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 452 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 411 – remove Jolley, Anderson, Sykes, Paddack and name GCCA.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 452**.

The above-numbered enrolled measure was referred to the Governor.

Advising fourth reading of and transmitting for signature Enrolled **HB 2029**.

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

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Lamb, the request of the Honorable House for further conference on **SB 828** was ordered granted and same Senate conferees appointed as follows: Marlatt, Bingman, Branan, Myers, Gumm.

Upon motion of Senator Lamb, the request of the Honorable House for further conference was ordered granted and Senate conferees appointed as follows:

HB 1483 – Justice, Lamb, Coffee, Bingman

HB 1736 – Ford, Jolley, Crain, Leftwich

EXECUTIVE NOMINATIONS

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

Hartman, Richard R., M.D., Norman, as a member of the Forensic Review Board - Public Safety and Homeland Security

Neal, Linda, Lawton, as a member of the State Board of Corrections - Public Safety and Homeland Security

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 18, 2009, at 1:30 p.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 313

SB 353 (2ND CCR)

SB 635 (2ND CCR)

SB 929

SB 1152 (2ND CCR)

FIRST READING

The following were introduced and read the first time:

SR 58 – By Garrison and Russell.

A Resolution commending the military career of Colonel Perry Woolridge; and directing distribution.

SR 59 – By Lamb.

A Resolution relating to the protection of the property and supplies of the Senate and duties of the President Pro Tempore during the 2009 legislative interim; authorizing employment of necessary personnel; restricting use of Senate offices and Senate Chamber during the interim except with the consent of the President Pro Tempore; authorizing repairs to the Senate Chamber, Senate offices and furnishings and purchase of needed furnishings and equipment therefor; regulating use of telephone credit cards by members of the Senate; authorizing President Pro Tempore to appoint members of the Senate to interim committees; authorizing President Pro Tempore to approve claims for reimbursement incurred by members and employees of the Senate during the interim; and providing for cumulative powers.

SR 60 – By Branan and Coffee.

A Resolution recognizing Bethany First Church of the Nazarene as having a significant impact on the community; congratulating Bethany First Church of the Nazarene upon the occasion of its 100th Anniversary; and directing distribution.

SR 61 – By Anderson and Corn.

A Resolution reaffirming the need for a national cemetery to serve northwest central Oklahoma; encouraging the building of a national cemetery; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising his approval May 15, 2009, of Enrolled **SBs 256, 257** and **932**.

Pursuant to the Lamb motion, the Senate adjourned at 11:10 a.m. to meet Monday, May 18, 2009, at 1:30 p.m.