

Senate Journal

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

Sixty-sixth Legislative Day, Friday, May 22, 2009

The Senate was called to order by Senator Jolley.

Roll Call:

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

Excused: Easley and Russell. —2.

Senator Jolley declared a quorum present.

The prayer was offered by Senator Garrison.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 170, 216, 243, 411, 564, 726, 881, 1033, 1064, 1115 and 1175 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE

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

SB 1152 - GCCA
SB 1170 - GCCA

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 413 (3RD CCR)

SB 486, coauthored by Pittman – conferees unable to agree

SB 907 – conferees unable to agree

SB 980, remove Murphey and substitute Derby as principal House author, and coauthored by Murphey

SB 1170 (2ND CCR)

**UNANIMOUS CONSENT REQUEST
MOTION TO RECONSIDER VOTES**

Senator Lamb asked unanimous consent, which was granted, to suspend the provisions of Senate Rule 5-6 in order to allow for immediate consideration of bills.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1579** was adopted upon motion of Senator Barrington.

HB 1579, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Schulz, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Easley, Johnson (C), Mazzei, Nichols, Russell and Sparks.--6.

The bill passed.

HB 1579, together with the conference committee report thereon, was ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Coates asked unanimous consent to refer **SCR 32** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 32 by Coates of the Senate and Jackson of the House was called up for consideration.

Senator Coates moved to amend **SCR 32**, Page 4, Line 1, after the word “Services” and before the semicolon, by adding “or designee”; and Page 4, Line 2, after the word “Affairs” and before the semicolon, by adding “or designee”, which motion was declared adopted.

Senator Coates moved to amend **SCR 32**, Page 5, Line 7, after the word “Services” and before the word “and” by adding “, or designee,”; and Page 5, Line 8, after the word “Affairs” and before the word “shall” by adding “, or designee,” which amendment was declared adopted.

SCR 32 was adopted upon motion of Senator Coates and referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Lamb asked unanimous consent to refer **SR 59** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 59 by Lamb was called up for consideration.

SR 59 was adopted upon motion of Senator Lamb and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **HB 1509** was adopted upon motion of Senator Bass.

Senator Branan asked to coauthor **HB 1509**, which was the order.

HB 1509, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Easley, Johnson (C), Mazzei and Russell.--4.

The bill passed.

Pursuant to Rule 12-21, Senator Bass served notice that the vote be reconsidered whereby **HB 1509** passed.

MOTION TO RECONSIDER VOTE

Senator Bass moved to reconsider the vote whereby **HB 1509** passed.

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

HB 1509, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 902** was called up for consideration.

Senator Brown asked that **SB 902** be laid over temporarily, which was the order.

SB 902 remains on pending consideration of CCR.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 1020** was adopted upon motion of Senator Nichols.

Senators Garrison and Adelson asked to coauthor **SB 1020**, which was the order.

SB 1020, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Easley, Johnson (C) and Russell.--3.

The bill and emergency passed.

Pursuant to Rule 12-21, Senator Nichols served notice that the vote be reconsidered whereby **SB 1020** passed.

MOTION TO RECONSIDER VOTE

Senator Nichols moved to reconsider the vote whereby **SB 1020** passed.

Senator Gumm moved to table the Nichols motion, which tabling motion was declared adopted.

SB 1020, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 902** was called up for consideration.

Senator Brown asked that **SB 902** be laid over temporarily, which was the order.

SB 902 remains on pending consideration of CCR.

Senator Sykes presiding.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 1170** was adopted upon motion of Senator Leftwich.

SB 1170, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 1170, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1834** was adopted upon motion of Senator Eason McIntyre.

HB 1834, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill passed.

HB 1834, together with the conference committee report thereon, was ordered returned to the Honorable House.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 315 – remove GCCA and name Mazzei, Coffee, Lamb

SB 481 – remove GCCA and name Lamb, Coffee, Mazzei

HB 1131 – remove GCCA and name Johnson (Mike), Myers, Jolley

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 1076** was called up for consideration.

The **2ND CCR** on **SB 1076** failed of adoption upon roll call as follows:

Aye: Anderson, Ballenger, Burrage, Coates, Coffee, Crutchfield, Eason McIntyre, Ellis, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Schulz, Sparks, Sweeden, Wilson and Wyrick.--20.

Nay: Adelson, Aldridge, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Corn, Crain, Ford, Garrison, Gumm, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Stanislawski and Sykes.--26.

Excused: Easley and Russell.--2.

Pursuant to Rule 12-21, Senator Sparks served notice that the vote be reconsidered whereby the CCR to **SB 1076** failed.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

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

HB 1888 - GCCA

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 32 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 222** was adopted upon motion of Senator Jolley.

Senators Gumm and Ford asked to coauthor **SB 222**, which was the order.

SB 222, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 222, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Corn asked unanimous consent to refer **SR 68** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 68 by Corn and Sykes was called up for consideration.

All other members of the Senate asked to coauthor **SR 68**, which was the order.

SR 68 was adopted upon motion of Senator Corn and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 71** was adopted upon motion of Senator Johnson (Mike).

SB 71, 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, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Nay: Gumm.--1.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 71, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 79** was adopted upon motion of Senator Johnson (Mike).

SB 79, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 79, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 153** was adopted upon motion of Senator Myers.

SB 153, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 153, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 178** was adopted upon motion of Senator Johnson (Mike).

SB 178, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Wilson and Wyrick.--44.

Nay: Brogdon and Sykes.--2.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 178, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **3RD CCR** on **SB 179** was adopted upon motion of Senator Johnson (Mike).

SB 179, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 179, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 59 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 902** was called up for further consideration.

The **CCR** on **SB 902** was adopted upon motion of Senator Brown.

SB 902, 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, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Schulz, Sparks, Stanislawski, Sykes and Wyrick.--38.

Nay: Ballenger, Crutchfield, Eason McIntyre, Johnson (C), Lerblance, Rice, Sweeden and Wilson.--8.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 902, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Brogdon presiding.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 170, 216, 243, 411, 564, 726, 881, 1033, 1064, 1115** and **1175**.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 206** was adopted upon motion of Senator Sykes.

SB 206, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 206, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1236** was adopted upon motion of Senator Sykes.

HB 1236, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

HB 1236, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1121** was adopted upon motion of Senator Myers.

HB 1121, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

HB 1121, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 212** was adopted upon motion of Senator Johnson (Mike).

SB 212, 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, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Easley and Russell.--2.

The bill and emergency passed.

SB 212, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 980** was adopted upon motion of Senator Jolley.

SB 980, 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, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Schulz, Stanislawski and Sykes.--23.

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

Excused: Easley, Reynolds and Russell.--3.

The bill failed.

Senator Jolley presiding.**CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

SB 1152 - remove GCCA and name Johnson (Mike), Myers, Jolley

HB 1170 – remove GCCA and name Coffee, Lamb, Mazzei

HB 2015 – remove GCCA and name Johnson (Mike), Myers, Brogdon

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1067, 1250, 1264, 1268, 1272, 1274, 1483** and **2176**.

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 1035** and **1036**.

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

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

SB 481 - Nelson, Miller, Jackson and Jones

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

SB 69

SB 71

SB 79

SB 94 – coauthored by Dorman

SB 206

SB 212 – coauthored by Sullivan

SB 222 – coauthored by Sullivan

SB 232

SB 244

SB 318 – coauthored by Ortega, Dorman, Williams and Kouplen

SB 658 (2ND CCR)

SB 702 – coauthored by Osborn

SB 982

SB 1020 (2ND CCR) – coauthored by Sears, Tibbs, McDaniel (Randy), Osborn and Christian

SB 1119 – coauthored by Roan

SB 1126 (2ND CCR)

SB 1127

SB 1169 – coauthored by Richardson and Tibbs

SB 1182 (2ND CCR)

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

Advising conferees unable to agree on the following:

HB 1888 (3RD CCR)

HB 2247

HJR 1026 - coauthored by Crutchfield, Adelson, Ballenger, Bass, Burrage, Corn, Easley, Eason McIntyre, Garrison, Gumm, Ivester, Johnson (Constance), Laster, Leftwich, Lerblance, Paddack, Rice, Sweeden, Wyrick, Ellis and Wilson

**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 1133

HB 1162 (emergency failed), coauthored by Lamons

HB 1196

HB 1260 - coauthored by DeWitt, Roan, Buck, Williams, Luttrell, Shoemake, Bailey, Renegar, Smithson, Brannon, Hilliard, Brown, Morgan, Auffet, Sherrer, Dorman and Hickman

HB 1281

HB 1755 - (emergency failed)

HB 2015

HB 2245 - coauthored by Sanders, Moore, McCullough, Blackwell and Armes

HB 2250 – coauthored by Blackwell

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 69, 71, 79, 94, 206, 212, 232, 244, 318, 658, 702, 982, 1119, 1169 and 1182 were correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 68 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 69, 71, 94, 244, 318, 658 and 702**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1121, 1236, 1509, 1579 and 1834**.

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

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 185 (2ND CCR)

SB 315 – conferees unable to agree

SB 481 – conferees unable to agree

SB 665 (3RD CCR) – conferees unable to agree

SBs 315, 481 and **665** will revert to the status occupied before being sent to conference and will remain on the calendar under "House Amendments to Senate Bills".

FIRST READING

The following were introduced and read the first time:

SCR 33 – Coffee of the Senate and Bengtson of the House

A Concurrent Resolution relating to the sine die adjournment of the 1st Session of the 52nd Oklahoma Legislature; providing for extension of sine die adjournment.

SR 73 – By Johnson (Constance).

A Resolution congratulating the University of Oklahoma Health Sciences Center and the Oklahoma Medical Research Foundation for their successful application and selection to receive twelve health research awards; and directing distribution.

SR 74 – By Aldridge and Johnson (Constance).

A Resolution congratulating the Midwest City High School Bombers Girls' Track Team for winning the 2009 Class 6A Girls' Track State Championship; and directing distribution.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Coffee asked unanimous consent to refer **SCR 33** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 33 by Coffee of the Senate and Bengtson of the House was called up for consideration.

Senator Coffee moved adoption of **SCR 33**.

Senator Gumm raised a point of order that questions are in order.

Senator Coffee agreed to yield for questions.

Senator Coffee pressed adoption of his prior motion to adopt **SCR 33**.

SCR 33 was adopted upon motion of Senator Coffee upon roll call as follows:

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

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddock, Rice, Sparks, Sweeden, Wilson and Wyrick.--21.

Excused: Coates, Easley and Russell.--3.

SCR 33 was referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 33 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGES FROM THE HOUSE

Advising withdrawing from GCCA and naming House conferees as follows:

HB 1170 - Derby, Murphey and Bengé

Advising fourth reading of and returning Enrolled **SBs 79, 206, 212, 232, 982, 1119, 1169** and **1182**.

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

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 1226 – remove GCCA and name Jolley, Lamb, Coffee

HB 1254 – remove GCCA and name Jolley, Lamb, Coffee

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed measure:

SCR 33

The above-numbered measure was referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 33 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 33**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

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

SB 153 – coauthored by Dorman

SB 179 (3RD CCR)

SB 608

The above-numbered measures, 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 1131

HB 1170 - remove Miller and substitute Derby as principal House author, remove Johnson (Mike) and substitute Coffee as principal Senate author and coauthored by Johnson (Mike) of the Senate, and Murphey and Nelson of the House

HB 1226

HB 1254

HB 1780

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

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 26, 2009, at 10:00 a.m., which motion was declared adopted upon roll call as follows:

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

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Eason McIntyre, Ellis, Garrison, Gumm, Ivester, Johnson (C), Laster, Leftwich, Lerblance, Paddack, Rice, Sparks, Sweeden, Wilson and Wyrick.--21.

Excused: Coates, Easley and Russell.--3.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider whereby the CCR on **SB 1076** failed.

MESSAGE FROM THE GOVERNOR

Advising his approval May 22, 2009, of Enrolled **SBs 269, 277, 342, 394, 431, 458, 551, 611, 613, 757, 794, 796, 812, 827, 832, 833, 887, 909, 938, 987, 1013, 1029, 1066, 1075, 1166, 1168, 1184 and 1231.**

Advising his veto May 22, 2009, of Enrolled **SBs 490 and 1123.**

The veto messages read as follows:

May 22, 2009

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session of the Fifty Second Oklahoma Legislature

ENROLLED SB 490

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 490. It is critical for Oklahoma taxpayers to have the ability to seek legal redress when they feel their state or local government has acted

improperly, and taxpayer lawsuits provide an important check against public corruption, abuse and fraud. By raising the threshold necessary to file a taxpayer lawsuit, SB 490 would take a backward step and make it more difficult for citizens to hold public officials accountable.

By the Governor of the State of Oklahoma
/s/Brad Henry

May 22, 2009

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session of the Fifty Second Oklahoma Legislature

ENROLLED SB 1123

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 1123. SB 1123 would strip an individual of his right to seek legal redress for a negligent act committed against him. Under this legislation, if a person was injured or killed at a gun range because of the negligent act of another individual, the victim and the victim's family could not seek appropriate compensation in a court of law if the committer had acted in a good faith, albeit negligent manner. For that reason, SB 1123 is unfair and unconstitutional.

By the Governor of the State of Oklahoma
/s/Brad Henry

Pursuant to the Lamb motion, the Senate adjourned at 3:00 p.m. to meet Tuesday, May 26, 2009, at 10:00 a.m.