

# Senate Journal

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

Fourth Legislative Day, Thursday, February 4, 2010

The Senate was called to order by Senator Aldridge.

Roll Call:

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

Excused: Mazzei, Nichols, Reynolds and Schulz.—4.

Senator Aldridge declared a quorum present.

The prayer was offered by Dr. Hance Dilbeck, Quail Springs Baptist Church, Oklahoma City, the guest of President Pro Tempore Coffee.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 38** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SRs 81** and **82** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Coates asked unanimous consent to refer **SR 83** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 83** by Coates was called up for consideration.

All other members of the Senate asked to coauthor **SR 83**, which was the order.

**SR 83** was adopted upon motion of Senator Coates and referred for enrollment.

**COMMITTEE ASSIGNMENT**

Upon request of Senator Barrington, Senator Lamb moved that **SB 948** be rereferred to the committee on Public Safety and Homeland Security, which was the order.

**CHANGE IN COMMITTEE ASSIGNMENTS**

The following bills will be reassigned as follows:

**SB 1761** – Withdrawn from Rules and referred to Energy and Environment

**SB 1748** – Withdrawn from Rules and referred to Judiciary

**SB 1749** – Withdrawn from Rules and referred to Judiciary

**MESSAGE FROM THE HOUSE**

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

**HB 1948**

**HB 1964**

Advising passage of and transmitting for consideration Engrossed **HBs 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439** and **2440**.

**HB 2373** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

(State Board of Career and Technology Education – appropriation – budget categories )

**HB 2374** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Board of Career and Technology Education – appropriation – budget categories – effective date – emergency )

**HB 2375** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( education - appropriations - State Board of Education - Alternative and High Challenge Education - effective date – emergency )

**HB 2376** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( education - appropriations - State Board of Education - Alternative and High Challenge Education - effective date - emergency )

**HB 2377** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Educational Television Authority - appropriation - budget categories )

**HB 2378** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Educational Television Authority – appropriation - budget categories )

**HB 2379** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma State Regents for Higher Education – appropriations - effective date – emergency )

**HB 2380** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma State Regents for Higher Education – appropriations - effective date – emergency )

**HB 2381** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Commissioners of the Land Office – appropriation – effective date – emergency )

**HB 2382** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Commissioners of the Land Office – appropriation – effective date – emergency )

**HB 2383** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Department of Libraries - appropriation - effective date – emergency )

**HB 2384** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Department of Libraries – appropriation - effective date – emergency )

**HB 2385** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Physician Manpower Training Commission – appropriations – effective date – emergency )

**HB 2386** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Physician Manpower Training Commission – appropriations – effective date – emergency )

**HB 2387** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Board of Private Vocational Schools – expenditures – budget – lapse dates )

**HB 2388** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Board of Private Vocational Schools – expenditures – budget – lapse dates )

**HB 2389** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma School of Science and Mathematics – appropriation – effective date – emergency )

**HB 2390** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma School of Science and Mathematics – appropriation – effective date – emergency )

**HB 2391** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Center for the Advancement of Science and Technology - appropriation - effective date - emergency )

**HB 2392** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Center for the Advancement of Science and Technology - appropriation - effective date – emergency )

**HB 2393** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Commission for Teacher Preparation – appropriation - effective date - emergency )

**HB 2394** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Commission for Teacher Preparation – appropriation - effective date – emergency )

**HB 2395** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Auditor and Inspector – appropriations – effective date – emergency )

**HB 2396** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Auditor and Inspector – appropriation – effective date – emergency )

**HB 2397** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Bond Advisor - appropriation - lapse dates )

**HB 2398** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Bond Advisor - appropriation - effective date – emergency )

**HB 2399** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Capitol Improvement Authority – appropriation - effective date - emergency )

**HB 2400** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Capitol Improvement Authority – appropriation - effective date – emergency )

**HB 2401** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Department of Central Services - appropriations - effective date – emergency )

**HB 2402** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Department of Central Services - appropriations - effective date – emergency )

**HB 2403** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Election Board – appropriation – effective date – emergency )

**HB 2404** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Election Board – appropriation - effective date - emergency )

**HB 2405** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Department of Emergency Management - appropriation - effective date – emergency )

**HB 2406** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Department of Emergency Management – appropriation - effective date – emergency )

**HB 2407** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Ethics Commission – appropriation - effective date - emergency )

**HB 2408** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Ethics Commission – appropriation - effective date – emergency )

**HB 2409** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of State Finance – appropriation - effective date – emergency )

**HB 2410** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of State Finance – appropriation - effective date - emergency )

**HB 2411** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the Governor – appropriation - effective date – emergency )

**HB 2412** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the Governor – appropriation - effective date – emergency )

**HB 2413** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma House of Representatives – appropriation – effective date – emergency )

**HB 2414** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma House of Representatives – appropriation – effective date – emergency )

**HB 2415** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Legislative Service Bureau – appropriation – effective date – emergency )

**HB 2416** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Legislative Service Bureau – appropriation – effective date – emergency )

**HB 2417** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the Lieutenant Governor – appropriation – budget procedures )

**HB 2418** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the Lieutenant Governor – appropriation – budget procedures )

**HB 2419** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Merit Protection Commission – appropriation – budget procedures )

**HB 2420** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Merit Protection Commission – appropriation – budget procedures )

**HB 2421** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Military Department of the State of Oklahoma - appropriation - effective date – emergency )

**HB 2422** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Military Department of the State of Oklahoma – appropriation - effective date - emergency )

**HB 2423** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of Personnel Management - appropriation - budget procedures )

**HB 2424** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of Personnel Management – appropriation - budget procedures )

**HB 2425** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the Secretary of State – appropriation – effective date – emergency )

**HB 2426** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the Secretary of State – appropriation – effective date – emergency )

**HB 2427** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma State Senate – appropriation – effective date – emergency )

**HB 2428** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma State Senate – appropriation – effective date – emergency )

**HB 2429** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Space Industry Development Authority - appropriation - directing transfer – lapse dates )

**HB 2431** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Tax Commission – appropriation - effective date - emergency )

**HB 2432** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Tax Commission – appropriation - effective date – emergency )

**HB 2433** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Department of Transportation - appropriation - effective date – emergency )

**HB 2434** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Department of Transportation - appropriation - effective date – emergency )

**HB 2435** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the State Treasurer - appropriations - effective date – emergency )

**HB 2436** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Office of the State Treasurer – appropriations - effective date – emergency )

**HB 2437** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Health Care Authority - appropriations - effective date – emergency )

**HB 2438** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( Oklahoma Health Care Authority - appropriations - effective date - emergency )

**HB 2439** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Department of Health - appropriation - effective date – emergency )

**HB 2440** – By Miller and Martin (Scott) of the House and Johnson (Mike) and Myers of the Senate.

( State Department of Health - appropriation - effective date – emergency )

The above-numbered measures were read the first time.

Advising the naming of House conferees on Engrossed:

**HB 1053** - Banz, Liebmann, Sullivan, Pruett, Renegar, Duncan

**HB 1741** - Peters, Billy, Shumate, Liebmann, Cox, Shelton

**HB 1888** - Richardson, Cox, Hickman, Faught, Morgan, Roan, Carey, Sherrer, Trebilcock

**HB 1948** - Benge, Tibbs, Miller, Jackson, Dorman, Inman, Walker, Shumate, Scott, Wright (Harold), Jordan, Hickman

**HB 1964** - Benge, Steele, Peterson, Rousselot, McDaniel (Jeannie)

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 8, 2010, at 1:30 p.m., which motion prevailed.

## **COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

**SB 1645** – Judiciary, coauthored by Thomsen (principal House author)

Ayes: Anderson, Corn, Crain, Laster, Newberry, Paddack, Sykes

DO PASS, As Amended:

**SB 1678** – Energy and Environment, coauthored by Richardson (principal House author)

Ayes: Bingman, Branam, Brogdon, Coates, Crutchfield, Easley, Gumm, Ivester, Myers, Rice, Sykes

**SB 1840** – Energy and Environment, coauthored by Gumm of the Senate, and coauthored by Johnson (principal House author)

Ayes: Bingman, Branam, Brogdon, Coates, Crutchfield, Gumm, Ivester, Myers, Rice, Sykes

**SB 1898** – Energy and Environment, coauthored by McNiel (principal House author)

Ayes: Bingman, Branam, Brogdon, Coates, Crutchfield, Gumm, Ivester, Myers, Rice, Sykes

## **SECOND READING**

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

**SB 1405** – Direct To Calendar

**SB 1406** – Direct To Calendar

**SB 1407** – Direct To Calendar

**SB 1408** – Direct To Calendar

**SB 1409** – Direct To Calendar

**SB 1410** – Direct To Calendar

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Pursuant to the Lamb motion, the Senate adjourned at 10:15 a.m. to meet Monday, February 8, 2010, at 1:30 p.m.