

Senate Journal

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Seventh Legislative Day, Wednesday, February 10, 2010

The Senate was called to order by Senator Bingman.

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, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweden, Sykes, Wilson and Wyrick.—46.

Excused: Mazzei and Nichols.—2.

Senator Bingman declared a quorum present.

The prayer was offered by Pastor Mike Seabaugh, First Baptist Church, Ponca City, the guest of Senator Myers.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCRs 35 and **40** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Garrison asked unanimous consent to refer **SCR 39** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 39 by Garrison of the Senate and McPeak of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 39**, which was the order.

SCR 39 was adopted upon motion of Senator Garrison and referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Lamb asked unanimous consent to refer **SCR 41** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 41 by Lamb of the Senate and Osborn of the House was called up for consideration.

Senators Jolley, Sykes, Russell, Paddock, Ford, Stanislawski, Newberry, Branan, Myers, Johnson (M), Barrington, Adelson, Schulz, Ivester, Coffee and Justice asked to coauthor **SCR 41**, which was the order.

SCR 41 was adopted upon motion of Senator Lamb and referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HB 2750** and **HCR 1044** .

HB 2750 – By Denney, McDaniel (Jeannie), Sullivan, Coody, Nelson, Dorman and Kern of the House and Justice of the Senate.

An Act relating to schools; directing the State Board of Education to incorporate April 19, 1995, bombing information into the Oklahoma history social studies core curriculum; stating importance of studying the bombing and its aftermath; authorizing the State Department of Education to make certain program materials and resources available to schools; directing the State Textbook Committee to incorporate certain criteria in the evaluation of certain textbooks; providing for codification; providing an effective date; and declaring an emergency.

HCR 1044 – By Bengé and DeWitt of the House and Coffee and Myers of the Senate. A Concurrent Resolution designating February 9, 2010, “Water Appreciation Day” at the State Capitol; encouraging recognition of the value and significance of water resources; and directing distribution.

The above-numbered measures were read the first time.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills will be reassigned as follows:

SB 1384 – Withdrawn from General Government and referred to Business and Labor
SB 1862 – Withdrawn from Rules and referred to Appropriations
SB 1875 – Withdrawn from Rules and referred to Energy and Environment
SB 1881 – Withdrawn from Rules and referred to Appropriations
SB 1996 – Withdrawn from Rules and referred to Judiciary
SB 2182 – Withdrawn from Rules and referred to Business and Labor
SB 2215 – Withdrawn from Appropriations and referred to Public Safety and Homeland Security

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 11, 2010, at 9:00 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

SB 1330 – Agriculture and Rural Development, coauthored by Armes (principal House author)

Ayes: Crutchfield, Ellis, Garrison, Ivester, Justice, Marlatt, Schulz, Sykes, Wyrick

SB 1342 – General Government, coauthored by Banz (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Sweeden, Wilson

SB 1387 – Public Safety and Homeland Security, coauthored by Christian (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

SB 1601 – Judiciary, coauthored by Peters (principal House author)

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

SB 1810 – Public Safety and Homeland Security, coauthored by Thomsen (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

SB 1938 – Judiciary, coauthored by Johnson (principal House author)

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

SB 1962 – General Government, coauthored by Cooksey (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Sweeden, Wilson

SB 1997 – General Government, coauthored by Sanders (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Sweeden, Wilson

SB 1999 – Agriculture and Rural Development, coauthored by Armes (principal House author)

Ayes: Anderson, Barrington, Crutchfield, Ellis, Garrison, Ivester, Justice, Marlatt, Schulz, Sykes

Nays: Wyrick

SB 2041 – Judiciary, coauthored by Johnson (principal House author)

Ayes: Anderson, Crain, Laster, Paddack, Sykes

SB 2095 – Agriculture and Rural Development, coauthored by Armes (principal House author)

Ayes: Anderson, Barrington, Crutchfield, Ellis, Garrison, Ivester, Justice, Marlatt, Schulz, Sykes, Wyrick

SB 2096 – Agriculture and Rural Development, coauthored by McNiel (principal House author)

Ayes: Anderson, Barrington, Crutchfield, Ellis, Garrison, Ivester, Justice, Marlatt, Schulz, Sykes, Wyrick

SB 2102 – Judiciary, coauthored by Bailey (principal House author)

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

SB 2104 – Judiciary, coauthored by Sanders (principal House author)

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

SB 2110 – Judiciary, coauthored by Johnson (principal House author)

Ayes: Anderson, Crain, Laster, Paddack, Sykes

SB 2126 – Judiciary, coauthored by Terrill (principal House author)

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

SB 2148 – Judiciary, coauthored by Brown (principal House author)

Ayes: Anderson, Corn, Laster, Paddack, Sykes

Nays: Crain, Newberry

SB 2151 – Judiciary, coauthored by Carey (principal House author)

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

SB 2223 – Public Safety and Homeland Security, coauthored by Sherrer (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

SB 2312 – Public Safety and Homeland Security, coauthored by Terrill (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

DO PASS, As Amended:

SB 1250 – Judiciary, coauthored by Terrill (principal House author)

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

CS for SB 1282 – Finance, coauthored by Enns (principal House author)

Ayes: Aldridge, Ford, Gumm, Ivester, Johnson (Mike), Nichols, Reynolds, Stanislawski, Wilson

Nays: Adelson

SB 1298 – Finance, coauthored by Carey (principal House author)

Ayes: Adelson, Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski, Wilson

SB 1328 – Finance, coauthored by Terrill (principal House author)

Ayes: Aldridge, Ford, Gumm, Ivester, Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski

Nays: Adelson, Crutchfield, Johnson (Mike), Wilson

SB 1344 – Finance, coauthored by Gumm of the Senate, and coauthored by Bailey (principal House author)

Ayes: Adelson, Aldridge, Ford, Gumm, Ivester, Johnson (Mike), Nichols, Reynolds, Stanislawski, Wilson

CS for SB 1659 – General Government, coauthored by Wright (John) (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Sweeden, Wilson

SB 1771 – Judiciary, coauthored by Johnson (principal House author)

Ayes: Anderson, Crain, Newberry, Paddack

Nays: Corn, Laster, Sykes

SB 1834 – Agriculture and Rural Development, coauthored by Terrill (principal House author)

Ayes: Anderson, Barrington, Crutchfield, Ellis, Garrison, Ivester, Justice, Marlatt, Schulz, Sykes, Wyrick

SB 1900 – Finance, coauthored by Burrage and Gumm of the Senate, and coauthored by Jett (principal House author)

Ayes: Adelson, Aldridge, Crutchfield, Ford, Gumm, Ivester, Johnson (Mike), Jolley, Nichols, Reynolds, Rice, Sparks, Stanislawski, Wilson

CS for SB 1908 – Public Safety and Homeland Security, coauthored by Tibbs (principal House author)

Ayes: Barrington, Easley, Ellis, Halligan, Russell

Nays: Ballenger

SB 1998 – General Government, coauthored by Jordan (principal House author)

Ayes: Aldridge, Ballenger, Bass, Bingman, Crain, Johnson (Constance), Johnson (Mike), Wilson

Nays: Sweeden

CS for SB 2038 – Judiciary, coauthored by Duncan (principal House author)

Ayes: Anderson, Crain, Laster, Paddack, Sykes

SB 2064 – Public Safety and Homeland Security, coauthored by Terrill (principal House author)

Ayes: Ballenger, Barrington, Easley, Ellis, Halligan, Russell

SB 2273 – Judiciary, coauthored by Duncan (principal House author)

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

SB 2274 – Judiciary, coauthored by Nelson (principal House author)

Ayes: Anderson, Crain, Laster, Paddack, Sykes

FAILED:

SB 1266 – Finance

Ayes: Adelson, Ford, Ivester, Jolley, Stanislawski, Wilson

Nays: Aldridge, Crutchfield, Gumm, Nichols, Reynolds, Rice, Sparks

SJR 49 – General Government

Ayes: Aldridge, Bingman, Crain, Johnson (Constance)

Nays: Ballenger, Bass, Johnson (Mike), Sweeden, Wilson

FIRST READING

The following was introduced and read the first time:

SR 85 – By Eason McIntyre.

A Resolution relating to social workers; applauding and supporting the goals and ideals of social workers in this state; recognizing the contributions of individuals who serve their communities through social work; encouraging young people to seek out educational and professional opportunities to become social workers; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 2:00 p.m. to meet Thursday, February 11, 2010, at 9:00 a.m.