

Senate Journal

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

Fiftieth Legislative Day, Thursday, April 29, 2010

The Senate was called to order by Senator Marlatt.

Roll Call:

Present: Adelson, Aldridge, Anderson, 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, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Sparks, Stanislawski, Sykes, Wilson and Wyrick.—43.

Excused: Ballenger, Reynolds, Russell, Schulz and Sweeden.—5.

Senator Marlatt declared a quorum present.

The prayer was offered by Reverend Connie J. Gibson, Southern Hills United Methodist Church, Oklahoma City, the guest of Senator Leftwich.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 441, 1631, 1817, 1819, 1927, 1941, 1985, 2073, 2154, 2211, 2212 and 2270 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 55 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 2541**.

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

MOTION TO RECONSIDER VOTE

Senator Gumm moved to reconsider the vote whereby **SB 1712** passed.

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

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

PENDING CONSIDERATION OF HAS

HAs to **SB 573** were concurred in upon motion of Senator Coates.

SB 573, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Brogdon, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--38.

Excused: Aldridge, Ballenger, Bingman, Brown, Coffee, Reynolds, Rice, Russell, Schulz and Sweeden.--10.

The bill and emergency passed.

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

PENDING CONSIDERATION OF HAS

HAs to **SBs 1601, 1876** and **1887** were rejected upon motion of Senator Lamb, conference requested, and Senate conferees to be named later.

PENDING CONSIDERATION OF HAS

HAs to **SB 1012** were concurred in upon motion of Senator Coates.

SB 1012, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Brogdon, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--39.

Excused: Aldridge, Ballenger, Bingman, Brown, Coffee, Reynolds, Russell, Schulz and Sweeden.--9.

The bill and emergency passed.

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

PENDING CONSIDERATION OF HAS

HAs to **SB 1640** were concurred in upon motion of Senator Halligan.

SB 1640, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Brogdon, 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, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Aldridge, Ballenger, Bingman, Brown, Reynolds, Russell, Schulz and Sweeden.--8.

The bill and emergency passed.

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

FIRST READING

The following was introduced and read the first time:

SR 117 – By Johnson (Constance).

A Resolution congratulating the Frederick A. Douglass High School Trojans Boys Basketball team for winning the 2010 Class 4A Basketball Championship; encouraging their next season; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Johnson (Constance) asked unanimous consent to refer **SR 117** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 117 by Johnson (Constance) was called up for consideration.

All other members of the Senate asked to coauthor **SR 117**, which was the order.

SR 117 was adopted upon motion of Senator Johnson (Constance) and referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to **SB 1883** were concurred in upon motion of Senator Leftwich.

SB 1883, as amended by the Honorable House, was read at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Brogdon, 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, Mazzei, Myers, Newberry, Nichols, Paddack, Rice, Sparks, Stanislawski, Sykes, Wilson and Wyrick.--40.

Excused: Aldridge, Ballenger, Bingman, Brown, Reynolds, Russell, Schulz and Sweeden.--8.

The bill and emergency passed.

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

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Eason McIntyre asked unanimous consent to refer **SR 105** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 105 by Eason McIntyre et al was called up for consideration.

Senator Coffee and all other members of the Senate asked to coauthor **SR 105**, which was the order.

SR 105 was adopted upon motion of Senator Eason McIntyre and referred for enrollment.

ELECTRONIC DISTRIBUTION

Senator Lamb notified the members of the Senate that, pursuant to the provisions of Senate Rule 5-6, copies of the House Amendments for **SB 2054** have been made available electronically, via e-mail to all Senators and Executive assistants.

MESSAGES FROM THE HOUSE

Advising the naming of House conferees to Engrossed:

HB 1043 - Sears, Cox, Miller, Buck, Hickman, Pruett, and Carey

HB 2314 - Smithson, Richardson, Pruett, Sears, Hickman, Jett, Sullivan, Brannon, Shoemake, Rousselot, and Thomsen

HB 2928 - Coody, Sears, Denney, Shumate, and McDaniel (Jeannie)

Advising conference granted and naming GCCA as House conferees on Engrossed:

SB 1405 through **1441**

SB 1443

SB 1444

SB 1447 through **1584**

SB 1586 through **1588**

Advising concurrence in **SAs** to and passage of Engrossed **HB 1554**.

Advising fourth reading of and returning Enrolled **SBs 441, 1631, 1817, 1819, 1927, 1941, 1985, 2073, 2154, 2211, 2212** and **2270**.

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

Advising conference granted and naming House conferees on Engrossed:

SB 1756 - Benge, Hickman, Nelson, Liebmann, Carey, Dorman, and Proctor

SB 1761 - Benge, DeWitt, Armes, Thomsen, Ortega, Liebmann, Duncan, Schwartz, Morgan, Inman, Kouplen, and Dorman

SB 1862 - Benge, Denney, Sears, Coody, Shumate, and Brannon

SB 1956 - Armes, DeWitt, Enns, Rousselot, Richardson, and Kouplen

SB 1964 - Jones, Fields, Jackson, Liebmann, Morgan, and Pruett

SB 2033 - Benge, Coody, Denney, Sears, Buck, and Morrissette

SB 2052 - Benge, Murphey, Moore, Jones, Miller, Jackson, Scott, Pittman, and Nations

SB 2083 - Benge, Coody, Denney, Sears, Morrissette, and Buck

SB 2088 - Benge, Shannon, Trebilcock, Morgan, and Carey

SB 2163 - Sullivan, Duncan, Jordan, and McDaniel (Jeannie)

SJR 61 - Benge, Hickman, Miller, Brannon, Jones, Trebilcock, Pruett, and McPeak

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

HB 2290

HB 2545

HB 2572

HB 2753

HB 2772

HB 2831

HB 2890

HB 2918

HB 2919

HB 2990

HB 2991

HB 3000

HB 3024

HB 3025

HB 3028

HB 3029

HB 3032

HB 3035

HB 3054
HB 3161
HB 3166
HB 3167
HB 3170
HB 3171
HB 3173
HB 3236
HB 3260
HB 3267
HB 3284
HB 3286
HB 3290
HB 3343
HB 3383

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORT**

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

HJR 1054 - coauthored by Coody, Derby, Wesselhoft, McDaniel (Randy), Sullivan, Wright (John), and Duncan

The conference committee report was read on the above-numbered bill.

INTRODUCTION

Senator Eason McIntyre introduced her grandson, Mitchell Lucky, to the Senate.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Lamb, the request of the Honorable House for conference on **HB 2886** was ordered granted and Senate conferees appointed as follows: Brown, Anderson, Coffee, Coates, Sykes, Paddack.

SCs NAMED

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

- SB 1337** – GCCA
- SB 1379** – GCCA
- SB 1756** – GCCA
- SB 1761** – Coffee, Bingman, Lamb, Johnson (Mike), Paddack
- SB 1762** – Leftwich, Barrington, Sykes, Russell, Halligan
- SB 1793** – Paddack, Anderson, Crain, Sykes, Newberry
- SB 1838** – GCCA
- SB 1840** – Sykes, Bingman, Branam, Johnson (Mike), Gumm
- SB 1903** – Aldridge, Brown, Mazzei, Stanislawski, Ballenger
- SB 1908** – Sykes, Reynolds, Lamb, Branam, Schulz
- SB 1916** – GCCA
- SB 1973** – Coffee, Coates, Lamb, Laster, Burrage
- SB 1989** – Brown, Aldridge, Stanislawski, Lamb, Leftwich
- SB 2018** – GCCA
- SB 2041** – Sykes, Anderson, Crain, Jolley, Laster
- SB 2046** – Brown, Aldridge, Mazzei, Lamb, Coffee
- SB 2052** – Coffee, Aldridge, Jolley, Crain
- SB 2070** – Coates, Newberry, Myers, Brogdon, Leftwich
- SB 2083** – GCCA
- SB 2180** – Newberry, Coates, Brogdon, Johnson (Mike), Burrage
- SB 2199** – Coffee, Ford, Jolley, Lamb, Easley
- SB 2203** – Crain, Anderson, Sykes, Newberry, Laster
- SB 2213** – Jolley, Ford, Stanislawski, Mazzei, Paddack
- SB 2259** – Lamb, Barrington, Johnson (Mike), Coffee, Laster
- SB 2291** – Paddack, Barrington, Sykes, Reynolds, Russell
- SB 2303** – GCCA
- SB 2318** – Jolley, Ford, Stanislawski, Halligan, Eason McIntyre
- SJR 61** – GCCA
- SJR 66** – Coffee, Coates, Lamb, Laster, Burrage

EXECUTIVE NOMINATIONS

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

Gourley, Dorothy, Ardmore, as a member of the Board of Pharmacy - Health and Human Services

Hudson, Jerry, Tulsa, as a member of the Oklahoma State University Medical Authority - Health and Human Services

Lee, Robert E., Goldsby, as a member of the State Board of Licensed Social Workers - Health and Human Services

Meier, Kathy Ann, Weatherford, as a member of the State Textbook Committee - Education

Melton, Chelle, Guymon, as a member of the Oklahoma Science and Technology Research and Development Board - Energy and Environment

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 3, 2010, at 10:30 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 300 (2nd CCR)

SJR 59, coauthored by Moore, Reynolds of the House

MESSAGE FROM THE GOVERNOR

Advising his approval April 28, 2010, of Enrolled **SBs 747, 1289, 1442, 1713, 1864, 1910** and **1917**.

Pursuant to the Lamb motion, the Senate adjourned at 10:35 a.m. to meet Monday, May 3, 2010, at 10:30 a.m.