

# Senate Journal

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

**Sixty-first Legislative Day, Wednesday, May 19, 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, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.—48.

Senator Aldridge declared a quorum present.

The prayer was offered by Pastor Mark Little, Grandview Church, Elk City, the guest of Senator Ivester.

### MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

**HB 1888 (2nd CCR)** - coauthored by Dorman

**HB 2883**

**HB 3213**

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

### PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1964** was adopted upon motion of Senator Ford.

**SB 1964**, 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, Crain, Crutchfield, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Newberry, Paddack, Rice, Russell, Schulz, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--39.

Nay: Easley, Myers, Nichols and Reynolds.--4.

Excused: Coates, Coffee, Corn, Eason McIntyre and Sparks.--5.

The bill and emergency passed.

**SB 1964**, together with the conference committee report thereon, was ordered transmitted 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 was ordered granted and same Senate conferees appointed as follows:

**SB 738** – Coffee, Lamb, Jolley, Leftwich, Johnson (Mike)

**HB 1704** – Coffee, Aldridge, Brown, Lamb

**HB 2295** – Schulz, Justice, Marlatt, Burrage, Garrison

**HB 2573** – Coffee, Jolley, Crain, Burrage, Gumm

**HB 2648** – Russell, Anderson, Crain, Newberry, Laster

**HB 2650** – Sykes, Coffee, Lamb, Coates

**HB 2652** – Coffee, Lamb, Coates, Laster, Burrage

**HB 2811** – Brogdon, Barrington, Sykes, Lamb, Bass

**HB 2888** – Aldridge, Brown, Coffee, Lamb, Leftwich

**HB 2890** – Aldridge, Anderson, Coffee, Sykes, Paddack, Laster

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

**HB 1611** – Coffee, Coates, Lamb, Laster, Burrage

**HB 2659** – Coffee, Coates, Lamb, Burrage, Laster

**HB 3035** – GCCA

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Gumm asked unanimous consent to refer **SR 128** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 128** by Gumm was called up for consideration.

All other members of the Senate asked to coauthor **SR 128**, which was the order.

**SR 128** was adopted upon motion of Senator Gumm and referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1954** was adopted upon motion of Senator Anderson.

Senator Bingman asked to coauthor **SB 1954**, which was the order.

**SB 1954**, 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, 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, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--46.

Excused: Coates and Coffee.--2.

The bill and emergency passed.

**SB 1954**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Burrage asked unanimous consent to refer **SCRs 42, 43** and **44** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 42** by Burrage of the Senate and Jones of the House was called up for consideration.

**SCR 42** was adopted upon motion of Senator Burrage and referred for engrossment.

**GENERAL ORDER**

**SCR 43** by Burrage of the Senate and Jones of the House was called up for consideration.

**SCR 43** was adopted upon motion of Senator Burrage and referred for engrossment.

**GENERAL ORDER**

**SCR 44** by Burrage of the Senate and Jones of the House was called up for consideration.

**SCR 44** was adopted upon motion of Senator Burrage and referred for engrossment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1590** was adopted upon motion of Senator Mazzei upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--26.

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

**SB 1590**, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brogdon, Brown, Coates, Coffee, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Lamb, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Stanislawski and Sykes.--26.

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

The bill passed and the emergency failed.

Pursuant to Rule 12-21, Senator Coffee served notice that the vote be reconsidered whereby **SB 1590** passed and the emergency failed.

### **CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**HB 3387** – remove Jolley, Aldridge, Crain, Adelson and add Coffee

Senator Lamb moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Aldridge presiding.

Senator Aldridge questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

### **EXECUTIVE NOMINATIONS**

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

Ashley, Johnnie, El Reno, to the Oklahoma State Athletic Commission, to serve a three year term ending June 30, 2013, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Lamb on behalf of Senator Mike Johnson.

Ashton, Mark, Lawton, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2014, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Randy Bass.

Baker, Greg, Stillwater, to the Oklahoma Liquefied Petroleum Gas Board, to serve a four year term ending June 30, 2014, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Jim Halligan.

Barnes, Sherrie L., Sand Springs, to the Board of Trustees of the Teachers' Retirement System of Oklahoma, to serve a four year term ending June 30, 2014, succeeding herself. (Retirement Committee) Motion to confirm made by Senator Joe Sweeden.

Brewer, Ted, Idabel, to the Board of Trustees for the McCurtain County Higher Education Program, to serve a nine year term ending June 30, 2019, succeeding Charlotte Gurley. (Education Committee) Motion to confirm made by Senator Jerry Ellis.

Cassidy, Mike, Frederick, to the Environmental Quality Board, to serve a five year term ending January 31, 2015, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Tom Ivester.

Chancellor, Andrea, Muskogee, to the Oklahoma Music Hall of Fame Board, to serve an unexpired term ending July 1, 2010, succeeding Donald S. Petty. (Wildlife and Tourism Committee) Motion to confirm made by Senator Earl Garrison.

Chancellor, Andrea, Muskogee, to the Oklahoma Music Hall of Fame Board, to serve a six year term ending July 1, 2016, succeeding herself. (Wildlife and Tourism Committee) Motion to confirm made by Senator Earl Garrison.

Dunlap, Tom, Ardmore, to the Commission on Marginally Producing Oil and Gas Wells, to serve a three year term ending December 31, 2013, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Sweeden on behalf of Senator Johnnie Crutchfield.

Dziadula, Mark R., Broken Arrow, to the Oklahoma Uniform Building Code Commission, to serve an initial term ending July 1, 2010, succeeding a new position. (Business and Labor Committee) Motion to confirm made by Senator Bill Brown.

Dziadula, Mark Raymond, Broken Arrow, to the Oklahoma Uniform Building Code Commission, to serve a four year term ending July 1, 2014, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Bill Brown.

Edwards, Marc, Oklahoma City, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Andrew Rice.

Gourley, Dorothy, Ardmore, to the Board of Pharmacy, to serve a five year term ending June 30, 2015, succeeding herself. (Health and Human Services Committee) Motion to confirm made by Senator Johnnie Crutchfield.

Grego, James, Wilburton, to the Oklahoma Conservation Commission, to serve a five year term ending June 30, 2015, succeeding Virginia Kidd. (Energy and Environment Committee) Motion to confirm made by Senator Richard Lerblance.

Hort, Mitchell W., Yukon, to the Oklahoma Uniform Building Code Commission, to serve an initial term ending July 1, 2010, succeeding a new position. (Business and Labor Committee) Motion to confirm made by Senator Mike Johnson.

Hort, Mitchell W., Yukon, to the Oklahoma Uniform Building Code Commission, to serve a four year term ending July 1, 2014, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Mike Johnson.

Hudson, Jerry, Tulsa, to the Oklahoma State University Medical Authority, to serve a three year term ending June 1, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Jones, Jake, III, Oklahoma City, to the Oklahoma Indigent Defense System Board, to serve a five year term ending July 1, 2015, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Lamb on behalf of Senator Glenn Coffee.

Keel, Jefferson Edmond, Ada, to the Oklahoma Indian Affairs Commission, to serve an unexpired term ending August 15, 2010, succeeding A. D. Ellis. (Health and Human Services Committee) Motion to confirm made by Senator Susan Paddock.

Keel, Jefferson Edmond, Ada, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Susan Paddock.

Lee, James Parks, DVM, Oklahoma City, to the State Board of Veterinary Medical Examiners, to serve a five year term ending May 9, 2015, succeeding himself. (Agriculture and Rural Development Committee) Motion to confirm made by Senator Lamb on behalf of Senator Glenn Coffee.

Lee, Robert E., Goldsby, to the State Board of Licensed Social Workers, to serve a five year term ending June 1, 2015, succeeding Jeffery Chace. (Health and Human Services Committee) Motion to confirm made by Senator Schulz on behalf of Senator Jonathan Nichols.

Link, L. Tucker, Finley, to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, to serve an unexpired term ending April 4, 2015, succeeding Greg Massey. (Education Committee) Motion to confirm made by Senator Lamb on behalf of Senator Glenn Coffee.

Mann, Patsy Sue, Checotah, to the State Textbook Committee, to serve a three year term ending 3/1/2013, succeeding Tammy Edwards. (Education Committee) Motion to confirm made by Senator Roger Ballenger.

Massey, John, Durant, to the Oklahoma State Regents for Higher Education, to serve a nine year term ending May 16, 2019, succeeding himself. (Education Committee) Motion to confirm made by Senator Jay Paul Gumm.

McCarty, Curtis A., Norman, to the Oklahoma Uniform Building Code Commission, to serve an initial term ending July 1, 2011, succeeding a new position. (Business and Labor Committee) Motion to confirm made by Senator Schulz on behalf of Senator Jonathan Nichols.

McLaughlin, David Lee, Oklahoma City, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve a seven year term ending June 30, 2017, succeeding Kenneth W. Johnson. (Education Committee) Motion to confirm made by Senator Todd Lamb.

Meier, Kathy Ann, Weatherford, to the State Textbook Committee, to serve a three year term ending March 1, 2013, succeeding Linda Smith. (Education Committee) Motion to confirm made by Senator Mike Schulz.

Moran, Melvin, Seminole, to the Oklahoma Tourism and Recreation Commission, to serve a six year term ending July 1, 2016, succeeding himself. (Wildlife and Tourism Committee) Motion to confirm made by Senator Harry Coates.

Ogden, Richard C., Oklahoma City, to the Regional University System of Oklahoma, to serve a nine year term ending June 10, 2019, succeeding Mark Stansberry. (Education Committee) Motion to confirm made by Senator Constance Johnson.

Payne, Maurice W., D.O., Checotah, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Roger Ballenger.

Pettit, Alex Z., Oklahoma City, to the Cabinet Secretary of Information Technology and Telecommunications, to serve a term expiring at the pleasure of the Governor, succeeding a new position. (Finance Committee) Motion to confirm made by Senator Lamb on behalf of Senator Glenn Coffee.

Segler, Mike, Yukon, to the Forensics Review Board, to serve a five year term ending December 31, 2014, succeeding Eddie Streater. (Public Safety and Homeland Security Committee) Motion to confirm made by Senator Mike Johnson.

Stanley, Spencer, Lawton, to the Commission on Consumer Credit, to serve a five year term ending January 1, 2016, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Randy Bass.

Stringer, Jerald, Elk City, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2014, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Tom Ivester.

Stuteville, Eric, Durant, to the Oklahoma Motor Vehicle Commission, to serve an unexpired term ending June 30, 2013, succeeding Terry Reynolds. (Business and Labor Committee) Motion to confirm made by Senator Jay Paul Gumm.

Taylor, Paul David, Oklahoma City, to the Alcoholic Beverage Laws Enforcement Commission, to serve a five year term ending June 23, 2015, succeeding George Stratton III. (Judiciary Committee) Motion to confirm made by Senator Todd Lamb.

Turner, Robert Tippet, II, Oklahoma City, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2012, succeeding Linda Belcher. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Aldridge.

Upham, Steadman, Tulsa, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2014, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Tom Adelson.

Virgin, Blake, Norman, to the Oklahoma Lottery Commission - Board of Trustees, to serve a five year term ending January 1, 2016, succeeding himself. (Finance Committee) Motion to confirm made by Senator John Sparks.

Warden, Harry T., Claremore, to the Oklahoma Uniform Building Code Commission, to serve an initial term ending July 1, 2010, succeeding a new position. (Business and Labor Committee) Motion to confirm made by Senator Sean Burrage.

Wright, Gerald Wayne, Broken Arrow, to the State Board of Corrections, to serve an unexpired term ending March 15, 2013, succeeding Jerry L. Smith. (Public Safety & Homeland Security Committee) Motion to confirm made by Senator Bill Brown.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brown, Burrage, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Leftwich, Lerblance, Marlatt, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brogdon, Coffee, Justice, Mazzei and Nichols.--5.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 3290** was adopted upon motion of Senator Sykes.

**HB 3290**, 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, Bass, Bingman, Branan, Brown, Burrage, Coates, Coffee, Corn, Crain, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (M), Jolley, Justice, Lamb, Marlatt, Myers, Newberry, Paddack, Reynolds, Russell, Schulz, Stanislawski and Sykes.--32.

Nay: Adelson, Ballenger, Crutchfield, Eason McIntyre, Johnson (C), Laster, Leftwich, Lerblance, Rice, Sparks, Sweeden, Wilson and Wyrick.--13.

Excused: Brogdon, Mazzei and Nichols.--3.

The bill passed.

Pursuant to Rule 12-21, Senator Sykes served notice that the vote be reconsidered whereby **HB 3290** passed.

**EXECUTIVE NOMINATIONS**

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

Anderson, Michael D., Oklahoma City, to the State Board of Health, to serve an unexpired term ending June 30, 2015, succeeding Haskell Evans. (Health and Human Services Committee) Motion to confirm made by Senator Constance N. Johnson.

Atwood, Nick, Nichols Hills, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2014, succeeding Ron L. Ingle. (Health and Human Services Committee) Motion to confirm made by Senator Cliff Branan.

Barron, Randall, Bixby, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2014, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Dan Newberry.

Beard, Herschel, Madill, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2014, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Jay Paul Gumm.

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

Collins, Gary, Claremore, to the Air Quality Advisory Council, to serve a seven year term ending June 15, 2017, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Jolley on behalf of Senator Sean Burrage.

Cotten, Marshall Phil, Norman, to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Commission, to serve a seven year term ending December 31, 2017, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Jolley on behalf of Senator Jonathan Nichols.

Covington, Darrell L., Guthrie, to the Committee of Home Inspector Examiners, to serve a three year term ending June 30, 2013, succeeding Brad Stringer. (Business and Labor Committee) Motion to confirm made by Senator Jim Halligan.

Earhart, Randy Kevin, Oklahoma City, to the Alcoholic Beverage Laws Enforcement Commission, to serve a five year term ending June 23, 2015, succeeding Pat Ponder. (Judiciary Committee) Motion to confirm made by Senator Anthony Sykes.

Edwards, Charlotte, Oklahoma City, to the Oklahoma Lottery Commission - Board of Trustees, to serve a five year term ending January 1, 2015, succeeding herself. (Finance Committee) Motion to confirm made by Senator Jolley on behalf of Senator Todd Lamb.

Feaver, Marilyn, Chickasha, to the Oklahoma Water Resources Board, to serve a seven year term ending May 14, 2017, succeeding Jack W. Keeley. (Energy and Environment Committee) Motion to confirm made by Senator Ron Justice.

Gamble, David H., Ponca City, to the Air Quality Advisory Council, to serve an unexpired term ending June 15, 2012, succeeding Jerry D. Purkale. (Energy and Environment Committee) Motion to confirm made by Senator David Myers.

Hall, Dennis, Tulsa, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2014, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Dan Newberry.

Harris, Connie Sue, Fort Gibson, to the Oklahoma Music Hall of Fame Board, to serve an unexpired term ending July 1, 2012, succeeding Deborah Bunney. (Tourism and Wildlife Committee) Motion to confirm made by Senator Earl Garrison.

Harris, Mike, Sapulpa, to the Oklahoma Abstractors Board, to serve a four year term ending July 1, 2014, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Brian Bingman.

Herzel, Larry William, Nichols Hills, to the Oklahoma Uniform Building Code Commission, to serve an initial term ending July 1, 2013, succeeding a new position. (Business and Labor Committee) Motion to confirm made by Senator Cliff Branan.

Holzbeierlein, Anne T., Edmond, to the Oklahoma State Bureau of Investigation Commission, to serve a seven year term ending July 1, 2017, succeeding herself. (Judiciary Committee) Motion to confirm made by Senator Clark Jolley.

Hopkins, Jimmy Lance, Tulsa, to the Oklahoma Indigent Defense System Board, to serve an unexpired term ending July 1, 2011, succeeding Dennis Shaw. (Judiciary Committee) Motion to confirm made by Senator Tom Adelson.

Jakubovitz, James M., Tulsa, to the Oklahoma State Board of Examiners for Long-Term Care Administrators, to serve a three year term ending July 1, 2013, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Gary Stanislawski.

Johnston, Jerry E., Braman, to the Environmental Quality Board, to serve a five year term ending January 31, 2015, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator David Myers.

Kerrihard, Kenneth Jay, Enid, to the Commission on Marginally Producing Oil & Gas Wells, to serve a three year term ending December 31, 2012, succeeding James Beyl. (Energy and Environment Committee) Motion to confirm made by Senator Patrick Anderson.

Knight, Thomas Jay, Edmond, to the Oklahoma Mining Commission, to serve a seven year term ending January 1, 2017, succeeding Kris Kinder. (Energy and Environment Committee) Motion to confirm made by Senator Clark Jolley.

Koehler, Duane G., D.O., Miami, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2015, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Charles Wyrick.

Melton, Chelle, Guymon, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2014, succeeding Pageant Ferriabough. (Energy and Environment Committee) Motion to confirm made by Senator Bryce Marlatt.

Moore, David Kevin, Duncan, to the Commission on Marginally Producing Oil & Gas Wells, to serve a three year term ending December 31, 2013, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Don Barrington.

Ryan, Charles V., Oklahoma City, to the Polygraph Examiners Board, to serve a six year term ending May 17, 2016, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Jolley on behalf of Senator Todd Lamb.

Shoemake, Kim Wyatt, Yukon, to the Oklahoma Accountancy Board, to serve an unexpired term ending June 30, 2011, succeeding Wade Biswell. (Business and Labor Committee) Motion to confirm made by Senator Steve Russell.

Shreve, Ed, Stillwater, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2014, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Jim Halligan.

Smith, Janice Ellen, Clinton, to the Board of Juvenile Affairs, to serve a four year term ending March 15, 2014, succeeding Linda Ware Toure. (Health and Human Services Committee) Motion to confirm made by Senator Mike Schulz.

Talley, Michael Roger, M.D., Okeene, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2015, succeeding himself. (Health and Human Services Committee) Motion to confirm made by Senator Bryce Marlatt.

Taron, Joseph E., D.D.S., Shawnee, to the Oklahoma Water Resources Board, to serve an unexpired term ending May 14, 2011, succeeding Lonnie Farmer. (Energy and Environment Committee) Motion to confirm made by Senator Charlie Laster.

Thompson, Steve, El Reno, to the Arkansas-Oklahoma Arkansas River Compact Commission, to serve a four year term ending January 1, 2014, succeeding Gary Sherrer. (Energy and Environment Committee) Motion to confirm made by Senator Ron Justice.

Winters, Jed, Altus, to the Oklahoma Mining Commission, to serve an unexpired term ending January 1, 2014, succeeding Bill Willis. (Energy and Environment Committee) Motion to confirm made by Senator Mike Schulz.

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

Aye: Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, 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, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--45.

Excused: Brogdon, Mazzei and Nichols.--3.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1280** was adopted upon motion of Senator Anderson.

**SB 1280**, 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, 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, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Brogdon, Coffee, Mazzei and Nichols.--4.

The bill and emergency passed.

**SB 1280**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**Senator Marlatt presiding.**

**PENDING CONSIDERATION OF CCR**

The **3RD CCR** on **SB 1073** was adopted upon motion of Senator Crain.

**SB 1073**, 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, Brown, 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, Myers, Newberry, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--44.

Excused: Brogdon, Coffee, Mazzei and Nichols.--4.

The bill passed.

**SB 1073**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**Senator Aldridge presiding.**

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 2203** was adopted upon motion of Senator Crain.

**SB 2203**, 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, Brown, Burrage, 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, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brogdon, Coates, Coffee, Mazzei and Nichols.--5.

The bill passed.

**SB 2203**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1779** were concurred in upon motion of Senator Burrage.

**SB 1779**, as amended by the Honorable House, 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, Brown, Burrage, 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, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick.--43.

Excused: Brogdon, Coates, Coffee, Mazzei and Nichols.--5.

The bill passed.

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

**PENDING CONSIDERATION OF CCR**

The **2ND 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, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brown, Crain, Ford, Halligan, Johnson (M), Jolley, Justice, Myers, Newberry, Schulz, Sparks, Stanislawski and Sykes.--18.

Nay: Adelson, Ballenger, Bass, Burrage, Corn, Crutchfield, Easley, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lamb, Laster, Leftwich, Lerblance, Marlatt, Paddack, Reynolds, Rice, Russell, Sweeden, Wilson and Wyrick.--24.

Excused: Brogdon, Coates, Coffee, Gumm, Mazzei and Nichols.--6.

The bill failed.

Pursuant to Rule 12-21, Senator Brown served notice that the vote be reconsidered whereby **SB 902** failed.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1989** was adopted upon motion of Senator Brown.

**SB 1989**, 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, 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, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Sweeden, Sykes, Wilson and Wyrick.--42.

Excused: Brogdon, Coates, Coffee, Mazzei, Nichols and Stanislawski.--6.

The bill and emergency passed.

**SB 1989**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

## **CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**HB 2247** – remove GCCA and add Nichols, Mazzei, Johnson (Mike), Bingman, Ivester, Sparks

**HB 3061** – remove GCCA and add Justice, Bingman, Schulz, Marlatt, Gumm

Senator Lamb moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 20, 2010, at 9:30 a.m., which motion prevailed.

## **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 1267**

**SB 1398**

**SB 1816**

**SB 2124**

**SB 2236**

## **FIRST READING**

The following were introduced and read the first time:

**SCR 64** – By Coffee of the Senate and Bengel of the House.

A Concurrent Resolution relating to health insurance; authorizing the employment of legal counsel for certain purpose.

**SR 125** – By Rice, Coffee and Lamb.

A Resolution congratulating the Oklahoma City Thunder; encouraging the continuation of their success; and directing distribution.

**SR 129** – By Garrison.

A Resolution supporting the establishment of an Oklahoma Music Trail; encouraging cooperation and coordination; and directing distribution.

**SR 130** – By Russell and Coffee.

A Resolution deploring the ten-year rule as it applies to family members of veterans who are totally and permanently disabled from service-related injuries; urging Congress to reduce the ten-year rule to be more fair to the family members of these veterans; and directing distribution.

Pursuant to the Lamb motion, the Senate adjourned at 5:55 p.m. to meet Thursday, May 20, 2010, at 9:30 a.m.