

**SENATE CHAMBER**

STATE OF OKLAHOMA

DISPOSITION BY SENATE

**FLOOR AMENDMENT**

No. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Joint Resolution No. 24 by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

\_\_\_\_\_  
Senator Schulz

Schulz-FS-JT-SJR24  
3/3/2009 5:24 PM

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 FLOOR SUBSTITUTE  
4 FOR

5 JOINT RESOLUTION NO. 24

By: Schulz of the Senate

and

Dorman of the House

6  
7  
8  
9 FLOOR SUBSTITUTE

10 A Joint Resolution recognizing “Do You Realize??” as the official Oklahoma  
11 State Rock and Roll Song; providing for codification; directing distribution; and  
12 declaring an emergency.

13 WHEREAS, the Oklahoma Legislature has adopted a State Folk Song (“Oklahoma Hills”, Jack  
14 and Woody Guthrie, 2001), a State Country and Western Song (“Faded Love”, Bob Willis, 1988), and  
15 an official state song (“Oklahoma”, Richard Rodgers and Oscar Hammerstein II, 1953); and

16 WHEREAS, Oklahoma has been home to many exceptional Rock and Roll performers and song  
17 writers and no official Rock and Roll Song has been adopted; and

18 WHEREAS, the House of Representatives of the 2nd Session of the 51st Legislature, with the  
19 Oklahoma State Senate concurring therein, adopted House Concurrent Resolution No. 1047 which  
20 specified how the Oklahoma Historical Society would conduct a competition to select the official Rock  
21 and Roll Song, how and when nominated songs would be narrowed by an expert panel, the  
22 composition of the expert panel, that the public would be allowed to vote for the official Rock and Roll  
23 Song and provided that the winning song would be presented to the Oklahoma Legislature in 2009;  
24 and

1 WHEREAS, in 2009 the Oklahoma History Center will celebrate the state's Rock and Roll  
2 Heritage in an exhibit titled "Another Hot Oklahoma Night"; and

3 WHEREAS, the people of Oklahoma nominated four hundred and fifty-four songs; the expert  
4 panel, chosen in accordance with House Concurrent Resolution 1047, narrowed the list to ten, and the  
5 people of Oklahoma voted for the top song; and

6 WHEREAS, 21,061 people voted through the Oklahoma Historical Society and 10,738 or nearly  
7 51 percent, voted for the winning song; and

8 WHEREAS, each song of the top ten is worthy to be the official state Rock and Roll Song and is  
9 included in this resolution; and

10 WHEREAS, in 1956, Oklahoma school teacher Mae Boren Axton co-wrote Elvis Presley's hit  
11 song "Heartbreak Hotel". An iconic song in Rock and Roll's history, "Heartbreak Hotel" sat atop the  
12 pop charts for eight weeks. Axton, sister of U.S. Congressman Lyle Boren, continued to write songs  
13 until her death on April 9, 1997; and

14 WHEREAS, in 1958, Wanda Jackson recorded "Lets Have a Party" which Capitol Records  
15 released in 1960 to chart success. Backed by one of Rock and Roll's first integrated bands, the Poe  
16 Cats with fellow Oklahoman Big Al Downing on piano, Jackson became the "Queen of Rockabilly";  
17 and

18 WHEREAS, in 1960, the Ventures version of "Walk, Don't Run" climbed to number two on the  
19 Billboard Hot 100. Oklahoman Bob Bogle suggested the band cover the song. The Ventures also  
20 included Oklahoman Nokie Edwards and promoted Oklahoma guitar-maker Semie Mosley's Mosrite  
21 guitars; and

22 WHEREAS, in 1965, Oklahoman J.J. Cale recorded "After Midnight" which Eric Clapton re-  
23 released in 1970. J.J. Cale released another version on his album "Naturally". Clapton recorded many  
24

1 of Cale’s songs. Other artists have also tapped into Cale’s writing ability. These include Lynyrd  
2 Skynyrd, The Band, Deep Purple, and Tom Petty; and

3 WHEREAS, in 1971, Three Dog Night released “Never Been to Spain”, written by Oklahoman  
4 Hoyt Axton. The song skyrocketed to number five in the charts. Axton, son of songwriter Mae Boren  
5 Axton, collaborated several times with this band. Hoyt Axton died on October 26, 1999; and

6 WHEREAS, in 1971, Leon Russell reigned as one of Rock and Roll’s biggest stars. That year he  
7 released “Home Sweet Oklahoma”, paying homage to his native state. The song shows Russell’s  
8 devotion to Oklahoma; he also made the Tulsa area his base of operations. Leon brought in stars such  
9 as George Harrison, Bob Dylan, Eric Clapton and Tom Petty to record at his Church Studios; and

10 WHEREAS, in 1986, the Call, which included two Oklahomans, Michael Been and Scott  
11 Musick, released the critically acclaimed album, “Reconciled”. The song “Oklahoma” conjured  
12 images of their home state’s tent revivals and turbulent weather. Later, presidential hopeful Al Gore  
13 used The Call’s “Let the Day Begin” as his campaign anthem; and

14 WHEREAS, in 2002, the Flaming Lips released “Do You Realize” on their album Yoshimi  
15 Battles the Pink Robots, to overwhelming critical success. The avant-garde band has more than three  
16 decades of musical achievement, proving to be one of Oklahoma’s most successful bands, while  
17 winning three Grammys. The Lips continue to add to their diverse and die-hard fan base; and

18 WHEREAS, formed in 2001, the All-American Rejects released “Move Along” in 2006, from  
19 their 2005 album of the same name. The song hit number one on the Digital Download Chart. The  
20 band is composed of Tyson Ritter and Nick Wheeler from Stillwater and Mike Kennerty and Chris  
21 Gaylor from Edmond; and

22 WHEREAS, John Moreland and the Black Gold Band represent a popular Oklahoma Indie band  
23 that has produced a song that reflects the melodic scenes of the Sooner State. “Endless Oklahoma  
24 Sky” captures a positive feeling of Oklahoma’s present beauty, culture, and music.

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
2 REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

3 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
4 Section 94.11 of Title 25, unless there is created a duplication in numbering, reads as follows:

5 Pursuant to a vote of the people of this state, the official Oklahoma State Rock and Roll Song is  
6 hereby declared to be the words and music of the song "Do You Realize??" by The Flaming Lips,  
7 composed and written by Wayne Coyne, Steven Drozd, Michael Ivins and Dave Fridmann. Except for  
8 nonprofit educational use, state use of the State Rock and Roll Song shall be preceded by notice of the  
9 intended nonprofit use to the copyright holder.

10 SECTION 2. The Secretary of State is hereby directed to distribute copies of this resolution to  
11 Wayne Coyne, Steven Drozd, Michael Ivins, Dave Fridmann and Scott Booker.

12 SECTION 3. It being immediately necessary for the preservation of the public peace, health and  
13 safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in  
14 full force from and after its passage and approval.

15  
16 52-1-1752

JT

3/3/2009 5:24:27 PM