

Senate Journal

First Regular Session of the Fifty-third Legislature of the State of Oklahoma

Fifty-eighth Legislative Day, Friday, May 20, 2011

The Senate was called to order by Senator Sykes.

Roll Call:

Present: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.—47.

Excused: Laster.—1.

Senator Sykes declared a quorum present.

The prayer was offered by Associate Minister Kristi Harrington, Henderson Hills Baptist Church, Edmond, the guest of Senator Jolley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 105, 115, 154, 195, 247, 272, 278, 280, 339, 492, 510, 529, 597, 729, 738, 772, 782, 798 and 854 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

INTRODUCTION

Senator Jolley introduced his children, Lauren and Alex, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 761** was adopted upon motion of Senator Jolley.

SB 761, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Jolley, Justice, Lerblance, Marlatt, Myers, Nichols, Paddack, Reynolds, Rice, Schulz, Shortey, Simpson, Stanislawski, Sykes and Wyrick.--38.

Nay: Wilson.--1.

Excused: Ivester, Johnson (C), Johnson (R), Laster, Mazzei, Newberry, Russell, Sparks and Treat.--9.

The bill passed.

SB 761, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 264** was adopted upon motion of Senator Jolley.

Senator Ford asked to coauthor **SB 264**, which was the order.

SB 264, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Branan, Brinkley, Brown, Coates, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Stanislawski and Treat.--29.

Nay: Adelson, Ballenger, Bass, Brecheen, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Lerblance, Paddack, Rice, Sparks, Sykes, Wilson and Wyrick.--16.

Excused: Johnson (C), Laster and Newberry.--3.

Senators Brecheen and Sykes desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 31; Nay: 14; Excused: 3.

The bill passed and the emergency failed.

SB 264, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2172** was adopted upon motion of Senator Jolley.

HB 2172 was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Nichols, Reynolds, Schulz, Simpson, Stanislawski and Sykes.--26.

Nay: Adelson, Allen, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Paddack, Rice, Shortey, Sparks, Treat, Wilson and Wyrick.--18.

Excused: Coates, Laster, Newberry and Russell.--4.

The bill passed.

HB 2172, together with the joint committee report thereon, was ordered returned to the Honorable House.

FIRST READING

The following were introduced and read the first time:

SCR 20 – By Bingman of the Senate and Steele of the House.

A Concurrent Resolution allowing the Senate or House of Representatives to reconvene prior to certain date and time; providing procedures; providing for sine die adjournment pursuant to Oklahoma Constitution.

SR 26 – By Bingman.

A Resolution supporting merger of AT&T and T-Mobile USA; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Schulz asked unanimous consent to suspend Rule 6-4 and refer **SCR 20** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 20 by Schulz of the Senate was called up for consideration.

SCR 20 was adopted upon motion of Senator Schulz and referred for engrossment.

PENDING CONSIDERATION OF JCR

The **JCR** on **HB 2184** was called up for consideration upon motion of Senator Anderson.

Senator Shortey raised a point of order pursuant to Joint Rule 7.11 (d), that **HB 2184** was referred out of the Joint Committee on Appropriations and Budget without a fiscal impact and asked the measure be removed from consideration.

The Chair ruled that Joint Rule 7.11 (d) applies to the chamber of origin, and that the Senate is not the chamber of origin for **HB 2184**. The point of order was overruled.

Senator Shortey offered a motion to adopt a substitute ruling that **HB 2184** was out of order.

The Chair requested pursuant to Senate Rule 13-6 that the motion to adopt a substitute ruling be placed on the desk in writing.

Senator Shortey offered the motion to adopt a substitute ruling in writing as follows:

“Advise the Chair to rule **HB 2184** out of order and remove from consideration pursuant to Rule 7.11 (d).”

Senator Jolley moved to table the Shortey motion to adopt a substitute ruling which tabling motion was declared adopted upon roll call as follows:

Aye: Aldridge, Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Nichols, Reynolds, Schulz, Simpson, Stanislawski, Sykes and Treat.--28.

Nay: Adelson, Ballenger, Bass, Burrage, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Paddack, Rice, Shortey, Sparks, Wilson and Wyrick.--16.

Excused: Coates, Laster, Newberry and Russell.--4.

The **JCR** on **HB 2184** was adopted upon motion of Senator Anderson.

HB 2184 was read at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Schulz, Simpson, Stanislawski, Sykes and Treat.--38.

Nay: Bass, Johnson (C), Shortey, Sparks, Wilson and Wyrick.--6.

Excused: Coates, Laster, Newberry and Russell.--4.

The bill passed.

HB 2184, together with the joint committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

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

SB 96

SB 398

SB 521 - coauthored by Hoskin

SB 673 – coauthored by Walker

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 105, 115, 154, 195, 247, 272, 278, 280, 339, 492, 510, 529, 597, 729, 738, 772, 782, 798** and **854**.

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 20 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator Reynolds presiding.

INTRODUCTION

Senator Treat introduced, Lieutenant Governor Todd Lamb, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 949** was adopted upon motion of Senator Nichols.

SB 949, as amended in conference, was read at length.

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

Aye: Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Holt, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--37.

Excused: Adelson, Aldridge, Anderson, Burrage, Crain, Garrison, Halligan, Ivester, Johnson (C), Laster and Newberry.--11.

The bill passed.

SB 949, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 952** was adopted upon motion of Senator Nichols.

SB 952, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Holt, Ivester, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Nichols,

Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--41.

Nay: Lerblance and Wilson.--2.

Excused: Crain, Halligan, Johnson (C), Laster and Newberry.--5.

The bill passed.

SB 952, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Sykes presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 740** was adopted upon motion of Senator Schulz.

SB 740, 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, Allen, Anderson, Ballenger, Barrington, Bass, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Bingman, Crain, Halligan, Johnson (C), Laster and Newberry.--6.

The bill and emergency passed.

SB 740, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 13** was adopted upon motion of Senator Mazzei.

Remove Dank and substitute Hickman as principal House author on **SB 13**, which was the order.

SB 13, 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, Allen, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Aldridge, Anderson, Johnson (C), Laster and Newberry.--5.

The bill and emergency passed.

SB 13, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

INTRODUCTION

Senator Holt introduced, the Secretary of State Glenn Coffee, to the Senate.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Bingman asked unanimous consent to suspend Rule 6-4 and refer **SR 25** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 25 by Bingman was called up for consideration.

All other members of the Senate, except Senator Reynolds, asked to coauthor **SR 25**, which was the order.

SR 25 was adopted upon motion of Senator Bingman and referred for enrollment.

INTRODUCTION

Senator Reynolds introduced his wife, Diane, his daughter, Lori Reynolds, and his Executive Assistant Sonnie Winfred; and Senator Johnson (Rob) introduced his father and former Senator Mike Johnson, to the Senate.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1062, 1207, 1226, 1230, 1231, 1284, 1319, 1343, 1388, 1418, 1475, 1488, 1512, 1601, 1603, 1652, 1743, 1744, 1852, 1903, 1954, 1990, 2072, 2174, 2180, 2182 and 2183.**

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 96, 398, 521, 673 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 25 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

Senator Schulz 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 Jolley presiding.

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

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 260** was adopted upon motion of Senator Ford.

Senator Garrison asked to coauthor **SB 260**, which was the order.

SB 260, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--42.

Excused: Adelson, Ellis, Laster, Mazzei, Paddack and Rice.--6.

The bill passed.

SB 260, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 750** was adopted upon motion of Senator Marlatt.

SB 750, as amended in conference, was read at length.

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

Aye: Aldridge, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--44.

Excused: Adelson, Laster, Paddack and Rice.--4.

The bill passed.

SB 750, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 242** was adopted upon motion of Senator Branan.

SB 242, 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Ellis, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (C), Johnson (R), Jolley, Justice, Lerblance, Marlatt, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat, Wilson and Wyrick.--43.

Excused: Adelson, Laster, Mazzei, Paddack and Rice.--5.

The bill and emergency passed.

SB 242, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

FIRST READING

The following was introduced and read the first time:

SR 27 – By Branan.

A Resolution stating legislative opposition to the Environmental Protection Agency's proposed Federal Implementation Plan; stating legislative support for the State Implementation Plan and for a comprehensive review of alternatives to address the regional haze standards; and directing distribution.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Branan asked unanimous consent to suspend Rule 6-4 and refer **SR 27** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 27 by Branan was called up for consideration.

SR 27 was adopted upon motion of Senator Branan and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2140** was adopted upon motion of Senator Bingman.

HB 2140, as amended in conference, was read at length.

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

Aye: Allen, Anderson, Barrington, Bingman, Branan, Brecheen, Brinkley, Brown, Burrage, Crain, David, Fields, Ford, Halligan, Holt, Johnson (R), Jolley, Justice, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes and Treat.--32.

Nay: Aldridge, Ballenger, Bass, Coates, Eason McIntyre, Ellis, Garrison, Ivester, Johnson (C), Lerblance, Rice, Wilson and Wyrick.--13.

Excused: Adelson, Laster and Paddack.--3.

The bill passed.

HB 2140, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed measure:

SCR 20

The above-numbered measure was referred for enrollment.

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

SB 761

SB 949 - coauthored by Shumate and Scott

SB 852

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 96, 398, 521 and 673**.

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

INTRODUCTION

Senator Jolley introduced, Governor Mary Fallin, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2115** was adopted upon motion of Senator Ford.

HB 2115, 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, Allen, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brinkley, Brown, Burrage, Coates, Crain, David, Eason McIntyre, Fields, Ford, Garrison, Halligan, Holt, Ivester, Johnson (R), Jolley, Justice, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Reynolds, Rice, Russell, Schulz, Shortey, Simpson, Sparks, Stanislawski, Sykes, Treat and Wyrick.--41.

Nay: Johnson (C).--1.

Excused: Adelson, Brecheen, Ellis, Laster, Paddack and Wilson.--6.

The bill and emergency passed.

HB 2115, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

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

SB 740
SB 935

The above-numbered measures, as amended in conference, were referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 761 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 761**.

The above-numbered enrolled measure was referred to the Governor.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 740, 852, 935 and 949 and **SCR 20** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 27 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

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

SB 13 - (emergency failed), coauthored by Dank and Jackson

SB 123 - (emergency failed)

SB 175 - (emergency failed)

SB 260

SB 750

SB 952 - coauthored by Peterson and Nollan

SB 976

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising the signing of and returning Enrolled **SCR 20**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 740, 852, 935 and 949**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 1486, 2115, 2140, 2172 and 2184**.

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 13, 123, 175, 260, 750, 952 and 976 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 13, 123, 175, 260, 750, 952 and 976.**

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

COMMUNICATION

Upon request of Senator Jolley, the following communication was ordered printed in the Senate Journal as follows:

Senator Clark Jolley and
All of the Oklahoma Senate
Oklahoma Senate
State Capitol Building
2300 N Lincoln
Oklahoma City, Oklahoma, 73103

Dear Senator Jolley and All the present Senators in the State of Oklahoma:

The family of Don Vinzant feels crowned with honor because of your Resolution 13 in which you pay respect and homage to our beloved husband and father, Don Vinzant. Although Don was a Texan by birth, he came to dearly love his neighboring state of Oklahoma, and lived here nearly 25 years of his life.

Don was beloved as a Minister of the Gospel of Christ, a Teacher at Oklahoma Christian, a husband to me for over 54 years, a good father to our four children and eight grandchildren and soon to be two great-grandchildren. He was a person who loved his fellow-man, his country and his God.

He enjoyed very much being in Rotary Club and all the wholesome programs and charities they support, and getting to know and be friends with gentlemen who cherish the strong values and love of God that was so dear to Don.

We follow the legislation and activities of all you Senators and are always proud of the leadership and direction of the Great State of Oklahoma.

With much respect and gratitude to each of you,

/s/ Carol Vinzant and Don and Carol's children,
Larry, Danny, Gene and Caroline

COMMUNICATION

May 18, 2011

The Honorable Brian Bingman, President Pro Tempore
Oklahoma State Senate
2300 N Lincoln, Room 422
Oklahoma City, OK 73105
President Pro Tempore Bingman,

Pursuant to the provisions of 26 O.S. § 12-119, I hereby submit this irrevocable letter of resignation from the office of State Senate District 43; such resignation will not become effective immediately, but rather will become effective on Friday, July 1, 2011, upon my taking the oath of office as Cleveland County Treasurer.

Please direct a copy of this letter to the Governor post-haste so that a date shall be set for a special election as provided by law.

Sincerely,

\s\ Jim Reynolds

Senator Reynolds moved that pursuant to the provisions of Senate Concurrent Resolution 20, and when the clerk's desk is clear, the Senate stand adjourned, which motion prevailed.

SCR 20 reads as follows:

Enrolled SCR 20 - By Bingman of the Senate and Steele of the House

A Concurrent Resolution allowing the Senate or House of Representatives to reconvene prior to certain date and time; providing procedures; providing for sine die adjournment pursuant to Oklahoma Constitution.

WHEREAS, Section 26 of Article V of the Oklahoma Constitution establishes the first Monday in February as the day on which the regular legislative session commences and requires that the regular session be finally adjourned sine die not later than the last Friday in May; and

WHEREAS, based on these parameters, the legislative calendar for the 1st Session of the 53rd Oklahoma Legislature began on February 7, 2011, and will end on May 27, 2011; and

WHEREAS, the Oklahoma Legislature will complete its work for the regular legislative session in a timely manner on Friday, May 20, 2011, fully one week prior to the date required to be finally adjourned sine die; and

WHEREAS, the Oklahoma Legislature recognizes that unforeseen circumstances may arise in the days prior to May 27, 2011, that require the Legislature's attention prior to sine die adjournment.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT following adjournment of each house on May 20, 2011, the Senate or the House of Representatives may reconvene at any time prior to 5:00 p.m. on Friday, May 27, 2011, upon the mutual agreement of the President Pro Tempore of the Senate and the Speaker of the House of Representatives; provided, that members of the respective house shall be provided at least twenty-four (24) hours' notice of the reconvening of said chamber.

THAT pursuant to the provisions of Section 30 of Article V of the Oklahoma Constitution, each house shall have the permission of the opposite house to adjourn for more than three days beginning Friday, May 20, 2011, and ending not later than 5:00 p.m. on Friday, May 27, 2011.

THAT if the Senate or the House of Representatives reconvene pursuant to the provisions of this resolution, the respective chambers will adjourn sine die at such time as may be declared by the Presiding Officer of the respective chambers, but in no case later than 5:00 p.m. on Friday, May 27, 2011; provided, that in the event the Senate or the House of Representatives are not reconvened prior to or on Friday, May 27, 2011, then the respective chambers of the Oklahoma Legislature shall be deemed to stand adjourned sine die at 5:00 p.m. on Friday, May 27, 2011.

MESSAGES FROM THE GOVERNOR

Advising her approval May 20, 2011, of Enrolled SBs **56, 228, 610** and **821**.

Advising her approval May 24, 2011, of Enrolled SBs **435, 772, 878, 972, 973, 974, 975, 976, 977** and **981**.

Advising her approval May 25, 2011, of Enrolled SBs **115, 154, 175, 195, 250, 260** and **339**.

Advising her approval May 26, 2011, of Enrolled SBs **13, 96, 105, 123, 247, 272, 278, 280, 398, 492, 510, 521, 529, 597, 673, 729, 740, 750, 782, 798, 852, 854, 935, 949** and **952**.

The veto messages read as follows:

May 26, 2011

To the Honorable President Pro Tempore
and Members of the Oklahoma Senate
First Session of the Fifty Third Oklahoma Legislature

ENROLLED SB 738

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 738. This bill would exempt the Oklahoma Liquefied Petroleum Gas Research Marketing and Safety Commission from state laws pertaining to the purchase, ownership, and disposal of state-owned vehicles and from the Oklahoma Central Purchasing Act in a more general sense. These exemptions are not in the best interest of the State of Oklahoma.

By the Governor of the State of Oklahoma
/s/Mary Fallin

ENROLLED SB 761

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 761. This bill seeks to amend Senate Bill 878 which was signed into law on May 24, 2011. The proposed changes to the Oklahoma Workers' Compensation Medical Fee Schedule would diminish the important cost savings realized in Senate Bill 878.

By the Governor of the State of Oklahoma
/s/Mary Fallin

Pursuant to the Reynolds motion the Senate adjourned at 3:20 p.m.

Pursuant to **SCR 20** the First Session of the Fifty-third Legislature adjourned sine die at 5:00 p.m., Friday, May 27, 2011.