

# Senate Journal

## Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma Twelfth Legislative Day, Thursday, February 19, 2004

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—48.

Senator Rozell declared a quorum present.

The prayer was offered by Father Price Oswalt, Saints Peter and Paul Catholic Church, Kingfisher, the guest of Senator Johnson.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SB 1101** and **SCR 42** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SBs 959, 992, 1056** and **1058** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1858, 2094, 2095, 2096, 2097, 2159, 2176, 2224, 2347, 2374, 2469, 2472, 2527, 2663** and **2725** and **HCR 1051**.

**HB 1858** – By Gilbert, Sweeden and Liotta of the House and Brogdon of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Sections 2-104 and 3-101, which relate to municipal incorporation; providing an exception to territory that may not incorporate as a municipality; requiring petition for incorporation of town to include certain information; and providing an effective date.

**HB 2094** – By Sweeden of the House and Gumm of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 475.3, which relates to the State Board of Registration for Professional Engineers and Land Surveyors; re-creating the Board; and modifying termination date.

**HB 2095** – By Sweeden of the House and Gumm of the Senate.

An Act relating to sunset; repealing 10 O.S. 2001, Sections 7007-1.1, 7007-1.2, 7007-1.3, 7007-1.4, and 7007-1.5, which relate to the Child Welfare System Reform Review Committee; repealing 43A O.S. 2001, Section 3-113.1, which relates to the Task Force on Behavioral Health; repealing Section 1, Chapter 329, O.S.L. 2002 (59 O.S. Supp. 2003, Section 575), which relates to the Nursing Workforce Task Force; repealing Section 2, Chapter 329, O.S.L. 2002 (59 O.S. Supp. 2003, Section 576), which relates to the Certified School Professional Nurse Staff Task Force; repealing 63 O.S. 2001, Sections 1-546.2 and 1-546.3, which relate to the Joint Legislative Task Force on Prenatal Addiction and Treatment; repealing 63 O.S. 2001, Section 1-2701, which relates to the Telemedicine Advisory Council; amending 63 O.S. 2001, Section 1-2702, which relates to a statewide Oklahoma telemedicine network; deleting obsolete language; repealing 74 O.S. 2001, Section 8121, which relates to the Task Force on Electronic Commerce; repealing Section 1, Chapter 405, O.S.L. 2002, which relates to the Racial and Social Economic Statistical Analysis on Imprisonment Task Force; repealing Section 1, Chapter 32, O.S.L. 2003, which relates to the Electronic and Information Technology Accessibility Task Force; repealing Section 2, Chapter 216, O.S.L. 2003, which relates to the Special Task Force for Women Incarcerated in Oklahoma; repealing Section 1, Chapter 241, O.S.L. 2003, which relates to the State Architectural Act Task Force; repealing Section 2, Chapter 367, O.S.L. 2003, which relates to the Task Force on Hospital Emergency Services and Trauma Care; repealing Section 3, Chapter 463, O.S.L. 2003, which relates to the Surface Damage Advisory Committee; providing an effective date; and declaring an emergency.

**HB 2096** – By Sweeden of the House and Gumm of the Senate.

An Act relating to sunset; amending 74 O.S. 2001, Section 3905, which relates to the 2004 omnibus sunset list; modifying termination date; and deleting entity from the list.

**HB 2097** – By Sweeden of the House and Gumm of the Senate.

An Act relating to sunset; amending 59 O.S. 2001, Section 15.2, which relates to the Oklahoma Accountancy Board; re-creating the Board; and modifying termination date.

**HB 2159** – By Pettigrew, Miller (Ray) and Roan of the House and Milacek of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 11-301, as amended by Section 20, Chapter 397, O.S.L. 2002, and 11-309, as amended by Section 22,

Chapter 397, O.S.L. 2002 (47 O.S. Supp. 2003, Sections 11-301 and 11-309), which relate to overtaking, passing, and driving on right side of roadway; clarifying procedure for overtaking and passing vehicles; providing for penalties; amending 47 O.S. 2001, Section 11-1302, which relates to maintenance, construction, and safety zones; defining term; requiring certain placement of traffic-control device; requiring merge within certain distance of traffic-control device; modifying penalty; and providing an effective date.

**HB 2176** – By Nance, Roan, McCarter, Armes, Blackwell, Smithson, Young, Trebilcock, Staggs, Peters, Tibbs, Newport, Braddock, Lamons, Askins, Balkman, Boren, Brannon, Calvey, Carey, Covey, Dank, Deutschendorf, DeWitt, Dorman, Easley, Greenwood, Harrison, Liotta, McClain, Miller (Ray), Paulk, Peterson (Pam), Piatt, Roggow, Sweeden, Taylor, Tyler, Vaughn and Walker of the House and Wilkerson of the Senate.

An Act relating to controlled dangerous substances; creating the Trooper Nik Green Act; amending 22 O.S. 2001, Section 1105, which relates to defendants discharged on giving bail; clarifying release procedure for certain persons; providing a rebuttable presumption under certain circumstances; amending 63 O.S. 2001, Section 2-212, which relates to Schedule V of the Uniform Controlled Dangerous Substances Act; adding pseudoephedrine to Schedule V; providing procedures prior to sale of certain products; establishing amount of product that may be acquired within certain period of time; providing exceptions; providing for rule promulgation; providing for the removal of drug product under certain circumstances; amending Section 1, Chapter 288, O.S.L. 2002, as amended by Section 3, Chapter 133, O.S.L. 2003 (63 O.S. Supp. 2003, Section 2-332) which relates to the Precursor Substances Act; decreasing amount of drug product that may be possessed; modifying penalty; amending 63 O.S. 2001, Section 2-401, as last amended by Section 2, Chapter 437, O.S.L. 2003 (63 O.S. Supp. 2003, Section 2-401), which relates to prohibited acts and penalties; expanding list of prohibited substances; making certain actions unlawful; providing a presumption to defraud or cause deceitful results in certain test; defining term; providing penalty; providing for noncodification; providing for codification; and declaring an emergency.

**HB 2224** – By Case of the House and Pruitt of the Senate.

An Act relating to property; amending 60 O.S. 2001, Section 178.4, as amended by Section 4, Chapter 386, O.S.L. 2003 (60 O.S. Supp. 2003, Section 178.4), which relates to trusts; deleting certain exception; and providing an effective date.

**HB 2347** – By Smithson and Nance of the House and Corn of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 3311, as last amended by Section 7, Chapter 168, O.S.L. 2003 (70 O.S. Supp. 2003, Section 3311), which relates to Council on Law Enforcement Education and Training; providing for adoption of certain certified canines; and providing an effective date.

**HB 2374** – By Leist of the House and Shurden of the Senate.

An Act relating to crimes and punishment; prohibiting abandonment of property or goods; providing penalty; amending 47 O.S. 2001, Section 6-205, as amended by Section 14, Chapter 392, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-205), which relates to the

cancellation, suspension, or revocation of driver licenses; requiring revocation of driver license under certain circumstance; providing for codification; and providing an effective date.

**HB 2469** – By Braddock of the House and Robinson of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Section 104, which relates to definitions under the Oklahoma Insurance Code; modifying definition of person; and providing an effective date.

**HB 2472** – By Braddock of the House and Helton of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 43-101.1, as amended by Section 1, Chapter 41, O.S.L. 2002 (11 O.S. Supp. 2003, Section 43-101.1), which relates to land use hazardous to aircraft operation; updating reference to certain studies and recommendations; and providing an effective date.

**HB 2527** – By Vaughn of the House and Cain of the Senate.

An Act relating to child support; amending 12 O.S. 2001, Section 1171.3, which relates to procedures for payment of child support; clarifying procedures for payment; updating language; deleting outdated language; removing priority and equal treatment for certain actions; authorizing certain exceptions for not requiring immediate income assignments; providing restrictions; defining term; amending 36 O.S. 2001, Section 6058A, as last amended by Section 1, Chapter 19, O.S.L. 2003 (36 O.S. Supp. 2003, Section 6058A), which relates to enrollment of children under the health plan of a parent; modifying requirement of insurers regarding enrollment of child under the health care plan of noncustodial parent; amending 43 O.S. 2001, Section 118.2, as amended by Section 2, Chapter 19, O.S.L. 2003 (43 O.S. Supp. 2003, Section 118.2), which relates to child support requirements for health coverage; updating language; modifying requirements relating thereto; repealing 12 O.S. 2001, Section 1173.1, which relates to garnishment for collection of child support; and declaring an emergency.

**HB 2663** – By Adair and Ferguson of the House and Corn of the Senate.

An Act relating to elections; amending 26 O.S. 2001, Sections 13A-105 and 13A-109, which relate to school district elections; allowing candidates to file declarations of candidacy in county in which they reside; requiring boards of education to publish notice of elections for members of the board; providing for contents of the notice; requiring posting of the notice in certain locations; providing an effective date; and declaring an emergency.

**HB 2725** – By Toure of the House and Smith of the Senate.

An Act relating to duplicate sections; amending, merging, consolidating, and repealing duplicate sections; amending 2 O.S. 2001, Section 8-85.13, as amended by Section 7, Chapter 173, O.S.L. 2002, and as renumbered by Section 20, Chapter 173, O.S.L. 2002 (2 O.S. Supp. 2003, Section 11-10); repealing 2 O.S. 2001, Section 8-85.13, as amended by Section 1, Chapter 61, O.S.L. 2002, and as renumbered by Section 20, Chapter 173, O.S.L. 2002 (2 O.S. Supp. 2003, Section 11-10); amending 11 O.S. 2001, Section 50-112, as last amended by Section 1, Chapter 486, O.S.L. 2003 (11 O.S. Supp. 2003, Section 50-112); repealing 11 O.S. 2001, Section 50-112, as amended by Section 5, Chapter 137, O.S.L.

2003 (11 O.S. Supp. 2003, Section 50-112); amending 19 O.S. 2001, Section 339, as last amended by Section 2, Chapter 387, O.S.L. 2003 (19 O.S. Supp. 2003, Section 339); repealing 19 O.S. 2001, Section 339, as last amended by Section 1, Chapter 230, O.S.L. 2003 (19 O.S. Supp. 2003, Section 339); amending 20 O.S. 2001, Section 1313.2, as last amended by Section 1, Chapter 471, O.S.L. 2003 (20 O.S. Supp. 2003, Section 1313.2); repealing 20 O.S. 2001, Section 1313.2, as last amended by Section 7, Chapter 319, O.S.L. 2003 (20 O.S. Supp. 2003, Section 1313.2); amending 20 O.S. 2001, Section 1313.3, as last amended by Section 8, Chapter 319, O.S.L. 2003 (20 O.S. Supp. 2003, Section 1313.3); repealing 20 O.S. 2001, Section 1313.3, as last amended by Section 2, Chapter 224, O.S.L. 2003 (20 O.S. Supp. 2003, Section 1313.3); amending 22 O.S. 2001, Section 991a, as last amended by Section 3, Chapter 474, O.S.L. 2003 (22 O.S. Supp. 2003, Section 991a); repealing 22 O.S. 2001, Section 991a, as last amended by Section 1, Chapter 306, O.S.L. 2003 (22 O.S. Supp. 2003, Section 991a); repealing 22 O.S. 2001, Section 991a, as last amended by Section 2, Chapter 363, O.S.L. 2003 (22 O.S. Supp. 2003, Section 991a); amending 25 O.S. 2001, Section 307.1, as last amended by Section 5, Chapter 474, O.S.L. 2003 (25 O.S. Supp. 2003, Section 307.1); repealing 25 O.S. 2001, Section 307.1, as amended by Section 2, Chapter 318, O.S.L. 2003 (25 O.S. Supp. 2003, Section 307.1); repealing 25 O.S. 2001, Section 307.1, as last amended by Section 1, Chapter 324, O.S.L. 2003 (25 O.S. Supp. 2003, Section 307.1); amending 26 O.S. 2001, Section 14-108, as last amended by Section 10, Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2003, Section 14-108); repealing 26 O.S. 2001, Section 14-108, as last amended by Section 2, Chapter 403, O.S.L. 2003 (26 O.S. Supp. 2003, Section 14-108); amending 26 O.S. 2001, Section 16-102, as amended by Section 23, Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2003, Section 16-102); repealing 26 O.S. 2001, Section 16-102, as amended by Section 3, Chapter 403, O.S.L. 2003 (26 O.S. Supp. 2003, Section 16-102); amending 28 O.S. 2001, Section 152.1, as amended by Section 5, Chapter 440, O.S.L. 2003 (28 O.S. Supp. 2003, Section 152.1); repealing 28 O.S. 2001, Section 152.1, as amended by Section 1, Chapter 348, O.S.L. 2003 (28 O.S. Supp. 2003, Section 152.1); amending 28 O.S. 2001, Section 153, as amended by Section 6, Chapter 474, O.S.L. 2003 (28 O.S. Supp. 2003, Section 153); repealing 28 O.S. 2001, Section 153, as amended by Section 6, Chapter 440, O.S.L. 2003 (28 O.S. Supp. 2003, Section 153); amending 37 O.S. 2001, Section 163.7, as amended by Section 3, Chapter 484, O.S.L. 2003 (37 O.S. Supp. 2003, Section 163.7); repealing 37 O.S. 2001, Section 163.7, as amended by Section 1, Chapter 354, O.S.L. 2003 (37 O.S. Supp. 2003, Section 163.7); amending 43A O.S. 2001, Section 10-105, as amended by Section 2, Chapter 399, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-105); repealing 43A O.S. 2001, Section 10-105, as amended by Section 4, Chapter 332, O.S.L. 2003 (43A O.S. Supp. 2003, Section 10-105); amending 47 O.S. 2001, Section 2-105, as amended by Section 3, Chapter 461, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-105); repealing 47 O.S. 2001, Section 2-105, as amended by Section 1, Chapter 279, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-105); amending 47 O.S. 2001, Section 2-300, as last amended by Section 3, Chapter 406, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-300); repealing 47 O.S. 2001, Section 2-300, as last amended by Section 1, Chapter 456, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-300); amending 47 O.S. 2001, Section 2-305.2, as amended by Section 2, Chapter 343, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-305.2); repealing 47 O.S. 2001, Section 2-305.2, as amended by Section 6, Chapter 406, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-305.2); repealing 47 O.S. 2001, Section 2-305.2, as amended by Section 2,

Chapter 456, O.S.L. 2003 (47 O.S. Supp. 2003, Section 2-305.2); amending 47 O.S. 2001, Section 6-106, as last amended by Section 5, Chapter 392, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-106); repealing 47 O.S. 2001, Section 6-106, as last amended by Section 2, Chapter 234, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-106); amending 47 O.S. 2001, Section 6-111, as amended by Section 7, Chapter 392, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-111); repealing 47 O.S. 2001, Section 6-111, as amended by Section 3, Chapter 234, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-111); 47 O.S. 2001, Section 6-115, as amended by Section 9, Chapter 392, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-115); repealing 47 O.S. 2001, Section 6-115, as amended by Section 1, Chapter 108, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-115); amending 47 O.S. 2001, Section 6-117, as last amended by Section 5, Chapter 234, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-117); repealing 47 O.S. 2001, Section 6-117, as last amended by Section 2, Chapter 233, O.S.L. 2003 (47 O.S. Supp. 2003, Section 6-117); amending 47 O.S. 2001, Section 12-101, as amended by Section 17, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2003, Section 12-101); repealing 47 O.S. 2001, Section 12-101, as amended by Section 9, Chapter 199, O.S.L. 2003 (47 O.S. Supp. 2003, Section 12-101); amending 47 O.S. 2001, Section 1136, as last amended by Section 1, Chapter 211, O.S.L. 2003 (47 O.S. Supp. 2003, Section 1136); repealing 47 O.S. 2001, Section 1136, as last amended by Section 1, Chapter 97, O.S.L. 2003 (47 O.S. Supp. 2003, Section 1136); amending 60 O.S. 2001, Section 176, as last amended by Section 5, Chapter 184, O.S.L. 2003 (60 O.S. Supp. 2003, Section 176); repealing 60 O.S. 2001, Section 176, as last amended by Section 54, Chapter 3, O.S.L. 2003 (60 O.S. Supp. 2003, Section 176); amending 61 O.S. 2001, Section 209, as last amended by Section 4, Chapter 277, O.S.L. 2003 (61 O.S. Supp. 2003, Section 209); repealing 61 O.S. 2001, Section 209, as last amended by Section 6, Chapter 60, O.S.L. 2003 (61 O.S. Supp. 2003, Section 209); amending 62 O.S. 2001, Section 7.10, as last amended by Section 4, Chapter 212, O.S.L. 2003 (62 O.S. Supp. 2003, Section 7.10); repealing 62 O.S. 2001, Section 7.10, as last amended by Section 3, Chapter 93, O.S.L. 2003 (62 O.S. Supp. 2003, Section 7.10); repealing 62 O.S. 2001, Section 7.10, as last amended by Section 1, Chapter 114, O.S.L. 2003 (62 O.S. Supp. 2003, Section 7.10); amending 62 O.S. 2001, Section 853, as amended by Section 6, Chapter 433, O.S.L. 2003 (62 O.S. Supp. 2003, Section 853); repealing 62 O.S. 2001, Section 853, as amended by Section 1, Chapter 255, O.S.L. 2003 (62 O.S. Supp. 2003, Section 853); amending 62 O.S. 2001, Section 856, as amended by Section 7, Chapter 433, O.S.L. 2003 (62 O.S. Supp. 2003, Section 856); repealing 62 O.S. 2001, Section 856, as amended by Section 4, Chapter 255, O.S.L. 2003 (62 O.S. Supp. 2003, Section 856); amending 63 O.S. 2001, Section 2-302, as amended by Section 1, Chapter 226, O.S.L. 2003 (63 O.S. Supp. 2003, Section 2-302); repealing 63 O.S. 2001, Section 2-302, as amended by Section 1, Chapter 133, O.S.L. 2003 (63 O.S. Supp. 2003, Section 2-302); amending 63 O.S. 2001, Section 2-303, as amended by Section 2, Chapter 226, O.S.L. 2003 (63 O.S. Supp. 2003, Section 2-303); repealing 63 O.S. 2001, Section 2-303, as amended by Section 2, Chapter 133, O.S.L. 2003 (63 O.S. Supp. 2003, Section 2-303); repealing 68 O.S. 2001, Section 807, as amended by Section 1, Chapter 408, O.S.L. 2003 (68 O.S. Supp. 2003, Section 807); amending 68 O.S. 2001, Section 1352, as last amended by Section 1, Chapter 413, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1352); repealing 68 O.S. 2001, Section 1352, as last amended by Section 13, Chapter 472, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1352); amending 68 O.S. 2001, Section 1356, as last amended by Section 14, Chapter 472, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1356);

repealing 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 291, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 431, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1356); amending 68 O.S. 2001, Section 1362, as amended by Section 11, Chapter 413, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1362); repealing 68 O.S. 2001, Section 1362, as amended by Section 2, Chapter 374, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1362); amending 68 O.S. 2001, Section 1365, as last amended by Section 2, Chapter 376, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1365); repealing 68 O.S. 2001, Section 1365, as last amended by Section 13, Chapter 413, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1365); amending 68 O.S. 2001, Section 1367.1, as amended by Section 17, Chapter 472, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1367.1); repealing 68 O.S. 2001, Section 1367.1, as amended by Section 3, Chapter 374, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1367.1); amending 68 O.S. 2001, Section 1370, as last amended by Section 18, Chapter 472, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1370); repealing 68 O.S. 2001, Section 1370, as last amended by Section 16, Chapter 413, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1370); amending 68 O.S. 2001, Section 1405, as last amended by Section 3, Chapter 376, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1405); repealing 68 O.S. 2001, Section 1405, as last amended by Section 29, Chapter 413, O.S.L. 2003 (68 O.S. Supp. 2003, Section 1405); amending 68 O.S. 2001, Section 2902, as last amended by Section 1, Chapter 458, O.S.L. 2003 (68 O.S. Supp. 2003, Section 2902); repealing 68 O.S. 2001, Section 2902, as last amended by Section 8, Chapter 374, O.S.L. 2003 (68 O.S. Supp. 2003, Section 2902); amending 70 O.S. 2001, Section 1-111, as last amended by Section 1, Chapter 169, O.S.L. 2003 (70 O.S. Supp. 2003, Section 1-111); repealing 70 O.S. 2001, Section 1-111, as last amended by Section 1, Chapter 40, O.S.L. 2003 (70 O.S. Supp. 2003, Section 1-111); amending 70 O.S. 2001, Section 6-189, as amended by Section 1, Chapter 360, O.S.L. 2003 (70 O.S. Supp. 2003, Section 6-189); repealing 70 O.S. 2001, Section 6-189, as amended by Section 1, Chapter 228, O.S.L. 2003 (70 O.S. Supp. 2003, Section 6-189); amending 70 O.S. 2001, Section 18-200.1, as last amended by Section 31, Chapter 415, O.S.L. 2003 (70 O.S. Supp. 2003, Section 18-200.1); repealing 70 O.S. 2001, Section 18-200.1, as last amended by Section 6, Chapter 296, O.S.L. 2003 (70 O.S. Supp. 2003, Section 18-200.1); amending 74 O.S. 2001, Section 85.5, as last amended by Section 2, Chapter 342, O.S.L. 2003 (74 O.S. Supp. 2003, Section 85.5); repealing 74 O.S. 2001, Section 85.5, as last amended by Section 1, Chapter 257, O.S.L. 2003 (74 O.S. Supp. 2003, Section 85.5); repealing 74 O.S. 2001, Section 85.5, as last amended by Section 6, Chapter 376, O.S.L. 2003 (74 O.S. Supp. 2003, Section 85.5); amending 74 O.S. 2001, Section 85.12, as amended by Section 4, Chapter 342, O.S.L. 2003 (74 O.S. Supp. 2003, Section 85.12); repealing 74 O.S. 2001, Section 85.12, as last amended by Section 2, Chapter 257, O.S.L. 2003 (74 O.S. Supp. 2003, Section 85.12); amending 74 O.S. 2001, Section 840-2.27B, as amended by Section 12, Chapter 212, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-2.27B); repealing 74 O.S. 2001, Section 840-2.27B, as amended by Section 1, Chapter 120, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-2.27B); amending 74 O.S. 2001, Section 840-2.27D, as last amended by Section 2, Chapter 353, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-2.27D); repealing 74 O.S. 2001, Section 840-2.27D, as amended by Section 2, Chapter 120, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-2.27D); amending 74 O.S. 2001, Section 840-4.15, as amended by Section 3, Chapter 453, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-4.15); repealing 74 O.S. 2001, Section 840-4.15, as amended by Section

17, Chapter 212, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-4.15); amending 74 O.S. 2001, Section 840-5.5, as last amended by Section 1, Chapter 382, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-5.5); repealing 74 O.S. 2001, Section 840-5.5, as last amended by Section 11, Chapter 279, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-5.5); repealing 74 O.S. 2001, Section 840-5.5, as last amended by Section 3, Chapter 353, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-5.5); amending 74 O.S. 2001, Section 913, as amended by Section 17, Chapter 406, O.S.L. 2003 (74 O.S. Supp. 2003, Section 913); repealing 74 O.S. 2001, Section 913, as amended by Section 4, Chapter 359, O.S.L. 2003 (74 O.S. Supp. 2003, Section 913); amending 74 O.S. 2001, Section 1315, as last amended by Section 1, Chapter 370, O.S.L. 2003 (74 O.S. Supp. 2003, Section 1315); repealing 74 O.S. 2001, Section 1315, as last amended by Section 1, Chapter 366, O.S.L. 2003 (74 O.S. Supp. 2003, Section 1315); amending 74 O.S. 2001, Section 1847.1, as last amended by Section 3, Chapter 400, O.S.L. 2003 (74 O.S. Supp. 2003, Section 1847.1); repealing 74 O.S. 2001, Section 1847.1, as last amended by Section 1, Chapter 321, O.S.L. 2003 (74 O.S. Supp. 2003, Section 1847.1); repealing 82 O.S. 2001, Section 1461, as amended by Section 1, Chapter 15, O.S.L. 2003 (82 O.S. Supp. 2003, Section 1461); and declaring an emergency.

**HCR 1051** – By McCarter, Armes, Adair, Adkins, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, DeWitt, Deutschendorf, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, Mass, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O’Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Helton of the Senate.

A Concurrent Resolution designating the Trooper Nikky Green Memorial Highway; directing the Oklahoma Department of Transportation to place permanent markers; and directing distribution.

The above-numbered measures were read the first time.

**MESSAGE FROM THE HOUSE  
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bill as amended:

**SB 996**

House amendment was read on the above-numbered bill.

## **MESSAGE FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 959, 992, 1056 and 1058**.

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

## **CHANGE IN COMMITTEE ASSIGNMENT**

Senator Fisher asked unanimous consent, which was granted, that the following bill be reassigned as follows:

**SB 1546** – Withdrawn from Rules Committee and referred to Human Resources.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 23, 2004, at 1:30 p.m., which motion prevailed.

## **COMMITTEE REPORTS**

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

DO PASS:

**SB 864** – Sunset Review

**SB 1091** – Judiciary, coauthored by Vaughn (principal House author)

**SB 1206** – Aerospace and Technology, coauthored by Covey (principal House author)

**SB 1244** – Commerce, coauthored by Plunk (principal House author)

**SB 1259** – Commerce, coauthored by Sullivan (principal House author)

**SB 1296** – Energy, Environment and Communications, coauthored by Wells (principal House author)

**SB 1298** – Veterans, Military Affairs, and Public Safety, coauthored by Nations (principal House author)

**SB 1373** – Judiciary, coauthored by Peterson (Ron) (principal House author)

**SB 1397** – Judiciary, coauthored by Braddock (principal House author)

**SB 1401** – Judiciary, coauthored by Ingmire (principal House author)

**SB 1408** – Judiciary, coauthored by Lamons (principal House author)

**SB 1430** – Judiciary, coauthored by Dorman (principal House author)

**SB 1435** – Judiciary, coauthored by Toure (principal House author)

**SB 1526** – Veterans, Military Affairs, and Public Safety, coauthored by Roan (principal House author)

**SB 1527** – Finance, coauthored by Gumm of the Senate, and coauthored by McClain (principal House author)

- SB 1552** – Judiciary, coauthored by Ingmire (principal House author)
- SB 1591** – Human Resources, coauthored by Gilbert (principal House author)
- SB 1597** – Judiciary, coauthored by Cargill (principal House author)
- SB 1598** – Judiciary, coauthored by Winchester (principal House author)

DO PASS, As Amended:

- CS for SB 450** – Judiciary, coauthored by Morgan of the Senate, and coauthored by Wright (principal House author)
- CS for SB 756** – Appropriations, coauthored by Roberts (principal House author) and McIntyre of the House
- SB 844** – Finance, coauthored by Phillips (principal House author)
- SB 862** – Finance, coauthored by Roggow (principal House author)
- SB 867** – Appropriations, coauthored by McCarter (principal House author)
- SB 874** – Finance, coauthored by Winchester (principal House author)
- CS for SB 893** – Appropriations, coauthored by Case (principal House author) and Dorman of the House
- SB 899** – Human Resources, coauthored by Rice (principal House author)
- SB 902** – Judiciary, coauthored by Peterson (Ron) (principal House author)
- SB 908** – Appropriations, coauthored by Jones (principal House author)
- SB 1093** – Finance, coauthored by Maddox, Monson, Shurden, Littlefield, Williams, Price, Rabon, Wilkerson, Wilcoxson of the Senate, and coauthored by Wright (principal House author) and Staggs and Sweeden of the House
- SB 1095** – Appropriations, coauthored by Leist (principal House author)
- SB 1105** – Appropriations, coauthored by Carey (principal House author)
- SB 1106** – Appropriations, coauthored by Gumm of the Senate, and coauthored by Adair (principal House author)
- CS for SB 1107** – Appropriations, coauthored by Sweeden (principal House author)
- SB 1114** – Appropriations, coauthored by Staggs (principal House author)
- SB 1117** – Appropriations, coauthored by Brannon (principal House author)
- SB 1151** – Transportation, coauthored by Pettigrew (principal House author)
- SB 1156** – Appropriations, coauthored by Langmacher (principal House author)
- CS for SB 1172** – Appropriations, coauthored by Gumm of the Senate, and coauthored by Smithson (principal House author)
- SB 1176** – Finance, coauthored by Rice (principal House author)
- CS for SB 1177** – Appropriations, coauthored by Leist (principal House author)
- SB 1185** – Appropriations, coauthored by Smithson (principal House author)
- CS for SB 1190** – Appropriations, coauthored by Gumm of the Senate, and coauthored by Braddock (principal House author)
- SB 1207** – Appropriations
- CS for SB 1210** – Judiciary, remove Nichols and substitute Robinson as principal Senate author, and coauthored by Toure (principal House author)
- SB 1212** – Appropriations, coauthored by Williams and Capps of the Senate, and coauthored by Askins (principal House author)

- CS for **SB 1225** – Appropriations, coauthored by Hilliard (principal House author)
- CS for **SB 1232** – Appropriations, coauthored by Winchester (principal House author)
- CS for **SB 1234** – Judiciary, coauthored by Carey (principal House author)
- SB 1237** – Commerce, coauthored by Phillips (principal House author)
- SB 1253** – Finance, coauthored by Sweeden (principal House author)
- SB 1258** – Judiciary, coauthored by Nations (principal House author)
- CS for **SB 1272** – Appropriations, coauthored by Gumm of the Senate
- SB 1274** – Appropriations, coauthored by Winchester (principal House author)
- CS for **SB 1275** – Judiciary, coauthored by Hastings (principal House author)
- SB 1282** – Finance, coauthored by Covey (principal House author)
- SB 1285** – Finance, coauthored by Lamons (principal House author)
- SB 1288** – Appropriations, coauthored by Hamilton (principal House author)
- SB 1291** – Judiciary, coauthored by Hastings (principal House author)
- SB 1293** – Energy, Environment and Communications, coauthored by Morgan (Danny) (principal House author)
- SB 1299** – Appropriations, coauthored by Leist (principal House author)
- SB 1308** – Judiciary, coauthored by Cox (principal House author)
- SB 1310** – Appropriations, coauthored by Williams of the Senate, and coauthored by Winchester (principal House author)
- SB 1312** – Appropriations, coauthored by Branan and Gumm of the Senate, and coauthored by Wright (principal House author)
- SB 1313** – Judiciary, coauthored by Staggs (principal House author)
- SB 1331** – Judiciary, coauthored by Nance (principal House author)
- SB 1332** – Energy, Environment and Communications, coauthored by Rice (principal House author)
- SB 1335** – Retirement and Group Health, coauthored by Ferguson (principal House author)
- CS for **SB 1339** – Appropriations, coauthored by Phillips (principal House author)
- CS for **SB 1347** – Appropriations, coauthored by Fair, Horner, Crutchfield, Kerr, Maddox, Myers, Rabon, Shurden, Wilkerson, Cain, Ford, Williamson of the Senate, and coauthored by Sullivan and Braddock of the House
- CS for **SB 1349** – Appropriations, coauthored by Dorman (principal House author)
- SB 1354** – Finance, coauthored by Fair of the Senate, and coauthored by Hiett (principal House author) and Wright of the House
- CS for **SB 1356** – Finance, coauthored by Leist (principal House author)
- SB 1364** – Judiciary, coauthored by Braddock (principal House author)
- SB 1366** – Judiciary, coauthored by Sullivan (principal House author)
- SB 1374** – Appropriations, coauthored by Gumm of the Senate, and coauthored by McCarter (principal House author)
- SB 1377** – Judiciary, coauthored by Hiett (principal House author)
- SB 1384** – Retirement and Group Health, coauthored by Ferguson (principal House author)
- CS for **SB 1385** – Appropriations, coauthored by Covey (principal House author)

- SB 1404** – Veterans, Military Affairs, and Public Safety, coauthored by Balkman (principal House author)
- CS for SB 1405** – Appropriations, coauthored by Lindley (principal House author) and Gilbert of the House
- SB 1407** – Judiciary, coauthored by Morgan (Fred) (principal House author)
- SB 1410** – Appropriations, coauthored by Smithson (principal House author)
- CS for SB 1413** – Appropriations, coauthored by Newport (principal House author)
- SB 1414** – Appropriations, coauthored by Blackburn (principal House author)
- SB 1420** – Appropriations, coauthored by Blackwell (principal House author)
- SB 1421** – Energy, Environment and Communications, coauthored by Roan (principal House author)
- SB 1432** – Energy, Environment and Communications, coauthored by Tyler (principal House author)
- SB 1434** – Retirement and Group Health
- SB 1440** – Judiciary, coauthored by Trebilcock (principal House author)
- SB 1451** – Appropriations, coauthored by McCarter (principal House author)
- CS for SB 1456** – Appropriations, coauthored by Morgan (Fred) (principal House author)
- CS for SB 1457** – Appropriations, coauthored by Covey (principal House author)
- SB 1460** – Appropriations, coauthored by Ingmire (principal House author)
- SB 1465** – Appropriations, coauthored by Sullivan (principal House author)
- CS for SB 1466** – Tourism and Wildlife, coauthored by Armes (principal House author)
- CS for SB 1470** – Appropriations, coauthored by Hobson, Horner, Monson, Wilcoxson of the Senate, and coauthored by Blackburn (principal House author) and McIntyre of the House
- SB 1471** – Appropriations, coauthored by Gumm of the Senate, and coauthored by Braddock (principal House author)
- SB 1472** – Judiciary, coauthored by Jones (principal House author)
- CS for SB 1474** – Appropriations, coauthored by Cargill (principal House author)
- SB 1475** – Appropriations, coauthored by Hutchison (principal House author)
- SB 1486** – Appropriations, coauthored by Morgan (Fred) (principal House author)
- SB 1490** – Appropriations, coauthored by Gumm and Littlefield of the Senate, and coauthored by Roberts (principal House author)
- SB 1496** – Judiciary, coauthored by Benge (principal House author)
- SB 1500** – Finance, coauthored by DeWitt (principal House author)
- SB 1501** – Appropriations, coauthored by Williams of the Senate, and coauthored by Peters (principal House author)
- SB 1502** – Appropriations, remove Fisher and substitute Wilkerson as principal Senate author, and coauthored by Lamons (principal House author)
- CS for SB 1503** – Appropriations, remove Fisher and substitute Wilkerson as principal Senate author, and coauthored by Lamons (principal House author)
- SB 1504** – Finance, coauthored by Cox (principal House author)
- SB 1509** – Judiciary, coauthored by Ingmire (principal House author)

- CS for **SB 1511** – Judiciary, coauthored by Vaughn (principal House author)
- SB 1512** – Human Resources, coauthored by McIntyre (principal House author)
- CS for **SB 1520** – Finance, remove Helton and substitute Rozell as principal Senate author, and coauthored by Wilson (principal House author)
- SB 1525** – Tourism and Wildlife, coauthored by Wilson (principal House author)
- CS for **SB 1531** – Judiciary, coauthored by Adair (principal House author)
- CS for **SB 1537** – Aerospace and Technology, coauthored by Deutschendorf (principal House author)
- CS for **SB 1539** – Appropriations, coauthored by Covey (principal House author)
- CS for **SB 1542** – Appropriations, coauthored by Balkman (principal House author)
- SB 1547** – Appropriations, coauthored by Greenwood (principal House author)
- SB 1548** – Tourism and Wildlife, coauthored by Smith (principal House author)
- SB 1551** – Finance, coauthored by Taylor of the Senate, and coauthored by Dorman (principal House author)
- SB 1554** – Appropriations, coauthored by Hilliard (principal House author)
- SB 1555** – Appropriations, coauthored by Steele (principal House author)
- CS for **SB 1557** – Appropriations, coauthored by McCarter (principal House author)
- CS for **SB 1560** – Tourism and Wildlife, coauthored by Hutchison (principal House author)
- CS for **SB 1568** – Human Resources, coauthored by Dorman (principal House author)
- SB 1570** – Appropriations, coauthored by Winchester (principal House author)
- SB 1573** – Finance, coauthored by Easley (principal House author)
- SB 1577** – Human Resources, coauthored by Dorman (principal House author)
- CS for **SB 1578** – Judiciary, coauthored by Balkman (principal House author)
- CS for **SB 1580** – Appropriations
- CS for **SB 1583** – Appropriations, coauthored by Askins (principal House author)
- CS for **SB 1584** – Judiciary, remove Capps and substitute Lerblance as principal Senate author, and coauthored by Nations (principal House author) and Piatt of the House
- SB 1589** – Appropriations, coauthored by Plunk (principal House author)
- CS for **SB 1592** – Judiciary, coauthored by Toure (principal House author)
- CS for **SB 1595** – Appropriations, coauthored by Gumm of the Senate, and coauthored by Gilbert (principal House author)
- CS for **SB 1600** – Judiciary, coauthored by Vaughn (principal House author)
- SB 1607** – Appropriations, coauthored by Gumm of the Senate, and coauthored by Carey (principal House author)
- CS for **SB 1609** – Human Resources, coauthored by Winchester (principal House author)
- SB 1614** – Appropriations, coauthored by Ingmire (principal House author)
- SB 1616** – Appropriations, coauthored by Lindley (principal House author)
- CS for **SB 1617** – Appropriations, coauthored by Brannon (principal House author)
- CS for **SB 1618** – Judiciary, coauthored by Askins (principal House author)
- SB 1622** – Appropriations, coauthored by Nations (principal House author)
- CS for **SB 1625** – Judiciary, coauthored by Hastings (principal House author)
- SB 1626** – Human Resources, coauthored by Armes (principal House author)

**SJR 37** – Appropriations, coauthored by Braddock (principal House author)

**SJR 48** – Appropriations, coauthored by Staggs (principal House author)

**SCR 38** – Appropriations

**CS for SCR 39** – Appropriations, coauthored by Deutschendorf (principal House author)

**SCR 41** – Appropriations, coauthored by Pettigrew (principal House author)

Pursuant to the Fisher motion, the Senate adjourned at 9:15 a.m. to meet Monday, February 23, 2004, at 1:30 p.m.