

Senate Journal

Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma

Thirty-first Legislative Day, Wednesday, March 24, 2004

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, 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.—47.

Vacancy: District 18.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Marty Kessler, Choctaw Church of Christ, Choctaw, the guest of Senator Aldridge.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 56 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 851, 883, 1152 and 1209 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 52 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CONFERENCE COMMITTEE APPOINTMENTS – GCCA

President Pro Tempore Hobson announced the appointment of the following Senators as conferees on the General Conference Committee on Appropriations and GCCA Subcommittees:

GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

Morgan, Chair
Robinson, Vice Chair

Aldridge	Lerblance
Branan	Littlefield
Brogdon	Maddox
Cain	Milacek
Capps	Monson
Coates	Myers
Coffee	Nichols
Corn	Price
Crutchfield	Pruitt
Fair	Rabon
Ford	Reynolds
Gumm	Riley
Harrison	Rozell
Helton	Shurden
Horner	Smith
Johnson	Snyder
Kerr	Taylor
Laster	Wilcoxson
Laughlin	Wilkerson
Lawler	Williams
Leftwich	

GCCA SUBCOMMITTEES**EDUCATION**

Rozell, Chair

Coffee	Snyder
Crutchfield	Taylor
Ford	Williams
Milacek	

**GENERAL GOVERNMENT
and TRANSPORTATION**

Capps, Chair

Branan
Corn
Laughlin
Leftwich

Lerblance
Pruitt
Rabon

**HEALTH and
SOCIAL SERVICES**

Robinson, Chair

Aldridge
Helton

Monson
Riley

HUMAN SERVICES

Kerr, Chair

Brogdon
Cain

Coates
Lawler

**NATURAL RESOURCES and
REGULATORY SERVICES**

Littlefield, Chair

Fair
Gumm
Harrison
Horner

Johnson
Myers
Price
Wilcoxson

**PUBLIC SAFETY
and JUDICIARY**

Wilkerson, Chair

Laster
Maddox
Nichols

Reynolds
Shurden
Smith

The President Pro Tempore and Majority Floor Leader are ex officio and voting members of all Senate committees.

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE APPOINTMENTS – GCCA**

On March 24, 2004, the Speaker announced the following Representatives as members of the General Conference Committee on Appropriations:

GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

Mitchell, Chair
Bonny, Vice-Chair

Adkins
Armes
Askins
Balkman
Benge
Blackburn
Blackwell
Boren
Braddock
Brannon
Calvey
Carey
Cargill
Case
Claunch
Coleman
Covey
Cox
Dank
Davis
Deutschendorf

McClain
McIntyre
Miller (Doug)
Miller (Ray)
Morgan (Danny)
Morgan (Fred)
Nance
Nations
Newport
O'Neal
Paulk
Perry
Peters
Peterson (Pam)
Peterson (Ron)
Pettigrew
Phillips
Piatt
Plunk
Pope
Reynolds

DeWitt	Rice
Dorman	Roan
Easley	Roberts
Eddins	Roggow
Ellis	Smaligo
Ericson	Smith
Erwin	Smithson
Ferguson	Staggs
Gilbert	Stanley
Graves	Steele
Greenwood	Sullivan
Hamilton	Sweeden
Harrison	Taylor
Hastings	Tibbs
Hefner	Toure
Hiett	Trebilcock
Hutchison	Turner
Ingmire	Tyler
Jones	Vaughn
Kirby	Walker
Lamons	Wells
Langmacher	Wilson
Leist	Wilt
Lindley	Winchester
Liotta	Worthen
Maddux	Wright
Mass	Young
McCarter	

GCCA SUBCOMMITTEES

EDUCATION

Blackburn, Chair
Easley, Vice-Chair

Brannon	Miller (Ray)
Calvey	Perry
Deutschendorf	Peterson (Ron)
DeWitt	Pope
Ferguson	Roberts
Ingmire	Staggs
Jones	Wells
McCarter	Winchester
Miller (Doug)	

**GENERAL GOVERNEMENT and
TRANSPORTATION**

Hefner, Chair
Walker, Vice-Chair

Armes
Bonny
Harrison
Liotta
Newport
O'Neal

Phillips
Taylor
Trebilcock
Tyler
Wilson

**HEALTH and
SOCIAL SERVICES**

Leist, Chair
Nations, Vice-Chair

Adkins
Balkman
Claunch
Coleman
Cox
Hamilton
Lindley
Mitchell

Reynolds
Roggow
Smithson
Stanley
Turner
Vaughn
Worthen
Wright

HUMAN SERVICES

Eddins, Chair
Gilbert, Vice-Chair

Ericson
Greenwood
McClain

McIntyre
Pettigrew
Steele

**NATURAL RESOURCES and
REGULATORY SERVICES**

Erwin, Chair
Hutchison, Vice-Chair

Carey	Maddux
Case	Mass
Covey	Morgan (Danny)
Davis	Peters
Ellis	Peterson (Pam)
Graves	Plunk
Hastings	Smith
Hiatt	Sweeden

**PUBLIC SAFETY
and JUDICIARY**

Askins, Chair
Boren, Co-Vice-Chair
Toure, Co-Vice-Chair

Benge	Nance
Blackwell	Paulk
Braddock	Piatt
Cargill	Rice
Dank	Roan
Dorman	Smaligo
Kirby	Sullivan
Lamons	Tibbs
Langmacher	Wilt
Morgan (Fred)	Young

Speaker Adair and Speaker Pro Tempore Hilliard are ex officio voting members of the General Conference Committee on Appropriations and the subcommittees.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Capps asked unanimous consent to suspend Rule 5-4 and refer **SCR 55** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 55 by Capps of the Senate and Bonny of the House was called up for consideration.

SCR 55 was adopted upon motion of Senator Capps and referred for engrossment.

GENERAL ORDER

HB 1839 by Pope of the House and Price of the Senate was called up for consideration.

Senator Price moved that **HB 1839** be advanced, which motion was declared adopted.

THIRD READING

HB 1839 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Lawler and Pruitt.--2.

Vacancy: District 18.--1.

The bill passed.

HB 1839 was properly signed and ordered returned to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED MEASURE

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

INTRODUCTION

Senator Helton introduced his sisters, LaDonna Nichols-Waterman and Nancy Barton, to the Senate.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Kerr asked unanimous consent to suspend Rule 5-4 and refer **SCR 51** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 51 by Kerr of the Senate and Walker of the House was called up for consideration.

SCR 51 was adopted upon motion of Senator Kerr and referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Maddox asked unanimous consent to suspend Rule 5-4 and refer **SCR 57** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 57 by Maddox of the Senate and Dorman of the House was called up for consideration.

Senator Monson asked to coauthor **SCR 57**, which was the order.

SCR 57 was adopted upon motion of Senator Maddox and referred for engrossment.

GENERAL ORDER

HB 2090 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2090** be advanced, which motion was declared adopted.

THIRD READING

HB 2090 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, 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.--47.

Vacancy: District 18.--1.

The bill passed.

HB 2090 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2091 by Sweeden et al of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2091** be advanced, which motion was declared adopted.

THIRD READING

HB 2091 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, 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.--46.

Excused: Helton.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2091 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1874 by Langmacher of the House and Price of the Senate was called up for consideration.

Senator Price moved that **HB 1874** be advanced, which motion was declared adopted.

THIRD READING

HB 1874 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, 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.--47.

Vacancy: District 18.--1.

The bill passed.

HB 1874 was referred for engrossment.

GENERAL ORDER

HB 2092 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2092** be advanced, which motion was declared adopted.

THIRD READING

HB 2092 was read for the third time at length.

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

Aye: Aldridge, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor,

Wilcoxson, Wilkerson and Williams.--43.

Nay: Brogdon, Fair and Williamson.--3.

Excused: Maddox.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2092 was properly signed and ordered returned to the Honorable House.

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

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

SB 1331

SB 1374

SB 1389 – coauthored by Dorman and Harrison of the House

SB 1400

SJR 54 – coauthored by Calvey, Adkins and Liotta of the House

House amendments were read on the above-numbered bills.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Rabon asked unanimous consent to suspend Rule 5-4 and refer **SCR 48** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 48 by Rabon of the Senate and Ellis of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 48**, which was the order.

SCR 48 was adopted upon motion of Senator Rabon and referred for engrossment.

GENERAL ORDER

HB 2347 by Smithson and Nance of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 2347** be advanced, which motion was declared adopted.

THIRD READING

HB 2347 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Maddox.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2347 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1844 by Pope of the House and Myers of the Senate was called up for consideration.

Senator Myers moved to amend **HB 1844**, Page 1, by restoring the enacting clause and title, which amendment was declared adopted.

Senator Myers moved that **HB 1844** be advanced, which motion was declared adopted.

THIRD READING

HB 1844 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Fair and Maddox.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 1844 was referred for engrossment.

GENERAL ORDER

HB 2093 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2093** be advanced, which motion was declared adopted.

THIRD READING

HB 2093 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Maddox and Reynolds.--2.

Vacancy: District 18.--1.

The bill passed.

HB 2093 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2094 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2094** be advanced, which motion was declared adopted.

THIRD READING

HB 2094 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Maddox and Morgan.--2.

Vacancy: District 18.--1.

The bill passed.

HB 2094 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2139 by Ellis et al of the House and Crutchfield et al of the Senate was called up for consideration.

Senator Rabon asked to coauthor **HB 2139**, which was the order.

Senator Crutchfield asked that **HB 2139** be laid over temporarily, which was the order.

HB 2139 remains on General Order.

GENERAL ORDER

HB 2095 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2095** be advanced, which motion was declared adopted.

THIRD READING

HB 2095 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Maddox and Milacek.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2095 was referred for engrossment.

Senator Rabon presiding.

GENERAL ORDER

HB 2620 by Covey et al of the House and Price and Gumm of the Senate was called up for consideration.

Senator Price moved that **HB 2620** be advanced, which motion was declared adopted.

THIRD READING

HB 2620 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith,

Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Milacek.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2620 was properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 1208 - coauthored by Roberts, Nance of the House

The above-numbered measure was referred for enrollment.

GENERAL ORDER

HB 2096 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2096** be advanced, which motion was declared adopted.

THIRD READING

HB 2096 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Milacek.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2096 was referred for engrossment.

GENERAL ORDER

HB 2139 by Ellis et al of the House and Crutchfield et al of the Senate was called up for further consideration.

Senator Laughlin moved to amend **HB 2139**, Page 4, Line 23 by deleting after the word "houses" and before the word "or" the word "seventy-five" and inserting in lieu thereof the word "twenty", and by amending the title to conform, which amendment was declared adopted.

Senator Crutchfield moved that **HB 2139** be advanced, which motion was declared adopted.

THIRD READING

HB 2139 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Aldridge.--1.

Excused: Morgan and Price.--2.

Vacancy: District 18.--1.

The bill passed.

HB 2139 was referred for engrossment.

GENERAL ORDER

HB 1858 by Gilbert et al of the House and Brogdon of the Senate was called up for consideration.

Representative Covey asked to coauthor **HB 1858**, which was the order.

Senator Snyder moved to amend **HB 1858**, Page 4, Line 4 ½, by inserting a new Section 3 to read as follows:

“SECTION 3. AMENDATORY 11 O.S. 2001, Section 22-106, as amended by Section 1, Chapter 318, O.S.L. 2003 (11 O.S. Supp. 2003, Section 22-106), is amended to read as follows:

A. A municipal governing body may levy and collect a license tax on auctioneers, contractors, druggists, hawkers, peddlers, bankers, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, public boarding houses, billiard tables, bowling alleys, and other amusement devices, drays, hacks, carriages, omnibuses, carts, wagons and other vehicles used in the municipality for pay, hay scales, lumber dealers, furniture dealers, saddle or harness dealers, stationers, jewelers, livery stable keepers, real estate agents, express companies or agencies, telegraph companies or agencies, shows, theatres, all kinds of exhibitions for pay, also photographers, photographers' agents, agents of all kinds and solicitors. The taxes so levied and collected shall be applied for the use and benefit of the municipality as the governing body may direct.

B. All scientific and literary lectures and entertainments shall be exempt from license taxation, and also all concerts and musical or other entertainments given exclusively by the citizens of the municipality.

C. The governing body may establish penalties for any failure to observe the license provisions or to pay the tax provided for by ordinance.

~~D. A municipal body which levies and collects a license tax on licensed plumbing, electrical and mechanical contractors pursuant to subsection A of this section, may only assess the tax on the licensed contractor and shall not levy or collect such tax on a licensed journeyman or apprentice. The amount of tax assessed shall be determined by the municipalities based on the number of licensed journeymen or apprentices under the supervision of the licensed contractor.”~~, by renumbering subsequent section, and by amending the title to conform, which amendment was declared adopted.

Senator Brogdon moved that **HB 1858** be advanced, which motion was declared adopted.

THIRD READING

HB 1858 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, 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, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Taylor.--1.

Vacancy: District 18.--1.

The bill passed.

HB 1858 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 52**.

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

Advising fourth reading of and returning Enrolled **SBs 851, 883, 1152 and 1209**.

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

GENERAL ORDER

HB 2097 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2097** be advanced, which motion was declared adopted.

THIRD READING

HB 2097 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Morgan and Taylor.--2.

Vacancy: District 18.--1.

The bill passed.

HB 2097 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2098 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2098** be advanced, which motion was declared adopted.

THIRD READING

HB 2098 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Morgan and Taylor.--2.

Vacancy: District 18.--1.

The bill passed.

HB 2098 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2623 by Covey and Pope of the House and Laughlin of the Senate was called up for consideration.

Senator Laughlin moved that **HB 2623** be advanced, which motion was declared adopted.

THIRD READING

HB 2623 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Taylor.--1.

*Not Voting: Price.—1.

Vacancy: District 18.--1.

*Senator Price asked to be shown not voting on **HB 2623** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

The bill and emergency passed.

HB 2623 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Wilkerson asked unanimous consent to suspend Rule 5-4 and refer **SCR 47** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 47 by Wilkerson of the Senate and Turner of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 47**, which was the order.

SCR 47 was adopted upon motion of Senator Wilkerson and referred for engrossment.

GENERAL ORDER

HB 2663 by Adair and Ferguson of the House and Corn of the Senate was called up for consideration.

Senator Corn moved to amend **HB 2663**, Page 1, by striking the title, which amendment was declared adopted.

Senator Corn moved that **HB 2663** be advanced, which motion was declared adopted.

THIRD READING

HB 2663 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, 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.--46.

Excused: Helton.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2663 was referred for engrossment.

GENERAL ORDER

HB 2099 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2099** be advanced, which motion was declared adopted.

THIRD READING

HB 2099 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Nay: Laster.--1.

Excused: Monson.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2099 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2100 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2100** be advanced, which motion was declared adopted.

THIRD READING

HB 2100 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Monson.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2100 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2217 by Maddux of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved that **HB 2217** be advanced, which motion was declared adopted.

THIRD READING

HB 2217 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Cain.--1.

Excused: Monson and Taylor.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2217 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2324 by Cox and Liotta of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved that **HB 2324** be advanced, which motion was declared adopted.

THIRD READING

HB 2324 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Johnson, Monson and Taylor.--3.

Vacancy: District 18.--1.

The bill passed.

HB 2324 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2353 by Bengé and Lamons of the House and Riley of the Senate was called up for consideration.

Senator Riley moved that **HB 2353** be advanced, which motion was declared adopted.

THIRD READING

HB 2353 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Morgan, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Maddox, Milacek and Myers.--3.

Excused: Monson and Taylor.--2.

Vacancy: District 18.--1.

The bill passed.

HB 2353 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 858 - coauthored by Nance of the House

SB 1356

SB 1549 - coauthored by Hilliard, Lindley, Nance of the House

SCR 55

SCR 56 – coauthored by all other House members

The above-numbered measures were referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SCR 55 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

CHANGE IN COMMITTEE ASSIGNMENT

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

HB 2600 – Withdrawn from Rules Committee and referred to Appropriations.

MESSAGE FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 55**.

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

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 25, 2004, at 9:30 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

HB 1851 – Retirement and Group Health

HB 2263 – Judiciary
HB 2307 – Judiciary
HB 2316 – Transportation
HB 2327 – Transportation
HB 2394 – Agriculture and Rural Development
HB 2419 – Judiciary
HB 2506 – Retirement and Group Health
HB 2608 – Agriculture and Rural Development
HB 2706 – Agriculture and Rural Development
HB 2713 – Judiciary
HCR 1053 – Transportation

DO PASS, As Amended:

HB 1018 – Judiciary
HB 1437 – Retirement and Group Health
CS for **HB 1891** – Retirement and Group Health
HB 2252 – Judiciary
HB 2359 – Agriculture and Rural Development
CS for **HB 2434** – Judiciary
HB 2460 – Retirement and Group Health
HB 2470 – Judiciary
HB 2528 – Judiciary
HB 2551 – Transportation
HB 2643 – Retirement and Group Health
HB 2661 – Judiciary

SECOND READING

The following was read for the second time and referred to committee as indicated:

HCR 1052 – Education

MESSAGE FROM THE GOVERNOR

Pursuant to SCR 55, I hereby return Enrolled **SB 879** by Capps of the Senate and Bonny of the House.

Pursuant to the Fisher motion, the Senate adjourned at 3:05 p.m. to meet Thursday, March 25, 2004, at 9:30 a.m.