

Senate Journal

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

Thirty-seventh Legislative Day, Monday, April 5, 2004

The Senate was called to order by Senator Rozell.

Roll Call:

Present: 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, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—44.

Excused: Aldridge, Johnson and Smith.—3.

Vacancy: District 18.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Brent Parsons, First Baptist Church, Newcastle, the guest of Senator Lawler.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 53 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SB 1295 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 54 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 46 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

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

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

SB 889
SB 1111
SB 1340
SB 1385

House amendments were read on the above-numbered bills.

FIRST READING

The following was introduced and read the first time:

SR 48 – By Hobson.

A Resolution expressing gratitude to Senator Bruce Price for his service in the Oklahoma State Senate; and directing distribution.

Senator Fisher moved that the Senate recess until 1:00 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Crutchfield presiding.

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

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

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

Senator Rozell presiding.

GENERAL ORDER

SR 48 by Hobson was called up for consideration.

All other members of the Senate, except Senator Price, asked to coauthor **SR 48**, which was the order.

SR 48 was adopted upon motion of Senator Hobson and referred for enrollment.

SPECIAL RECOGNITION OF SENATOR BRUCE PRICE

Senator Price was honored by the Oklahoma State Senate for his 12 years of service. His portrait was displayed as a tribute in the Senate Chamber for this legislative day.

Senator Hobson addressed the Senate commending Senator Price for his years of service to the citizens of Senate District 23 in the Oklahoma State Senate.

Senator Price addressed the Senate and introduced his family. His guests in attendance were his mother, Leona Price; his wife, Nikita; his mother-in-law, Louise Seurer ; his children, Shana Thiel, Tracy Hughes and Wade Price; and his granddaughters, Taraka Hughes, Teal Hughes, Shayli Hughes and Nikki Thiel, to the Senate. Senator Price also recognized his executive assistant, Yvonne Phelps, for her dedication and hard work.

INTRODUCTION

Senator Lerblance introduced his son, Rich Lerblance, to the Senate.

MOTION TO RECONSIDER VOTE

Senator Coates moved to reconsider the vote whereby **HB 2451** passed.

Senator Helton moved to table the Coates motion, which tabling motion failed of adoption upon roll call as follows:

Aye: Coffee, Corn, Ford, Harrison, Helton, Hobson, Horner, Lawler, Leftwich, Lerblance, Littlefield, Monson, Price, Pruitt, Rabon, Robinson, Williams and Williamson.--18.

Nay: Branan, Brogdon, Cain, Capps, Coates, Crutchfield, Dunlap, Fair, Fisher, Gumm, Kerr, Laster, Laughlin, Maddox, Milacek, Myers, Nichols, Reynolds, Riley, Rozell, Shurden, Wilcoxson and Wilkerson.--23.

Excused: Aldridge, Johnson, Morgan, Smith, Snyder and Taylor.--6.

Vacancy: District 18.--1.

Senator Coates pressed his motion to reconsider the vote whereby **HB 2451** passed, which motion was declared adopted upon roll call as follows:

Aye: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Myers, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson and Wilkerson.--28.

Nay: Coffee, Ford, Harrison, Helton, Hobson, Littlefield, Monson, Nichols, Price, Pruitt, Robinson, Williams and Williamson.--13.

Excused: Aldridge, Johnson, Morgan, Smith, Snyder and Taylor.--6.

Vacancy: District 18.--1.

THIRD READING

Senator Coates moved to reconsider the vote whereby **HB 2451** was advanced, which motion was declared adopted.

GENERAL ORDER

HB 2451 by Pope and Adkins of the House and Helton and Pruitt of the Senate was called up for consideration.

Senator Coates moved to amend **HB 2451**, Page 1, Line 12 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 17 O.S. 2001, Section 137, is amended to read as follows:

Section 137 A. Except as otherwise hereafter provided, any proceeding under Section 136 of this title and in any other proceeding to regulate the rates of a telephone utility subject to the jurisdiction of the Corporation Commission, said Commission shall prescribe and enforce rates to provide a fair return on the fair value of the property devoted to public service in this state.

B. Telephone companies which serve less than fifteen thousand (15,000) subscribers within the state and telephone cooperatives shall not be subject to local exchange rate regulation by the Corporation Commission unless:

1. The company elects by action of its board of directors to be subject to such local exchange rate regulation by the Commission;
2. The proposed local exchange rate increase exceeds Two Dollars (\$2.00) per access line per month in any one (1) year;
3. Fifteen percent (15%) of the subscribers petition the Commission to regulate local exchange rates pursuant to subsections ~~C~~, ~~D~~ D, E and ~~E~~ F of this section; or

4. The Commission declares that the company shall be subject to local exchange rate regulation by the Commission pursuant to subsection ~~F~~ G of this section.

C. Each telephone company, which serves more than five percent (5%) of the subscribers of telephone service within the state, that increases its rates in accordance with this section or section 139.103 of this title shall invest an amount equivalent to the annual revenues produced from such rate increase to upgrade its facilities used for the provision of services to subscribers served within the exchange from which revenues from such rate increase are generated.

~~C. D.~~ D. Each such telephone company not subject to local exchange rate regulations, at least sixty (60) days before the effective date of any proposed rate change, shall notify the Commission and each of the subscribers of such company of the proposed local exchange rate change. Notice to the Commission shall include a list of the published subscribers of such company. Notice by the company to all subscribers shall:

1. Be in a form prescribed by the Commission;
2. Be by regular mail and may be included in regular subscriber billings; and
3. Include a schedule of the proposed local exchange rates, the effective date of the said rates, and the procedure necessary for the subscribers to petition the Commission to examine and determine the reasonableness of the proposed rates. If the telephone directory published by the company for its subscribers sets forth the procedure for petitioning the Commission, a reference to the location in the directory shall be adequate notice of the procedure.

~~D. E.~~ E. The subscribers of a telephone company not subject to the Commission's local exchange rate regulation may petition the Commission to examine and determine the reasonableness of the local exchange rate change proposed by the company pursuant to subsection C of this section. The Commission shall adopt and promulgate rules and regulations governing the form of such petitions. A petition substantially in compliance with such rules and regulations shall not be deemed invalid due to minor errors in its form.

~~E. F.~~ F. If, by the effective date of the proposed local exchange rate change, the Commission has received petitions from fewer than fifteen percent (15%) of the subscribers requesting that the Commission examine the proposed local exchange rate change, the Commission shall immediately certify such fact to the company and the proposed local exchange rates shall become effective as published in the notice to subscribers. If, on or before the effective date of the proposed local exchange rate change, the Commission has received petitions from fifteen percent (15%) or more of the subscribers requesting that the Commission examine and determine the reasonableness of the proposed local exchange rates, the Commission shall notify the company that it will examine and determine the reasonableness of the proposed local exchange rate change. Local exchange rates and charges established by the Commission or by a telephone company pursuant to this subsection and subsection C of this section shall be in force for not less than one (1) year.

~~F. G.~~ G. In addition to the procedure for petition prior to any proposed local exchange rate change pursuant to subsections C through E of this section, the subscribers of a telephone company not subject to the Commission's local exchange rate regulation may at any time petition the Commission to declare the company be subject to such rate regulation. If the Commission determines that at least fifty-one percent (51%) of the subscribers of a company have properly petitioned that the company be subject to the Commission's rate regulation, the Commission shall certify such fact to the company and thereafter the

company shall be subject to rate regulation by the Commission until at least fifty-one percent (51%) of the subscribers of the company properly petition that the company no longer shall be subject to the Commission's local exchange rate regulation. The Commission shall adopt and promulgate rules and regulations governing the petition procedure and the form of such petitions and a petition substantially in compliance with such rules and regulations shall not be deemed invalid due to minor errors in its form.

~~G. H.~~ Subsections A through ~~F G~~ of this section apply only to local exchange rates and charges and shall have no effect on the Oklahoma Corporation Commission's jurisdiction over, and regulation of, intrastate toll and access rates and charges.

~~H. I.~~ The Commission shall have the right to investigate and determine the reasonableness of the increase in local exchange rates and charges of each telephone company or cooperative not subject to local exchange rate regulation within one (1) year of the time local exchange rates or charges are increased. If the Commission determines such rate or charge increases are unreasonable, the Commission shall have the authority to order a rate hearing and, after such hearing, shall have the authority to rescind all or any portion of the increases found to be unreasonable.

~~I. J.~~ When any telephone utility subject to the jurisdiction of the Corporation Commission shall file with the Commission a request for review of its rates and charges, such request shall be conducted in accordance with the provisions of subsection B of Section 152 of this title.

~~J. K.~~ It is the intention of the Legislature that this entire section is an amendment to, and alteration of Sections 18 through 34, inclusive, of Article IX of the Constitution of the State of Oklahoma, as authorized by Section 35, Article IX of said Constitution.", and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Coates moved that **HB 2451** be advanced, which motion was declared adopted.

THIRD READING

HB 2451 was read for the third time at length.

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

Aye: 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, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Aldridge, Johnson, Morgan, Price, Smith, Snyder and Taylor.--7.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2451 was referred for engrossment.

GENERAL ORDER

HB 1843 by Bonny of the House and Capps of the Senate was called up for consideration.

Senator Capps moved that **HB 1843** be advanced, which motion was declared adopted.

THIRD READING

HB 1843 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Aldridge, Johnson, Morgan, Price, Smith and Snyder.--6.

Vacancy: District 18.--1.

The bill passed.

HB 1843 was referred for engrossment.

GENERAL ORDER

HB 2506 by Roberts of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 2506** be advanced, which motion was declared adopted.

THIRD READING

HB 2506 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Aldridge, Helton, Johnson, Morgan, Smith and Snyder.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2506 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2417 by McIntyre and Gilbert of the House and Horner of the Senate was called up for consideration.

Senator Horner moved that **HB 2417** be advanced, which motion was declared adopted.

THIRD READING

HB 2417 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, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Aldridge, Helton, Johnson, Morgan, Robinson, Smith and Snyder.--7.

Vacancy: District 18.--1.

The bill passed.

HB 2417 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2106 by Ingmire of the House and Wilkerson of the Senate was called up for consideration.

Senator Wilkerson moved that **HB 2106** be advanced, which motion was declared adopted.

THIRD READING

HB 2106 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, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Nay: Lerblance.--1.

Excused: Aldridge, Helton, Johnson, Morgan, Robinson, Smith and Snyder.--7.

Vacancy: District 18.--1.

The bill passed.

HB 2106 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2327 by Tyler of the House and Milacek of the Senate was called up for consideration.

Senator Milacek moved that **HB 2327** be advanced, which motion was declared adopted.

THIRD READING

HB 2327 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, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Aldridge, Ford, Helton, Johnson, Morgan, Smith and Snyder.--7.

Vacancy: District 18.--1.

The bill passed.

HB 2327 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2550 by Morgan (Danny) and McClain of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 2550** be advanced, which motion was declared adopted.

THIRD READING

HB 2550 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Aldridge, Ford, Johnson, Leftwich, Morgan, Rabon, Smith and Snyder.--8.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2550 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2125 by Pope et al of the House and Monson and Corn of the Senate was called up for consideration.

Senator Monson moved that **HB 2125** be advanced, which motion was declared adopted.

THIRD READING

HB 2125 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, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Aldridge, Fair, Johnson, Morgan, Smith and Snyder.--6.

Vacancy: District 18.--1.

The bill passed.

HB 2125 was referred for engrossment.

GENERAL ORDER

HB 2527 by Vaughn of the House and Cain of the Senate was called up for consideration.

Senator Cain moved that **HB 2527** be advanced, which motion was declared adopted.

THIRD READING

HB 2527 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich,

Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Aldridge, Helton, Johnson, Morgan, Smith and Snyder.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2527 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 1295**.

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

GENERAL ORDER

HB 2208 by Case et al of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 2208** be advanced, which motion was declared adopted.

THIRD READING

HB 2208 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Aldridge, Johnson, Morgan, Smith and Snyder.--5.

Vacancy: District 18.--1.

The bill passed.

HB 2208 was referred for engrossment.

GENERAL ORDER

HB 2143 by Wells et al of the House and Wilkerson et al of the Senate was called up for consideration.

Senator Wilkerson moved that **HB 2143** be advanced, which motion was declared adopted.

THIRD READING

HB 2143 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Aldridge, Johnson, Milacek, Morgan, Smith and Snyder.--6.

Vacancy: District 18.--1.

The bill passed.

HB 2143 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HB 2294 by Blackwell of the House and Laughlin of the Senate was called up for consideration.

Senator Laughlin moved that **HB 2294** be advanced, which motion was declared adopted.

THIRD READING

HB 2294 was read for the third time at length.

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

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

Excused: Aldridge, Coffee, Johnson, Smith and Snyder.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2294 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2308 by Hamilton of the House and Littlefield of the Senate was called up for consideration.

Senator Littlefield moved that **HB 2308** be advanced, which motion was declared adopted.

THIRD READING

HB 2308 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Aldridge, Johnson, Smith and Snyder.--4.

Vacancy: District 18.--1.

The bill passed.

HB 2308 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Rozell asked unanimous consent to suspend Rule 5-4 and refer **HCR 1059** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1059 by Adair et al of the House and Hobson of the Senate was called up for consideration.

Senator Gumm and all other Senators asked to coauthor **HCR 1059**, which was the order.

HCR 1059 was adopted upon motion of Senator Rozell and properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1890 by Ellis et al of the House and Helton and Corn of the Senate was called up for consideration.

Senator Gumm asked to coauthor **HB 1890**, which was the order.

Senator Helton moved that **HB 1890** be advanced, which motion was declared adopted.

THIRD READING

HB 1890 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Aldridge, Johnson, Smith, Snyder and Taylor.--5.

Vacancy: District 18.--1.

The bill passed.

HB 1890 was referred for engrossment.

GENERAL ORDER

HB 2608 by Peterson (Ron) and Nance of the House and Myers of the Senate was called up for consideration.

Senator Myers moved that **HB 2608** be advanced, which motion was declared adopted.

THIRD READING

HB 2608 was read for the third time at length.

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

Aye: Branan, Brogdon, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson and Williamson.--36.

Nay: Cain, Lerblance, Robinson and Williams.--4.

Excused: Aldridge, Helton, Johnson, Littlefield, Smith, Snyder and Taylor.--7.

Vacancy: District 18.--1.

The bill passed.

HB 2608 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2369 by Jones of the House and Laughlin of the Senate was called up for consideration.

Senator Laughlin moved that **HB 2369** be advanced, which motion was declared adopted.

THIRD READING

HB 2369 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, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Williams and Williamson.--37.

Nay: Wilkerson.--1.

Excused: Aldridge, Helton, Johnson, Littlefield, Monson, Robinson, Smith, Snyder and Taylor.--9.

Vacancy: District 18.--1.

The bill passed.

Pursuant to Rule 12-23, Senator Rozell served notice that the vote be reconsidered whereby **HB 2369** passed.

GENERAL ORDER

HB 1860 by Mitchell of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved to amend **HB 1860**, Page 1, Line 19 through Page 2, Line 2, by deleting all new language and inserting in lieu thereof the following language:

“A landowner, lessee or a designated agent of the landowner or lessee may, with a permit, hunt feral hogs at night to protect crops from damage by feral hogs. The Permit to hunt at night shall be valid for a period of ninety (90) days and may be renewed upon request of the permit holder. Any person who has been convicted of, or plead guilty to, a violation of the section 5.203.1 or section 5.411 of this code within the pervious three (3) years shall not be eligible to receive a permit pursuant to this section. The permit can be issued by the local game warden in the county for which the permit is to be used or by the Law Enforcement Division of the Department of Wildlife.”, which amendment was declared adopted.

Senator Shurden moved to amend **HB 1860**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Shurden moved that **HB 1860** be advanced, which motion was declared adopted.

THIRD READING

HB 1860 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Excused: Aldridge, Helton, Johnson, Littlefield, Monson, Robinson, Smith, Snyder and Taylor.--9.

Vacancy: District 18.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Rabon served notice that the vote be reconsidered whereby **HB 1860** passed.

GENERAL ORDER

HB 2419 by McIntyre of the House and Wilkerson of the Senate was called up for consideration.

Senator Wilkerson moved that **HB 2419** be advanced, which motion was declared adopted.

THIRD READING

HB 2419 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Excused: Aldridge, Coffee, Helton, Johnson, Littlefield, Robinson, Smith, Snyder and Taylor.--9.

Vacancy: District 18.--1.

The bill passed.

HB 2419 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 908

SB 1227 - coauthored by Covey of the House

SB 1271 - coauthored by Greenwood, Dank, Coleman of the House

The above-numbered measures were referred for enrollment.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

HB 2528

HB 2643

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORT

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

HB 1418 (2ND CCR) – remove Easley and substitute Shurden as principal Senate author

Conference committee report was read on the above-numbered bill.

GENERAL ORDER

HB 2674 by Dorman of the House and Leftwich (Debbe) of the Senate , considered on Page 929, was called up for further consideration.

Senator Leftwich moved to amend **HB 2674**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Leftwich moved that **HB 2674** be advanced, which motion was declared adopted.

THIRD READING

HB 2674 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson and Williams.--38.

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

Excused: Aldridge, Johnson, Robinson, Smith, Snyder and Taylor.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2674 was referred for engrossment.

GENERAL ORDER

HB 2361 by Covey and Sullivan of the House and Price of the Senate was called up for consideration.

Senator Kerr asked to coauthor **HB 2361**, which was the order.

Senator Price moved that **HB 2361** be advanced, which motion was declared adopted.

THIRD READING

HB 2361 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Nay: Lawler and Riley.--2.

Excused: Aldridge, Coffee, Johnson, Robinson, Smith, Snyder and Taylor.--7.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2361 was referred for engrossment.

GENERAL ORDER

HB 2666 by Adair of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved that **HB 2666** be advanced, which motion was declared adopted.

THIRD READING

HB 2666 was read for the third time at length.

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

Aye: Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Price, Rabon, Riley, Rozell, Shurden and Wilkerson.--25.

Nay: Branan, Brogdon, Cain, Fisher, Ford, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Wilcoxson, Williams and Williamson.--14.

Excused: Aldridge, Coffee, Johnson, Littlefield, Robinson, Smith, Snyder and Taylor.--8.

Vacancy: District 18.--1.

The bill passed.

HB 2666 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2673 by Dorman of the House and Helton of the Senate was called up for consideration.

Senator Helton moved that **HB 2673** be advanced, which motion was declared adopted.

THIRD READING

HB 2673 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Wilkerson, Williams and Williamson.--34.

Nay: Dunlap, Pruitt and Wilcoxson.--3.

Excused: Aldridge, Brogdon, Coffee, Ford, Johnson, Littlefield, Robinson, Smith, Snyder and Taylor.--10.

Vacancy: District 18.--1.

The bill passed.

HB 2673 was referred for engrossment.

GENERAL ORDER

HB 1889 by Ellis et al of the House and Rabon et al of the Senate was called up for consideration.

Senator Rabon moved that **HB 1889** be advanced, which motion was declared adopted.

THIRD READING

HB 1889 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Wilkerson, Williams and Williamson.--37.

Nay: Brogdon, Pruitt and Wilcoxson.--3.

Excused: Aldridge, Coffee, Johnson, Robinson, Smith, Snyder and Taylor.--7.

Vacancy: District 18.--1.

The bill passed.

HB 1889 was referred for engrossment.

EXECUTIVE NOMINATIONS

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

Blaney, Hilarie Hefton, Oklahoma City, to the Oklahoma Student Loan Authority, to serve an unexpired term ending April 6, 2007, succeeding Sylvia Weedman. (Education Committee) Motion to confirm made by Senator Branan.

Blue, Deborah C., Shawnee, to the State Board of Education, to serve a six year term ending April 1, 2010, succeeding herself. (Education Committee) Motion to confirm made by Senator Laster.

Ezzell, Cheri Ann, Enid, to the State Board of Career and Technology Education, to serve an initial term ending April 1, 2006, succeeding a new position. (Education Committee) Motion to confirm made by Senator Milacek.

Freeman, Phillip F., Heavener, to the Board of Regents for Carl Albert State College, to serve a seven year term ending July 1, 2011, succeeding himself. (Education Committee) Motion to confirm made by Senator Corn.

Gilbert, Randall R., Tecumseh, to the State Board of Career and Technology Education, to serve an initial term ending April 1, 2008, succeeding a new position. (Education Committee) Motion to confirm made by Senator Laster.

Hibler, Joe Anna, Weatherford, to the Board of Regents of Oklahoma Colleges, to serve a nine year term ending June 10, 2013, succeeding Marseda Garrison. (Education Committee) Motion to confirm made by Senator Kerr.

Houston, Brent, Shawnee, to the Oklahoma Educational Television Authority, to serve an unexpired term ending June 30, 2007, succeeding Elizabeth Hammons. (Education Committee) Motion to confirm made by Senator Laster.

Jenkins, Robert Francis, Arcadia, to the Board of Regents for Oklahoma City Community College, to serve a seven year term ending April 22, 2011, succeeding Darrel J. Lanier. (Education Committee) Motion to confirm made by Senator Coates.

Major, Brian Lee, Oklahoma City, to the Oklahoma Board of Private Vocational Schools, to serve an unexpired term ending July 1, 2005, succeeding Raymond R. Polk, Sr.. (Education Committee) Motion to confirm made by Senator Fair.

Stricklin, Toney, Lawton, to the State Board of Career and Technology Education, to serve an initial term ending April 1, 2007, succeeding a new position. (Education Committee) Motion to confirm made by Senator Helton.

Wade, Larry Raymond, Elk City, to the Board of Regents of the University of Oklahoma, to serve a seven year term ending March 21, 2011, succeeding G.T. Blankenship. (Education Committee) Motion to confirm made by Senator Capps.

Walters, George Paul, Broken Bow, to the Board of Trustees for the McCurtain County Higher Education Program, to serve a nine year term ending June 30, 2013, succeeding Mike City. (Education Committee) Motion to confirm made by Senator Rabon.

Wilmes, Jeffrey Edward, Altus, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve an unexpired term ending June 30, 2009, succeeding Ken Fergeson. (Education Committee) Motion to confirm made by Senator Kerr.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Aldridge, Coffee, Johnson, Milacek, Robinson, Smith, Snyder and Taylor.--8.

Vacancy: District 18.--1.

EXECUTIVE NOMINATION

The following executive nomination has been approved by the committee named:

Price, William Stuart, Tulsa, to the Oklahoma State Regents for Higher Education, to serve a nine year term ending May 16, 2013, succeeding Joe L. Mayer. (Education Committee) Motion to confirm made by Senator Williams.

Motion to confirm the above-named executive nomination was declared adopted upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Nichols, Price, Rabon, Rozell, Shurden, Wilkerson and Williams.--27.

Nay: Branan, Brogdon, Coates, Coffee, Fair, Ford, Laughlin, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--12.

Excused: Aldridge, Johnson, Milacek, Myers, Robinson, Smith, Snyder and Taylor.--8.

Vacancy: District 18.--1.

GENERAL ORDER

HB 1882 by Smith of the House and Shurden of the Senate was called up for consideration.

Senator Laughlin moved to amend **HB 1882**, Page 5, Line 6 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 29 O.S. 2001, Section 4-112, as last amended by Section 4, Chapter 287, O.S.L. 2003 (29 O.S. Supp. 2003, Section 4-112), is amended to read as follows:

Section 4-112. A. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code, no person may hunt, pursue, trap, harass, catch, kill, take or attempt to take in any manner, use, have in possession, sell, or transport all or any portion of any wildlife except fish, without having first procured a license for such from the Director or from any authorized agents of the Department of Wildlife Conservation. The Wildlife Conservation Commission shall designate a consecutive Saturday and Sunday in September of each year as free hunting days in which residents of this state may hunt without first procuring a hunting license pursuant to the provisions of this section.

B. Pursuant to the provisions of this Code, persons excepted from the license requirement of this section are:

1. Legal residents of Oklahoma under sixteen (16) years of age;
2. Legal residents of Oklahoma sixty-four (64) years of age or older provided such persons have obtained a senior citizen's license pursuant to the provisions of Section 4-133 of this title;
3. Legal residents born on or before January 1, 1923;
4. Legal resident veterans having a disability of sixty percent (60%) or more;
5. Legal resident owners or tenants who hunt on land owned or leased by them;
6. Every citizen of Oklahoma serving in a branch of the United States Armed Forces, who is on properly authorized leave from military duty, who has in their possession proper

written evidence showing such authorized leave, and who is serving outside the State of Oklahoma at the time of such hunting;

7. Any nonresident under fourteen (14) years of age;

8. Legal residents having a proven disability which renders them nonambulatory and confines them to a wheelchair, as certified by a physician licensed in this state or in any state which borders this state; and

9. Any person under eighteen (18) years of age who is in the physical custody of a child care facility as defined by Section 402 of Title 10 of the Oklahoma Statutes.

C. Except as otherwise provided for in the Oklahoma Wildlife Conservation Code, the fees for licenses listed in this subsection are:

1. a. Annual hunting licenses for nonresidents hunting game other than deer, antelope, or elk, Ninety-one Dollars and fifty cents (\$91.50); for deer, Two Hundred Dollars (\$200.00); for antelope and elk, Three Hundred Dollars (\$300.00). There shall be no exemptions for deer, antelope, elk, or turkey. Any nonresident with a commercial hunting area big game ten-day permit as provided for in paragraph 3 of subsection D of this section shall not be required to have an annual nonresident hunting license pursuant to this subparagraph. For a five-day nonresident hunting license to hunt game other than deer, antelope, elk, turkey, or pheasant, the fee shall be Forty-one Dollars and fifty cents (\$41.50).
- b. Annual combination hunting licenses for nonresidents hunting one antlered and one antlerless deer, Two Hundred Fifty Dollars (\$250.00); for nonresidents hunting an additional antlerless deer, Fifty Dollars (\$50.00) which shall be valid only on private lands not managed by the Department of Wildlife Conservation.
- c. Of the amount of monies collected pursuant to the provisions of this paragraph, Five Dollars (\$5.00) of the license fee for hunting game other than deer, antelope and elk, Five Dollars (\$5.00) of the license fee for hunting deer, Five Dollars (\$5.00) of the license fee for hunting antelope and elk and Two Dollars and fifty cents (\$2.50) of the five-day hunting license shall be deposited in the Wildlife Land Acquisition Fund created pursuant to the provisions of Section 4-132 of this title.
- ~~d. The Oklahoma Wildlife Department shall not issue any nonresident deer, antelope, or elk licenses to residents of any other state which has a deer season but does not allow Oklahoma residents the opportunity to purchase general unrestricted nonresident licenses in their state.~~

2. Disability hunting license, residents of this state for at least six (6) months and who are receiving Social Security Disability benefits, Supplemental Security Income benefits or disability benefits under the Railroad Retirement Act, 45 U.S.C.A., Section 231a, may purchase a disability hunting license from the Director for Ten Dollars (\$10.00) for five (5) years.

3. Deer gun hunting license, residents, Nineteen Dollars (\$19.00). There shall be no exemptions except for residents sixty-four (64) years of age or older provided such residents have obtained a senior citizen's license pursuant to the provisions of Section 4-133 of this title and for legal residents of Oklahoma under eighteen (18) years of age provided

such residents shall be required to pay a deer gun hunting license fee of Nine Dollars (\$9.00). In addition, veterans who are totally disabled as certified by the U.S. Department of Veterans Affairs shall be exempt from the fees specified pursuant to this paragraph.

4. Deer archery hunting license, residents, Nineteen Dollars (\$19.00). No exemptions.
5. Primitive firearms license, residents, Nineteen Dollars (\$19.00). No exemptions.
6. Elk or antelope hunting license, residents, Fifty Dollars (\$50.00). No exemptions.
7. Bonus, special or second deer gun hunting license, residents, Nineteen Dollars (\$19.00). No exemptions except for residents sixty-five (65) years of age or older provided such residents have obtained a senior citizen's license pursuant to the provisions of Section 4-133 of this title. In addition, veterans who are totally disabled, if certified by the U.S. Department of Veterans Affairs shall be exempt from the fees specified pursuant to this paragraph.

D. The fees for hunting licenses, except as provided for in the Oklahoma Wildlife Conservation Code, are:

1. For legal residents eighteen (18) years of age and older, Nineteen Dollars (\$19.00); for legal residents sixteen (16) or seventeen (17) years of age, Four Dollars (\$4.00);
2. Commercial hunting area small game ten-day permit, resident or nonresident, Five Dollars (\$5.00); and
3. Commercial hunting area big game ten-day permit, resident or nonresident, Two Hundred One Dollars (\$201.00) plus Ten Dollars (\$10.00) for each additional deer license, of any type, that may be purchased from the commercial hunting area. The commercial hunting area may obtain the licenses from the Director for use at the commercial hunting area.

E. The provisions of this section shall not be construed to require a hunting license, resident or nonresident, of any person merely because the person participates, as owner or handler of an entry, as an official, or as a spectator in the conduct of a field trial or performance test of dogs, whether a resident or nonresident of the State of Oklahoma. No license to hunt shall be required of any person engaged in training or working dogs, provided said person is in no way engaged in hunting and does not take or attempt to take in any manner any game.

F. 1. Any person arrested for hunting game other than deer, antelope, elk, or turkey without a valid hunting license as required by the provisions of subsection A of this section may purchase a substitute temporary thirty-day license from the arresting game warden in lieu of posting bond. Proof of hunter safety certification will not be required for such temporary substitute license. The fee for a substitute license purchased pursuant to the provisions of this subsection shall be:

- a. for legal residents, Fifty Dollars (\$50.00), and
- b. for nonresidents, One Hundred Forty-five Dollars (\$145.00).

2. Except as otherwise provided for by this subsection, the fees from licenses purchased pursuant to the provisions of this subsection shall be deposited in the Wildlife Conservation Fund to be used exclusively for developing, managing, preserving, and protecting wildlife and wildlife habitat.

G. Any person producing proof in court that a current hunting license issued by the Department of Wildlife Conservation to such person was in force at the time of the alleged

offense shall be entitled to dismissal of a charge of violating this section upon payment of court costs; however, if proof of hunting license is presented to the court or district attorney within seventy-two (72) hours after the violation, the charge shall be dismissed without payment of court costs.

H. Unless a substitute license is purchased as provided for by subsection F of this section, any resident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), or by imprisonment in the county jail for a period not to exceed thirty (30) days, or by both said fine and imprisonment.

I. Unless a substitute license is purchased as provided for by subsection F of this section, any nonresident convicted of violating the provisions of this section shall be punished by the imposition of a fine of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a period not to exceed six (6) months, or by both said fine and imprisonment.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Shurden moved that **HB 1882** be advanced, which motion was declared adopted.

THIRD READING

HB 1882 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Excused: Aldridge, Coffee, Fisher, Johnson, Milacek, Robinson, Smith, Snyder and Taylor.--9.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 1882 was referred for engrossment.

GENERAL ORDER

HB 2504 by Maddux of the House and Laughlin of the Senate was called up for consideration.

Senator Laughlin moved to amend **HB 2504**, Page 1, by striking the title, which amendment was declared adopted.

Senator Laughlin moved that **HB 2504** be advanced, which motion was declared adopted.

THIRD READING

HB 2504 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, Dunlap, Fair, Fisher, Ford, Gumm, Hobson, Horner, Laster, Laughlin, Leftwich, Monson, Myers, Pruitt, Riley, Shurden, Wilcoxson and Williamson.--23.

Nay: Corn, Crutchfield, Harrison, Helton, Kerr, Lawler, Lerblance, Maddox, Morgan, Nichols, Price, Rabon, Reynolds, Rozell and Wilkerson.--15.

Excused: Aldridge, Johnson, Littlefield, Milacek, Robinson, Smith, Snyder, Taylor and Williams.--9.

Vacancy: District 18.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Laughlin served notice that the vote be reconsidered whereby **HB 2504** failed.

GENERAL ORDER

HB 2421 by Pope et al of the House and Rabon and Corn of the Senate was called up for consideration.

Senator Horner moved to amend **HB 2421**, Page 4, Line 2, by deleting after the word "same" and before the word "each" the words "one-week period" and inserting in lieu thereof the words and numeral "thirty (30) day time period", which amendment was declared adopted.

Senator Rabon moved that **HB 2421** be advanced, which motion was declared adopted.

THIRD READING

HB 2421 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Excused: Aldridge, Coffee, Johnson, Littlefield, Milacek, Robinson, Smith, Snyder and Taylor.--9.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2421 was referred for engrossment.

GENERAL ORDER

HB 2145 by Lindley et al of the House and Leftwich (Debbe) of the Senate was called up for consideration.

Senator Riley moved to amend **HB 2145**, Page 3, Line 7, by inserting after the period and before the word "Initial" the language "Members of the task force shall be legal residents of this state." and by amending the title to conform, which amendment was declared adopted.

Senator Leftwich moved that **HB 2145** be advanced, which motion was declared adopted.

THIRD READING

HB 2145 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Aldridge, Johnson, Littlefield, Milacek, Robinson, Smith, Snyder and Taylor.--8.

Vacancy: District 18.--1.

The bill passed.

HB 2145 was referred for engrossment.

EXECUTIVE NOMINATION

The following executive nomination was read and referred to committee as indicated:

Eppler, Carmen, Noble, as a member of the Organ Donor Education and Awareness Program Advisory Council - Human Resources

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 6, 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:

HCR 1045 – Finance

DO PASS, As Amended:

CS for **HB 1427** – Appropriations, coauthored by Corn, Gumm of the Senate

CS for **HB 1838** – Appropriations

CS for **HB 1847** – Human Resources, coauthored by Lawler of the Senate

CS for **HB 1853** – Appropriations, coauthored by Corn, Gumm of the Senate

CS for **HB 1867** – Human Resources

CS for **HB 2109** – Appropriations

CS for **HB 2110** – Appropriations

CS for **HB 2121** – Appropriations

HB 2132 – Finance

CS for **HB 2134** – Human Resources

HB 2164 – Finance

CS for **HB 2259** – Appropriations, coauthored by Corn of the Senate

CS for **HB 2270** – Appropriations

- CS for **HB 2280** – Appropriations, coauthored by Fair of the Senate
 CS for **HB 2282** – Appropriations, remove Wilkerson and substitute Robinson as principal Senate author
 CS for **HB 2287** – Appropriations, coauthored by Lawler of the Senate
 CS for **HB 2300** – Human Resources, coauthored by Lawler of the Senate
 CS for **HB 2305** – Human Resources, coauthored by Lawler, Leftwich (Debbe), Williams of the Senate
 CS for **HB 2306** – Human Resources, coauthored by Lawler, Williams of the Senate
 CS for **HB 2332** – Appropriations
 CS for **HB 2373** – Finance, coauthored by Gumm of the Senate
 CS for **HB 2380** – Appropriations
 CS for **HB 2390** – Finance
HB 2429 – Finance
 CS for **HB 2432** – Appropriations
 CS for **HB 2445** – Appropriations
HB 2464 – Human Resources
HB 2478 – Finance
 CS for **HB 2496** – Appropriations
 CS for **HB 2542** – Appropriations
 CS for **HB 2552** – Appropriations, coauthored by Lawler, Monson, Gumm of the Senate
 Senate
 CS for **HB 2557** – Finance
HB 2559 – Finance, coauthored by Capps of the Senate
HB 2607 – Finance
 CS for **HB 2612** – Human Resources
 CS for **HB 2616** – Appropriations
 CS for **HB 2624** – Appropriations
 CS for **HB 2626** – Appropriations, coauthored by Fair of the Senate
HB 2667 – Appropriations
 CS for **HB 2710** – Appropriations
HJR 1044 – Finance, coauthored by Corn, Gumm of the Senate
HJR 1063 – Finance

MESSAGE FROM THE GOVERNOR

Advising his approval April 1, 2004, of Enrolled **SBs 1129, 1383, 1393** and **1408** and **SJR 50**.

Pursuant to the Fisher motion, the Senate adjourned at 3:50 p.m. to meet Tuesday, April 6, 2004, at 9:30 a.m.