

# Senate Journal

## Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma Fortieth Legislative Day, Thursday, April 8, 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, 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: Lerblance.—1.

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

**HBs 1018, 1427, 1803, 1835, 1853, 1864, 1866, 1875, 1896, 2109, 2112, 2132, 2274, 2293, 2303, 2335, 2380, 2460, 2526, 2557, 2667 and 2713** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 840, 1096, 1123, 1204, 1267, 1268, 1288, 1495, 1582 and 1583** and **SJR**s **41 and 42** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 51** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**GENERAL ORDER**

**HB 2457** by Pope and Sweeden of the House and Price of the Senate was called up for consideration.

Senator Price moved that **HB 2457** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2457** 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, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Excused: Fair, Lerblance, Robinson, Smith and Williams.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2457** was referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1051**.

The above-numbered enrolled resolution was properly signed and ordered returned to the Honorable House.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1693, 2005, 2095, 2096, 2142, 2253, 2284** and **2668**.

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

Advising passage of and returning the following Engrossed bills:

**SB 1167**  
**SB 1578**

The above-numbered measures were referred for enrollment.

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

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

**SB 1120**  
**SB 1121**  
**SB 1280** - coauthored by Staggs of the House  
**SB 1318**  
**SB 1342**  
**SB 1405**  
**SB 1448**  
**SB 1502** - coauthored by Adkins, Nance of the House  
**SB 1503** - coauthored by Adkins, Nance of the House  
**SB 1580**

House amendments were read on the above-numbered bills.

**UNANIMOUS CONSENT REQUEST**  
**DIRECT TO CALENDAR**

Senator Dunlap asked unanimous consent to suspend Rule 5-4 and refer **SR 50** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 50** by Dunlap was called up for consideration.

All other members of the Senate asked to coauthor **SR 50**, which was the order.

**SR 50** was adopted upon motion of Senator Dunlap and referred for enrollment.

**GENERAL ORDER**

**HB 2662** by Adair et al of the House and Corn and Gumm of the Senate was called up for consideration.

Senator Rabon asked to coauthor **HB 2662**, which was the order.

Senator Corn moved to amend **HB 2662**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Corn moved that **HB 2662** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2662** 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, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Rozell, Shurden, Snyder, Taylor, Wilkerson, Williams and Williamson.--41.

Excused: Lerblance, Littlefield, Riley, Robinson, Smith and Wilcoxson.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2662** was referred for engrossment.

**GENERAL ORDER**

**HB 1832** by Paulk and Nance of the House and Helton of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 1832**, Page 2, Line 14, by striking after the letter "C." and before the word "this" the words "Nothing contained in" and inserting in lieu thereof the words "Except as hereinafter provided,"; Page 2, Line 14, by inserting after the word "shall" and before the word "prohibit" the word "not"; and Page 2, Line 18, by inserting after the period the following language "Provided, however, no municipal ordinance relating to transporting a firearm improperly may include a provision for

confiscation of property.”, and by amending the title to conform, which amendment was declared adopted.

Senator Helton asked that **HB 1832** be laid over for this legislative day, which was the order.

**HB 1832** remains on General Order.

## **GENERAL ORDER**

**HB 2402** by Covey of the House and Price of the Senate was called up for consideration.

Senator Price moved to amend **HB 2402**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2402** to the engrossed version of the bill.

Senator Price moved that **HB 2402** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2402** was read for the third time at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Maddox, Monson, Price, Robinson, Rozell, Shurden, Smith, Snyder, Wilkerson and Williamson.--26.

Nay: Aldridge, Branan, Brogdon, Coffee, Dunlap, Johnson, Laughlin, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Wilcoxson and Williams.--15.

Excused: Ford, Lerblance, Littlefield, Milacek, Morgan and Taylor.--6.

Vacancy: District 18.--1.

The bill passed.

**HB 2402** was properly signed and ordered returned to the Honorable House.

**MOTION TO RECONSIDER VOTE**

Senator Maddox moved to reconsider the vote whereby **HB 2195** passed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Ford, Hobson, Lerblance, Littlefield, Milacek, Morgan and Taylor.--7.

Vacancy: District 18.--1.

**THIRD READING**

Senator Maddox moved to reconsider the vote whereby **HB 2195** was advanced, which motion was declared adopted.

**GENERAL ORDER**

**HB 2195** by Deutschendorf et al of the House and Maddox of the Senate was called up for consideration.

Senator Maddox moved to amend **HB 2195**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Maddox moved that **HB 2195** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2195** 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Ford, Lerblance, Littlefield, Milacek, Snyder and Taylor.--6.

Vacancy: District 18.--1.

The bill passed.

**HB 2195** was referred for engrossment.

### **GENERAL ORDER**

**HB 2247** by Perry of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved to amend **HB 2247**, Page 1, Line 24, by striking after the word “of” and before the word “members” the language “forty-nine (49)” and inserting in lieu thereof the language “fifty (50)”, and by amending the title to conform, which amendment was declared adopted.

Senator Coffee moved that **HB 2247** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2247** 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, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Ford, Johnson, Lerblance, Littlefield, Milacek and Taylor.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2247** was referred for engrossment.

**FIRST READING**

The following was introduced and read the first time:

**SR 52** – By Leftwich (Debbe)

A Resolution commending the Southeast High School Spartans boys basketball team for winning the Class 5A Boys Basketball State Championship; praising their record; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Leftwich asked unanimous consent to suspend Rule 5-4 and refer **SR 52** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 52** by Leftwich (Debbe) was called up for consideration.

All other members of the Senate asked to coauthor **SR 52**, which was the order.

**SR 52** was adopted upon motion of Senator Leftwich and referred for enrollment.

**GENERAL ORDER**

**HB 2319** by Wilson of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved to amend **HB 2319**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Crutchfield moved to amend the floor substitute to **HB 2319**, Page 19, Line 31 ½, by inserting a new subsection E to read as follows:

“E. Within thirty (30) days after the effective date of this act, the Oklahoma Tourism and Recreation Department shall establish a grievance procedure to provide for prompt and equitable resolution of grievances initiated by a slip tenant against any leaseholder of a marina franchise in an Oklahoma state park having only one marina as part of the park. The grievance resolution procedure shall include but not be limited to requirements guaranteeing the tenant that his or her grievance will be heard by a grievance panel designated by the Department. The Department shall provide a copy of the grievance procedure to the marina franchise leaseholder by certified mail, return receipt requested,

and a copy by United States mail to each current slip tenant at the last known mailing address provided by the marina franchise leaseholder at the expense of the Department.” and by relettering subsequent subsection, which amendment was declared adopted.

Senator Shurden moved that **HB 2319** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2319** 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, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laughlin, Lawler, Leftwich, Littlefield, Monson, Morgan, Myers, Price, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Wilkerson, Williams and Williamson.--35.

Nay: Aldridge, Dunlap, Laster, Nichols, Pruitt, Riley and Wilcoxson.--7.

Excused: Ford, Lerblance, Maddox, Milacek and Taylor.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **HB 2319** and the emergency passed.

### **GENERAL ORDER**

**HB 2213** by Piatt and Adkins of the House and Crutchfield of the Senate was called up for consideration.

Senator Gumm asked to coauthor **HB 2213**, which was the order.

Senator Gumm moved to amend **HB 2213**, Page 5, Line 8, by inserting after the word “Authority” and before the word “or” the language “, Durant Industrial Authority”, which amendment was declared adopted.

Senator Crutchfield moved that **HB 2213** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2213** 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Coffee, Ford, Lerblance, Littlefield, Milacek and Taylor.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2213** was referred for engrossment.

**Senator Gumm presiding.**

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 1100**

**SCR 49**

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 2108**

**HB 2218**

**HB 2288**

**HB 2321**

**GENERAL ORDER**

**HB 2300** by Tibbs et al of the House and Cain and Lawler of the Senate was called up for consideration.

Senator Cain moved that **HB 2300** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2300** 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Ford, Lerblance, Maddox, Milacek and Taylor.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2300** was referred for engrossment.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1340** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on the **HBS 1858, 2108, 2125, 2208, 2218, 2288, 2321, 2359, 2361, 2421, 2451** and **2623** was ordered granted and Senate conferees to be named later.

**GENERAL ORDER**

**HB 2477** by Harrison of the House and Laster et al of the Senate was called up for consideration.

Senators Morgan, Gumm, Capps, Reynolds, Riley, Wilcoxson, Coates, Aldridge, Laughlin, Smith, Fair, Nichols, Brogdon, Williamson, Branan, Dunlap, Myers, Pruitt, Johnson and Snyder asked to coauthor **HB 2477**, which was the order.

Senator Reynolds moved to amend **HB 2477**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Laster moved that **HB 2477** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2477** 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Wilcoxson, Wilkerson and Williamson.-39.

Nay: Cain and Williams.--2.

Excused: Coffee, Ford, Lerblance, Milacek, Shurden and Taylor.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2477** was referred for engrossment.

**GENERAL ORDER**

**HB 2391** by Blackburn et al of the House and Williams and Laster of the Senate was called up for consideration.

Senator Williams moved that **HB 2391** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2391** 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Price, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilkerson, Williams and Williamson.--39.

Nay: Nichols, Pruitt, Reynolds and Wilcoxson.--4.

Excused: Ford, Lerblance, Milacek and Taylor.--4.

Vacancy: District 18.--1.

The bill passed.

**HB 2391** was referred for engrossment.

**GENERAL ORDER**

**HB 2365** by Cargill and Vaughn of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 2365** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2365** 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Smith.--1.

Excused: Ford, Lerblance, Littlefield, Milacek, Reynolds and Taylor.--6.

Vacancy: District 18.--1.

The bill passed.

**HB 2365** was referred for engrossment.

**Senator Rozell presiding.**

### **GENERAL ORDER**

**HB 1823** by Erwin and Roan of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved to amend **HB 1823**, Page 1, by restoring the title and the enacting clause, which amendment was declared adopted.

Senator Shurden moved that **HB 1823** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1823** 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Fair.--1.

Excused: Ford, Lerblance, Milacek and Taylor.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 1823** was referred for engrossment.

**GENERAL ORDER**

**HB 1870** by Gilbert of the House and Lawler of the Senate was called up for consideration.

Senator Lawler moved that **HB 1870** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1870** 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, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williamson.--40.

Excused: Ford, Helton, Lerblance, Milacek, Rabon, Taylor and Williams.--7.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 1870** was properly signed and ordered returned to the Honorable House.

**REPORT OF ENGROSSED AND ENROLLED MEASURE**

**HB 2662** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**MESSAGE FROM THE HOUSE**

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

- HB 2353**
- HB 2371**
- HB 2673**
- HB 2674**
- HB 2714**

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1342** were concurred in upon motion of Senator Gumm.

**SB 1342**, as amended by the Honorable House, was read 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Nay: Laughlin.--1.

Excused: Ford, Lerblance, Maddox, Milacek, Monson, Smith and Taylor.--7.

Vacancy: District 18.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1406** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on the **HBs 2353, 2371, 2673, 2674** and **2714** was ordered granted and Senate conferees to be named later.

**GENERAL ORDER**

**HB 1904** by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Morgan moved to amend **HB 1904**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Morgan moved that **HB 1904** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1904** 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, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Johnson.--1.

Excused: Ford, Lerblance, Milacek, Monson and Taylor.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 1904** was referred for engrossment.

### **MESSAGES FROM THE HOUSE**

Advising naming of House conferees:

**HB 1858** – Gilbert, Sweeden, Liotta, Taylor, Case, Pope, Nance

**HB 2108** – Leist, Case, Dank, Mitchell, Bonny

**HB 2125** - - Pope, Nance, Dorman, Case, Kirby

**HB 2218** – Maddux, Covey, McClain, Liotta, Rice, Pope, Nance

**HB 2421** - Pope, Nance, Kirby, Maddux, Rice, Roberts, Ferguson

Advising fourth reading of and returning Enrolled **SBs 840, 1096, 1123, 1204, 1267, 1268, 1288, 1495, 1582 and 1583** and **SJR 41** and **42**.

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

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 1128** - Newport, Staggs, Vaughn, Dorman, Miller (Doug), Roberts, Brannon  
**SB 1389** - Erwin, Brannon, Hutchison, Ferguson, Mass, Benge, Sullivan

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 12, 2004, at 1:30 p.m., which motion prevailed.

**BILLS RELEASED**  
**TIME EXPIRED TO RECONSIDER**

**HB 1860** was referred for engrossment.

**HB 2369** was properly signed and ordered returned to the Honorable House.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **HB 2504** failed.

Pursuant to the Fisher motion, the Senate adjourned at 11:45 a.m. to meet Monday, April 12, 2004, at 1:30 p.m.

**JOURNAL CORRECTION**

Pertaining to **HB 2713**, on Page 1040, bottom line and Page 1041, Line 8, by deleting the words "and emergency".