

# Senate Journal

**Second Regular Session of the Forty-ninth Legislature  
of the State of Oklahoma  
Fifty-second Legislative Day, Thursday, April 29, 2004**

The Senate was called to order by Senator Rozell.

Roll Call:

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

Excused: Cain, Monson and Taylor.—3.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Cliff Briscoe, Living Word Church, Shawnee, the guest of Senator Laster.

## **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 816, 978, 980, 982, 1067, 1071, 1106, 1109, 1110, 1174, 1236, 1256, 1347, 1511** and **1561** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SRs 47** and **64** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**MESSAGE FROM THE HOUSE**

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

**HB 1981**  
**HB 1987**  
**HB 1988**  
**HBs 1990 through 2002**  
**HB 2004**  
**HB 2010**  
**HB 2012**  
**HB 2014**  
**HB 2016**  
**HB 2018**  
**HB 2020**  
**HB 2026**  
**HB 2030**  
**HB 2036**  
**HB 2038**  
**HB 2048**  
**HB 2054**  
**HB 2060**  
**HB 2064**  
**HB 2070**  
**HB 2072**  
**HB 2074**

**PENDING SENATE ACTION**  
**HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on **HBs 1981, 1987, 1988, 1990 through 2002, 2004, 2010, 2012, 2014, 2016, 2018, 2020, 2030, 2036, 2038, 2048, 2054, 2060, 2064, 2070, 2072 and 2074** was ordered granted and bills referred to GCCA.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1832, 1843, 1896, 1965, 2023, 2025, 2028, 2032, 2034, 2041, 2042, 2044, 2077, 2079, 2081, 2083, 2087, 2089, 2194, 2252, 2451 and 2627.**

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

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Williamson asked unanimous consent to suspend Rule 5-4 and refer **SR 65** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 65** by Hobson was called up for consideration.

All other members of the Senate, except Senator Smith, asked to coauthor **SR 65**, which was the order.

**SR 65** was adopted upon motion of Senator Williamson and referred for enrollment.

**SPECIAL RECOGNITION OF SENATOR JERRY SMITH**

Senator Smith was honored by the Oklahoma State Senate for his 24 years of service. His portrait was displayed as a tribute in the Senate Chamber for this legislative day.

Senator Williamson addressed the Senate commending Senator Smith for his contributions to the Oklahoma Court System and the Republican Party. He also commended Senator Smith for his years of service to the citizens of Senate District 39 in the Oklahoma State Senate. In addition, remarks were given by President Pro Tempore Hobson and Senators Ford, Coffee, Snyder, Shurden, Dunlap, Wilkerson, Pruitt, Riley, Robinson, Williams and Fisher.

Senator Smith addressed the Senate and introduced his family. His guests in attendance were his wife, Sally Howe Smith and their son, Tucker. Senator Smith recognized his past and present executive assistants, Patsy Epps and Barbara Sanders, for their dedication and hard work.

**MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1078**.

**HCR 1078** – By Ingmire, Wells, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, DeWitt, Deutschendorf, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport,

O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Morgan of the Senate.

A Concurrent Resolution recognizing and commending the contributions of Dr. Deke Johnson to the advancement of community education; congratulating Dr. Deke Johnson for his induction into the prestigious Community Education Hall of Fame; and directing distribution.

The above-numbered measure was read the first time.

Advising passage of and returning the following Engrossed bill:

**SCR 47** - coauthored by all other House members

The above-numbered measure was referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 816, 978, 980, 982, 1067, 1071, 1106, 1109, 1110, 1174, 1236, 1256, 1347, 1511 and 1561.**

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

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

**HB 1587**  
**HB 1756**  
**HB 2085**  
**HB 2305**  
**HB 2341**  
**HB 2382**  
**HB 2416**  
**HB 2551**  
**HB 2556**  
**HB 2598**

Advising adding of House conferees as follows:

**HB 2274** - Braddock, Phillips, Erwin

Advising naming of House conferees as follows:

**HB 2440** - Ellis, Blackburn, Smithson, Wilson, Balkman, Langmacher, Wilt, Piatt

**HB 2541** - Lamons, Wells, Morgan (Danny), Adkins, Peters, Rice, Perry, Sweeden

**HB 2542** - Carey, Sweeden, Dank, Stanley, Kirby, Newport, Tibbs

**HB 2660** - Adair, Pope, Nance, Rice, Maddux, Roberts

**HB 2664** - Adair, Roberts, Maddux, Ferguson, Braddock

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

**SB 1172** - Smithson, Peters, Balkman, Nance, Mitchell, Bonny, Askins, Braddock

**SB 1252** - Adair, Roberts, Maddux, Askins, Ferguson, Pettigrew, Hutchison

**SB 1410** - Smithson, Ericson, Nance, Roan, Newport, Hastings, Mass, Lamons, Braddock

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1838, 2046, 2051, 2053, 2056, 2058, 2062, 2066, 2068, 2474, 2549, 2624** and **2724**.

#### **MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS**

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

**HB 1694**

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

#### **PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

**HB 1670** – Williamson, Smith, Cain, Monson, Laster

**PENDING CONSIDERATION OF HAS**

**HAs to SBs 727, 1114, 1185, 1216, 1232, 1280, 1291, 1296, 1317, 1370, 1413, 1420, 1447, 1448, 1486, 1525, 1527, 1539 and 1560** 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 following bills was ordered granted and Senate conferees to be named later:

**HB 1571  
HB 2006  
HB 2102  
HB 2132  
HB 2140  
HB 2141  
HB 2187  
HB 2198  
HB 2223  
HB 2226  
HB 2243  
HB 2282  
HB 2291  
HB 2363  
HB 2365  
HB 2462  
HB 2542  
HB 2548  
HB 2574  
HB 2660  
HB 2664  
HB 2667  
HB 2690  
HB 2691  
HB 2693  
HJR 1039  
HJR 1044**

**CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**SB 903** – Remove GCCA and Add Crutchfield, Price, Helton, Gumm, Wilcoxson, Johnson, Laughlin and Rabon.

**PENDING CONSIDERATION OF HAS**

**HAs to SBs 892, 901, 1120, 1121, 1122, 1212, 1328 and 1622** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees appointed as follows:  
GCCA

**SCs NAMED**

Upon motion of Senator Fisher, Senate conferees were appointed as follows:

- SB 1114** – GCCA
- SB 1146** – GCCA
- SB 1155** – GCCA
- SB 1158** – GCCA
- SB 1164** – GCCA
- SB 1207** – GCCA
- SB 1232** – GCCA
- SB 1254** – GCCA
- SB 1270** – GCCA
- SB 1272** – GCCA
- SB 1299** – GCCA
- SB 1300** – GCCA
- SB 1318** – GCCA
- SB 1319** – GCCA
- SB 1325** – GCCA
- SB 1332** – GCCA
- SB 1394** – GCCA
- SB 1406** – GCCA
- SB 1420** – GCCA
- SB 1447** – GCCA
- SB 1471** – GCCA
- SB 1478** – GCCA
- SB 1486** – GCCA
- SB 1490** – GCCA
- SB 1494** – GCCA
- SB 1542** – GCCA
- SB 1551** – GCCA

**SB 1554** – GCCA

**SB 1569** – GCCA

**SB 1589** – GCCA

**SB 1614** – GCCA

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 3, 2004, at 1:30 p.m., which motion prevailed.

### **FIRST READING**

The following was introduced and read the first time:

**SCR 67** – By Morgan of the Senate and Ingmire and Wells of the House.

A Concurrent Resolution authorizing the Oklahoma Agricultural and Mechanical Colleges, acting on behalf of Oklahoma State University, to issue certain revenue bonds pursuant to Sections 4001 through 4017 of Title 70 of the Oklahoma Statutes; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 10:50 a.m. to meet Monday, May 3, 2004, at 1:30 p.m.

### **JOURNAL CORRECTION**

Page 1089, 10<sup>th</sup> Line from the bottom: Delete "**1056**,"

Page 1089, 9<sup>th</sup> Line from the bottom: Insert after "**2723**" the words "**and HCR 1056**"