

Senate Journal

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

Fifty-fifth Legislative Day, Wednesday, May 5, 2004

The Senate was called to order by Senator Rozell.

Roll Call:

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

Excused: Dunlap and Taylor.—2.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Doug McClure, First Baptist Church, Hugo, the guest of Senator Rabon.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCRs 65 and 69 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 1184, 1265, 1331, 1363, 1412, 1618 and 1622 and **SJR 48** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCs NAMED

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

SB 1269 – Smith, Cain, Laster, Ford, Fisher

SB 1317 – Helton, Crutchfield, Snyder
HB 1571 – GCCA
HB 1742 – Shurden, Helton, Littlefield, Laughlin, Nichols
HB 2132 – GCCA
HB 2226 – Morgan, Corn, Fisher, Williamson
HB 2282 – GCCA
HB 2373 – GCCA
HB 2542 – GCCA
HB 2574 – GCCA
HB 2612 – Corn, Cain, Harrison, Smith, Pruitt
HB 2626 – Leftwich (Debbe), Wilkerson, Laster, Rozell, Smith, Nichols
HB 2630 – Helton, Williams, Rozell, Aldridge, Ford
HB 2664 – GCCA
HB 2667 – GCCA
HB 2690 – Corn, Fisher, Morgan, Williamson
HB 2691 – Corn, Fisher, Morgan, Williamson
HB 2693 – Corn, Fisher, Morgan, Williamson
HB 2718 – GCCA
HJR 1044 – GCCA
HJR 1063 – GCCA

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 appointed as follows:

HB 2416 – Shurden, Horner, Nichols
HB 2598 – Rozell, Corn, Fisher, Morgan, Williamson

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 2300** and **2494**.

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

Advising naming of House conferees as follows:

HB 2001 - Mitchell, Bonny, Hefner, Wells, Calvey, Winchester, Case
HB 2004 - Mitchell, Bonny, Carey, Ingmire, Armes

HB 2006 - Mitchell, Bonny, Braddock, Sweeden, Turner, Bengé, Case, Ferguson, Hastings

HB 2102 - Carey, Piatt, Roan, Lamons, Liotta, Newport, Hamilton

HB 2132 - Peters, Paulk, Lamons, Trebilcock, McClain

HB 2379 - Rice, Pope, Mitchell, Bonny, Nance, Maddux, Pettigrew

HB 2632 - Erwin, Hutchison, Taylor, Adkins, Case, Pope, Nance

Advising adding of House conferee:

HB 1866 - Balkman

HB 2616 - Erwin, Armes

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

SB 6 - McIntyre, Staggs, Vaughn, Smith, Dank, Greenwood, Brannon

SB 868 - Paulk, Hamilton, Nance, Sweeden, Dank

SB 1176 - Peters, Rice, Turner, Jones, Hastings, Lamons, Gilbert

SB 1210 - Toure, Pettigrew, Gilbert, Harrison, Davis

SB 1275 - Hastings, Rice, Case, Braddock, Trebilcock, Lamons, Harrison, Toure, Davis

SB 1346 - Dorman, Roberts, Maddux, Askins, Trebilcock

SB 1430 - Dorman, Toure, Harrison, Trebilcock, Piatt, Davis, Braddock

SB 1490 - Roberts, Leist, Blackburn, Pettigrew, Tibbs, Mitchell, Bonny, Calvey

MOTION

Senator Fisher moved to evoke Senate Rule 12-25 as it pertains to **SB 1502** to correct inaccuracies, which motion was declared adopted.

INTRODUCTION

Senator Capps introduced his grandson, Girard Capps, to the Senate.

PENDING CONSIDERATION OF HAS

HAs to **SB 1526** were concurred in upon motion of Senator Wilkerson.

SB 1526, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Dunlap, Littlefield, Smith and Taylor.--4.

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 1507 were concurred in upon motion of Senator Fisher.

SB 1507, as amended by the Honorable House, was read 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Dunlap, Littlefield, Monson, Smith, Snyder and Taylor.--6.

The bill passed.

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

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Morgan asked unanimous consent to suspend Rule 5-4 and refer **SCR 67** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 67 by Morgan of the Senate and Ingmire and Wells of the House was called up for consideration.

SCR 67 was adopted upon motion of Senator Morgan and referred for engrossment.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1502 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

Senator Fisher moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Robinson presiding.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1503 were concurred in upon motion of Senator Wilkerson.

SB 1503, 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: Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Aldridge, Dunlap, Helton, Myers, Snyder and Taylor.--6.

The bill and emergency passed.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2552** was adopted upon motion of Senator Leftwich.

Senator Williams asked to coauthor **HB 2552**, which was the order.

HB 2552, as amended in conference, was read 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Dunlap, Helton, Myers and Taylor.--4.

The bill passed.

HB 2552, together with the conference committee report thereon, was ordered returned to the Honorable House.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 141 – remove GCCA and add Smith, Morgan, Fisher

HB 2164 – add Cain and Williamson

HB 2291 – add Cain and Williamson

HB 2505 – remove Fair, Wilkerson, Cain and add GCCA

HB 2663 – add Monson

HB 2664 – remove GCCA and add Hobson, Laster, Williamson

SCs NAMED

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

SB 369 – Shurden, Cain, Robinson, Coffee, Wilcoxson

SB 1252 – Hobson, Wilkerson, Smith

HJR 1039 – GCCA

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 1184, 1265, 1331, 1363, 1412, 1502, 1618 and 1622** and **SJR 48**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2129 and 2488**.

Advising naming same House conferees as follows:

HB 1670 - Roggow, Roberts, Morgan (Danny), Harrison, Maddux and adding Ferguson, Staggs, Brannon

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

- SB 667** - Roberts, Pope, Nance, Dorman, Maddux
- SB 1090** - Dorman, Toure, Askins, Trebilcock, Vaughn, Davis, Harrison
- SB 1121** - Pope, Nance, Dorman, Roberts, Maddux
- SB 1122** - Pope, Nance, Dorman, Roberts, Maddux
- SB 1135** - Rice, Sweeden, Hastings, Dank, Hefner
- SB 1143** - Hilliard, Carey, Sweeden, Dank, Dorman, Ingmire
- SB 1155** - Braddock, Roan, Askins, Nance, Ingmire
- SB 1156** - Langmacher, Leist, Wilt, Maddux, Smith
- SB 1162** - Sweeden, Dank, Dorman, Kirby, Tibbs
- SB 1164** - Winchester, Nance, Carey, Case, Mitchell, Bonny, Paulk, Lamons
- SB 1165** - Harrison, Ferguson, Brannon, Carey, Peterson (Pam), Askins, Davis
- SB 1203** - Roberts, Ferguson, Brannon, Sullivan, Staggs
- SB 1212** - Askins, Nations, Ingmire, Covey, Maddux
- SB 1216** - Blackwell, Armes, DeWitt, Sweeden, Covey, Pope, Mitchell, Bonny
- SB 1269** - Calvey, Askins, Braddock, Toure, Davis, Roberts, Maddux, Hastings, Harrison
- SB 1272** - Harrison, Blackburn, McCarter, Brannon, Steele, Nance, Ingmire
- SB 1291** - Hastings, Rice, Case, Trebilcock, Lamons, Braddock, Harrison, Toure, Davis
- SB 1296** - Wells, Morgan (Danny), Newport, Erwin, Wilt
- SB 1300** - Covey, Pope, DeWitt, Armes, Turner
- SB 1317** - Wells, Askins, Cox, Morgan (Danny), Peters, Newport, Pope, Nance
- SB 1420** - Blackwell, Askins, Roan, Newport, Cox
- SB 1484** - Braddock, Hilliard, Cox, Morgan (Danny), Adkins, Phillips, Case, Winchester, Roberts
- SB 1542** - Balkman, Roan, Peters, Mitchell, Bonny
- SB 1560** - Hutchison, Smith, Ericson, Erwin, Ellis, Boren, Phillips, DeWitt, Mass

SB 1569 - Askins, Leist, Nations, Stanley, Wilt, Peters, Adkins, Mitchell, Bonny
SB 1614 - Ingmire, Roan, Braddock, Kirby, Roggow

Advising rejection of **2ND CCR** to the following bill, requesting further conference and naming same House conferees as follows:

HB 1734 - Wells, Toure, Davis, Hefner, Ingmire

Advising naming of House conferees as follows:

HB 1571 - Harrison, Sweeden, Dank, Trebilcock, Roberts, Ferguson, Paulk
HB 1587 - Leist, Gilbert, Calvey, Carey, Peters
HB 1756 - Hefner, Erwin, Staggs, Vaughn, Ferguson
HB 2223 - Piatt, Toure, Askins, Rice, Davis
HB 2226 - Ingmire, Ferguson, Brannon, Hilliard, Wells, Rice, Peterson (Ron), Nations
HB 2277 - Rice, Sweeden, Dank, Hastings, Hefner
HB 2341 - Smith, Leist, Hutchison, Bonny, Ericson, Armes, Maddux
HB 2363 - Cargill, Toure, Davis, Braddock, Askins
HB 2365 - Cargill, Taylor, Case, Vaughn, Balkman, Nations, Kirby, Deutschendorf,
 Toure, Harrison
HB 2505 - Hamilton, Roberts, Maddux, Carey, Askins, Peters, Vaughn
HB 2536 - Walker, Ferguson, Brannon, Adkins, Staggs
HB 2554 - Morgan (Danny), Nations, Paulk, Lamons, Hastings, Tibbs, Hamilton, Ellis,
 Adkins
HB 2556 - Nations, Mitchell, Bonny, Adkins, Ingmire
HB 2559 - Nations, Covey, Hilliard, Miller (Ray), Nance, Phillips, Pope, Roggow,
 Tyler, Young
HB 2574 - Morgan (Danny), Rice, Wells, Wilt, Peters
HB 2630 - Braddock, Nations, Boren, Ingmire, Roggow
HB 2683 - Hefner, Plunk, Taylor, Case, Young
HB 2718 - Calvey, Toure, Davis, Askins, Braddock

Advising adding of House conferees as follows:

HJR 1063 - Davis, Taylor

EXECUTIVE NOMINATIONS

The following executive nominations were read and referred to committee as indicated:

Cockrell, Del, Del City, as a member of the Oklahoma Board of Private Vocational Schools - Education

Condley, Chris L., Muskogee, as a member of the Oklahoma Development Finance Authority - Commerce

Condley, Chris L., Muskogee, as a member of the Oklahoma Industrial Finance Authority - Commerce

Griffin, Roger O., Broken Bow, as a member of the State Board of Registration for Foresters - Agriculture and Rural Development

Henry, Jan Ralls, D.D.S., Oklahoma City, as a member of the Oklahoma Arts Council - Tourism and Wildlife

Pannell, Kenneth H., Hugo, as a member of the War Veterans Commission of Oklahoma - Veterans, Military Affairs and Public Safety

Wise, Sherri Lynn, Tulsa, as a member of the Oklahoma Science and Technology Research and Development Board - Aerospace and Technology

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 6, 2004, at 9:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 935

SB 964

SB 1207

SB 1254

SB 1478

Pursuant to the Fisher motion, the Senate adjourned at 2:50 p.m. to meet Thursday, May 6, 2004, at 9:00 a.m.