

# Senate Journal

## First Regular Session of the Fiftieth Legislature of the State of Oklahoma

**Twenty-second Legislative Day, Monday, March 14, 2005**

The Senate was called to order by Senator Gumm.

Roll Call:

Present: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.—43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.—5.

Senator Gumm declared a quorum present.

The prayer was offered by Senator Gumm.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 238, 324, 327, 399, 410, 427, 432, 446, 453, 507, 522, 553, 581, 616, 618, 660, 708, 721, 738, 897, 950 and 978 and SJR 10** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SR 10** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1012, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1224, 1229, 1305, 1326, 1338, 1363, 1465, 1490, 1558, 1570, 1652, 1657, 1695 and 1910.**

**HB 1012** – By Brown of the House and Gumm of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 2918, which relates to tax receipts; modifying procedural requirements for tax receipts; and providing an effective date.

**HB 1097** – By Benge and Newport of the House and Morgan and Crutchfield of the Senate.

( Office of Juvenile Affairs – appropriation – effective date – emergency )

**HB 1098** – By Benge and Newport of the House and Morgan and Crutchfield of the Senate.

( State Department of Rehabilitation Services – appropriation - effective date – emergency )

**HB 1099** – By Benge and Newport of the House and Morgan and Crutchfield of the Senate.

( State Department of Rehabilitation Services – appropriation – effective date – emergency )

**HB 1100** – By Benge and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Commission on Children and Youth - appropriation - effective date – emergency )

**HB 1101** – By Benge and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Commission on Children and Youth – appropriation – effective date – emergency )

**HB 1102** – By Benge, Newport and Wesselhoft of the House and Morgan and Crutchfield of the Senate.

( Office of Handicapped Concerns – appropriation – effective date – emergency )

**HB 1103** – By Benge, Newport and Wesselhoft of the House and Morgan and Crutchfield of the Senate.

( Office of Handicapped Concerns – appropriation – effective date – emergency )

**HB 1104** – By Benge and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Human Rights Commission – appropriation - effective date – emergency )

**HB 1105** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Human Rights Commission – appropriation – effective date – emergency )

**HB 1106** – By Bengé, Newport, Billy and Wesselhoft of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Indian Affairs Commission – appropriation - effective date – emergency )

**HB 1224** – By Nance of the House and Lamb of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 258, as last amended by Section 1, Chapter 337, O.S.L. 2003 (22 O.S. Supp. 2004, Section 258), which relates to preliminary examinations and proceedings; allowing testimony of law enforcement officer under certain circumstances; requiring submission of report to defendant prior to hearing; and providing an effective date.

**HB 1229** – By Braddock of the House and Kerr of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Sections 3-50.7, 3-50.8, 3-50.9a and 3-50.11, which relate to Boll Weevil Eradication Act; modifying audit procedures; modifying acreage certification; modifying assessment procedures; modifying certain penalties; and providing an effective date.

**HB 1305** – By Askins, Blackburn, Deutschendorf, Hamilton, McDaniel, Miller (Ray), Staggs and Toure of the House and Leftwich of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 1602, which relates to Domestic Violence Fatality Review Board; modifying membership of Board; and providing an effective date.

**HB 1326** – By McCarter, Askins and Staggs of the House and Lawler of the Senate.

( schools – amending 70 O.S., Sections 6-204.1 and 6-204.2 – Education Leadership Oklahoma Act – definitions – effective date – emergency )

**HB 1338** – By Covey, Blackburn, Deutschendorf and Turner of the House and Wilson of the Senate.

An Act relating to motor vehicles; providing for licensing for certain promoters; providing for certain conditions; providing for licensing of certain manufacturers and dealers for certain promotions; providing for special license; providing fee amounts; providing for the deposit of certain fees; providing certain exception under certain circumstances; providing certain promoter requirements for participation; providing for applicability of the act to dealers; providing for certain exclusion to excise tax; providing for codification; and providing an effective date.

**HB 1363** – By Case of the House and Aldridge of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 956.2, which relates to certain county retirement plans; modifying provisions related to vesting; modifying provisions based upon date of hire; and providing an effective date.

**HB 1465** – By Sherrer, Duncan, Roan, Turner, Kiesel, Brannon and Smithson of the House and Lerblance of the Senate.

An Act relating to criminal procedure; providing for expungement of certain victim protective orders pursuant to the Protection from Domestic Abuse Act; setting eligibility criteria for expungement; providing procedures for expungement; defining terms; requiring petition, notice, answer and hearing within certain time periods; requiring no objection or certain court findings; construing effects of sealing certain records; directing sealing of certain records; allowing certain persons access to sealed records; prohibiting denial of application by employers for failure to disclose sealed information; construing application of act; allowing destruction of certain records after certain time period; allowing certain evidence from sealed records for certain purpose; providing for codification; and providing an effective date.

**HB 1490** – By Thompson, Dorman, Nance, Wesselhoft, Hilliard, Sherrer and Terrill of the House and Williamson of the Senate.

( revenue and taxation – amending 68 O.S., Section 2358 – adjusted gross income – capital gains – effective date )

**HB 1558** – By Staggs, Brannon, Deutschendorf, Ingmire, Nations, Shumate, Braddock, Askins, Auffet, Billy, Blackburn, Covey, Ellis, Glenn, Hamilton, Harrison, Hilliard, Hyman, Lamons, Lindley, McCarter, McDaniel, McMullen, Miller (Ray), Morrissette, Roan, Rousselot, Sherrer, Shoemake, Smithson, Turner, Walker and Worthen of the House and Pruitt of the Senate.

( schools - Oklahoma Teachers' Deferred Savings Incentive Plan - effective date – emergency )

**HB 1570** – By Walker, Armes, Covey, DeWitt, Hickman, Miller (Ray), Johnson, Rousselot, Dorman, Nance, Braddock, Carey, Glenn, Hamilton, Hilliard, Hyman, Jackson, Kiesel, Lamons, Mass, McDaniel, McMullen, Pruett, Roan, Sherrer, Shoemake, Sullivan, Sweeden, Turner and Wesselhoft of the House and Rabon of the Senate.

( revenue and taxation - amending 68 O.S., Section 1356 - sales tax exemptions – hospitals - effective date – emergency )

**HB 1652** – By Morgan (Danny) of the House and Lerblance of the Senate.

An Act relating to Corporation Commission; amending 17 O.S. 2001, Sections 303 and 306, as amended by Sections 1 and 2, Chapter 430, O.S.L. 2004, 306.1, 307, 308, 309, 310, as amended by Section 3, Chapter 430, O.S.L. 2004, 311, 312, 313, 315, 316, 318, 321, 323, 324 and 340, as amended by Sections 4, 5 and 6, Chapter 430, O.S.L. 2004, 351, 352 and 353, as amended by Sections 7 and 8, Chapter 430, O.S.L. 2004, 354, as last amended by Section 1, Chapter 371, O.S.L. 2002, 356, as amended by Section 9, Chapter 430, O.S.L. 2004, 356.1, 359, 360, as amended by Section 10, Chapter 430, O.S.L. 2004 and 365 (17 O.S. Supp. 2004, Sections 303, 306, 310, 323, 324, 340, 352, 353, 354, 356 and 360), which relate to Oklahoma Storage Tank Regulation Act; modifying definitions; modifying certain entry requirements; requiring certain testing; providing for certain administrative penalties; modifying certain fee; clarifying language; providing for certain standards; providing for certain orders; providing for certain permits; requiring certain reports for

preapproval; providing for certain cost recovery; clarifying language; providing for certain service of process; allowing certain access to private property; clarifying language; modifying certain venue for enforcement; providing for certain reports; authorizing certain monies for certain funds; clarifying language; modifying certain evidentiary standards; providing for certain license revocation proceedings; deleting obsolete language; providing for certain investigations; clarifying language; modifying membership to Storage Tank Advisory Council; updating language; modifying definitions; clarifying language; modifying certain dates; modifying certain corrective actions; providing for incomplete applications; providing for certain compensation; providing for certain copayments; providing for certain jurisdiction; increasing certain reimbursement thresholds; providing an exception; restricting certain reimbursements; providing for certain equipment; updating language; providing for administrative proceedings; amending 27 O.S. 2001, Section 1-1-203, which relates to state environmental agencies; requiring licensing of certain persons; and providing an effective date.

**HB 1657** – By Morgan (Danny) of the House and Coates of the Senate.

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Section 521, as last amended by Section 1, Chapter 72, O.S.L. 2004 (37 O.S. Supp. 2004, Section 521), which relates to acts authorized by licenses issued pursuant to the Oklahoma Alcoholic Beverage Control Act; amending 37 O.S. 2001, Section 534, which relates to package stores; allowing package stores to sell Oklahoma wine at festivals; and providing an effective date.

**HB 1695** – By Hamilton, Staggs, Rousselot, Pruett, Blackwell, Brown, Hilliard, Lindley, Nance, Peterson (Pam), Sherrer, Walker, Wesselhoft and Winchester of the House and Shurden of the Senate.

An Act relating to public health and safety; creating the Danielle Martinez Act; creating the Advisory Council on Cord Blood Donations; stating purpose; providing for appointment of members, convening of the first meeting, election of officers, and a quorum; specifying date for recommendations; providing for staffing; providing for codification; and declaring an emergency.

**HB 1910** – By Peters of the House and Crutchfield of the Senate.

An Act relating to public utilities; allowing electric utilities to adjust rates for certain transmission costs incurred as a result of regulatory action; requiring submission of a report to the Corporation Commission; allowing the Commission to adjust changes and impose remedies; allowing electric utilities to file applications requesting authorization for certain capital expenditures; providing for adjustment in rates upon approval of application; requiring a report to the Commission; allowing the Commission to adjust rates and impose remedies; allowing electric utilities to file applications requesting construction or purchase of electric generation facilities; providing for recovery of investments in rates; authorizing the Commission to determine minimum costs; providing for codification; and declaring an emergency.

The above-numbered measures were read the first time.

**GENERAL ORDER**

**SB 919** by Monson of the Senate and Shelton of the House was called up for consideration.

Senator Monson moved that **SB 919** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 919** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--39.

Excused: Adelson, Aldridge, Branan, Capps, Easley, Harrison, Hobson, Taylor and Williamson.--9.

The bill passed.

**SB 919** was referred for engrossment.

**GENERAL ORDER**

**SB 5** by Corn and Gumm of the Senate and Shumate of the House was called up for consideration.

Senator Leftwich asked to coauthor **SB 5**, which was the order.

Senator Corn moved that **SB 5** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 5** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley,

Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--40.

Excused: Adelson, Aldridge, Branan, Capps, Easley, Harrison, Taylor and Williamson.--8.

The bill passed.

**SB 5** was referred for engrossment.

### **GENERAL ORDER**

**SB 479** by Lawler of the Senate and McMullen of the House was called up for further consideration.

Senator Lawler pressed the adoption of her previous amendment, printed on Page 731, which amendment was declared adopted.

Senator Lawler moved that **SB 479** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 479** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--39.

Excused: Adelson, Aldridge, Branan, Capps, Easley, Harrison, Hobson, Taylor and Williamson.--9.

The bill passed.

**SB 479** was referred for engrossment.

**GENERAL ORDER**

**SB 690** by Paddack et al of the Senate and Steele of the House was called up for consideration.

Senators Coffee and Leftwich asked to coauthor **SB 690**, which was the order.

Senator Paddack moved that **SB 690** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 690** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--39.

Excused: Adelson, Aldridge, Branan, Capps, Easley, Harrison, Hobson, Taylor and Williamson.--9.

The bill passed.

**SB 690** was referred for engrossment.

**GENERAL ORDER**

**SB 15** by Corn of the Senate and Nance of the House was called up for consideration.

Senator Corn moved to amend **SB 15**, Page 6, Line 13, by deleting after the word "of" and before the second word "from" the language "one (1) year" and inserting in lieu thereof the language "five (5) years" which amendment was declared adopted.

Senator Corn moved that **SB 15** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 15** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--40.

Excused: Adelson, Aldridge, Capps, Easley, Harrison, Hobson, Taylor and Williamson.--8.

The bill and emergency passed.

**SB 15** was referred for engrossment.

### **GENERAL ORDER**

**SB 367** by Monson of the Senate and Deutschendorf of the House was called up for consideration.

Senator Monson moved that **SB 367** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 367** was read for the third time at length.

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

Aye: Barrington, Bass, Cain, Coates, Coffee, Corn, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Justice, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Nichols, Paddack, Rabon, Reynolds, Shurden, Wilson and Wyrick.--28.

Nay: Anderson, Branan, Brogdon, Crain, Jolley, Lamb, Laughlin, Mazzei, Myers, Pruitt, Riley and Wilcoxson.--12.

Excused: Adelson, Aldridge, Capps, Easley, Harrison, Hobson, Taylor and Williamson.--8.

The bill passed.

**SB 367** was referred for engrossment.

### **GENERAL ORDER**

**SB 49** by Cain of the Senate and Denney of the House was called up for consideration.

Senator Cain moved that **SB 49** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 49** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--40.

Excused: Adelson, Aldridge, Capps, Easley, Harrison, Hobson, Taylor and Williamson.--8.

The bill passed.

**SB 49** was referred for engrossment.

### **GENERAL ORDER**

**SB 575** by Lerblance of the Senate and Braddock of the House was called up for consideration.

Senator Lerblance moved to amend **SB 575**, 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 Lerblance moved to amend the floor substitute to **SB 575**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Lerblance moved that **SB 575** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 575** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Paddack, Pruitt, Rabon, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--39.

Nay: Nichols and Reynolds.--2.

Excused: Adelson, Aldridge, Capps, Harrison, Hobson, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 575** was referred for engrossment.

### **GENERAL ORDER**

**SB 286** by Corn of the Senate and Armes of the House was called up for consideration.

Senator Corn moved that **SB 286** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 286** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--41.

Excused: Adelson, Aldridge, Capps, Harrison, Hobson, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 286** was referred for engrossment.

### **GENERAL ORDER**

**SB 646** by Nichols and Gumm of the Senate and Nance of the House was called up for consideration.

Senator Brogdon asked to coauthor **SB 646**, which was the order.

Senator Nichols moved that **SB 646** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 646** was read for the third time at length.

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

Aye: Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Wilcoxson, Wilson and Wyrick.--36.

Nay: Anderson, Cain, Monson, Rabon and Shurden.--5.

Excused: Adelson, Aldridge, Capps, Harrison, Hobson, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 646** was referred for engrossment.

### **UNANIMOUS CONSENT REQUEST WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **SB 571** be stricken from the Calendar.

### **GENERAL ORDER**

**SB 1010** by Paddack of the Senate and Cox of the House was called up for consideration.

Senator Lawler asked to coauthor **SB 1010**, which was the order.

Senator Paddack moved that **SB 1010** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1010** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--40.

Excused: Adelson, Aldridge, Capps, Harrison, Hobson, Rabon, Taylor and Williamson.--8.

The bill passed.

**SB 1010** was referred for engrossment.

### **GENERAL ORDER**

**SB 351** by Corn of the Senate and Smithson of the House was called up for consideration.

Senator Corn moved that **SB 351** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 351** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--41.

Excused: Adelson, Aldridge, Capps, Harrison, Hobson, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 351** was referred for engrossment.

Senator Fisher moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Rabon presiding.

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

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1395, 1426, 1435, 1458, 1544, 1600, 1670, 1696 and 1939** and **HCR 1007**.

**HB 1107** – By Bengé, Newport and Wesselhoft of the House and Morgan and Crutchfield of the Senate.  
( Oklahoma Indian Affairs Commission – appropriation – effective date – emergency )

**HB 1108** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Oklahoma Department of Agriculture, Food, and Forestry – appropriation - effective date – emergency )

**HB 1109** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Oklahoma Department of Agriculture, Food, and Forestry – appropriation – effective date – emergency )

**HB 1110** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Commission on Consumer Credit – appropriation – effective date – emergency )

**HB 1111** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Commission on Consumer Credit – appropriation - effective date – emergency )

**HB 1112** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Corporation Commission – appropriation – effective date – emergency )

**HB 1113** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Corporation Commission – appropriation – effective date – emergency )

**HB 1114** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Department of Environmental Quality – appropriation – effective date – emergency )

**HB 1115** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Department of Environmental Quality - appropriation - effective date – emergency )

**HB 1117** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Horse Racing Commission – appropriation – effective date – emergency )

**HB 1118** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.  
( Insurance Department - appropriation - effective date – emergency )

**HB 1395** – By Ellis and Nance of the House and Corn of the Senate.  
An Act relating to motor vehicles; amending 47 O.S. 2001, Section 751, as last amended by Section 2, Chapter 548, O.S.L. 2004 (47 O.S. Supp. 2004, Section 751), which relates to implied consent to breath and blood testing; requiring law enforcement officer to provide certain information; and providing an effective date.

**HB 1426** – By Duncan and Wesselhoft of the House and Easley of the Senate.  
An Act relating to contracts; amending 15 O.S. 2001, Section 901, which relates to manufacturer warranties; modifying the motor vehicle return policy; modifying method of determining prior use of vehicle; prohibiting application of certain usage charges under certain conditions; modifying certain condition in which to conform a motor vehicle to applicable express warranties; requiring the Attorney General to make certain written statement; requiring manufacturers to provide certain written statement; specifying method of resale of certain vehicles; providing for recovery of attorney fees; and providing an effective date.

**HB 1435** – By Hilliard, Staggs, McPeak, Sherrer, Auffet, Brannon, Kiesel, Lindley, McMullen and Smithson of the House and Crutchfield and Garrison of the Senate.  
( State Department of Rehabilitation Services – amending 10 O.S., Section 1419 – administration and personnel – effective date – emergency )

**HB 1458** – By Ellis of the House and Wilson of the Senate.  
An Act relating to the environment; amending 82 O.S. 2001, Section 1324.10, which relates to rural water districts; providing additional restrictions; and providing an effective date.

**HB 1544** – By Calvey, Hamilton, Brannon, Smithson, Duncan, Wesselhoft, Braddock and Sweeden of the House and Shurden and Coates of the Senate.  
An Act relating to Oklahoma Self-Defense Act; amending 21 O.S. 2001, Sections 1290.5, as amended by Section 1, Chapter 122, O.S.L. 2003 and 1290.14, as last amended

by Section 4, Chapter 549, O.S.L. 2004 (21 O.S. Supp. 2004, Sections 1290.5 and 1290.14), which relate to terms and renewal of licenses and safety and training course; modifying renewal requirements for concealed handgun license; establishing minimum requirements for certain applicants; limiting authority of game wardens to issue citations or make arrest in certain circumstances; providing for codification; and providing an effective date.

**HB 1600** – By McPeak of the House and Garrison of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 11-103.6, as last amended by Section 1, Chapter 82, O.S.L. 2004 (70 O.S. Supp. 2004, Section 11-103.6), which relates to curriculum standards; allowing certain courses offered by supplemental education organizations be counted for credit upon certain approval; providing an effective date; and declaring an emergency.

**HB 1670** – By Nations of the House and Rabon of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Sections 17-105, 17-105.1, 17-106.1 and 17-107, which relate to municipal finances; modifying municipal qualification for imposing certain requirement; adding financial disclosure procedures for certain municipalities; providing exception to certain disclosures; modifying certain terms; modifying reference to certain audit guide; amending 60 O.S. 2001, Sections 180.1, 180.2 and 180.3, which relate to public trusts; adding a population requirement for certain public trusts for audit applicability; adding financial disclosure requirements for certain public trusts; providing an exception; deleting certain certification requirement; modifying time requirement for the Oklahoma Accountancy Board to provide updates and changes to the State Auditor and Inspector; adding reference to certain annual audit; amending 74 O.S. 2001, Section 212A, which relates to audits of public entities; clarifying governmental entities subject to audit requirements; deleting certain filing requirement; and providing an effective date.

**HB 1696** – By Hamilton, Staggs, Pruett, Dorman, Nance, Askins, Auffet, Blackwell, Braddock, Brannon, Brown, Covey, Deutschendorf, Gilbert, Glenn, Harrison, Hilliard, Lindley, McCarter, McMullen, McPeak, Morrissette, Nations, Shelton, Shumate, Smithson, Sweeden, Turner, Walker and Wesselhoft of the House and Corn of the Senate.

( revenue and taxation - Domestic Abuse Prevention Taxpayer Support Fund - effective date )

**HB 1939** – By Braddock and Peters of the House and Gumm of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Sections 40-103 and 40-105.1, which relate to the Neighborhood Redevelopment Act; clarifying conditions of certain areas to be redeveloped; removing certain notice requirement; removing municipal governing body approval of certain program plan; and providing an effective date.

**HCR 1007** – By McCarter of the House and Barrington of the Senate.

A Concurrent Resolution designating the Long Branch Creek Bridge on U.S. Highway 70 as the Faye Moore Bridge; directing the Oklahoma Department of Transportation to place permanent markers; and directing distribution.

The above-numbered measures were read the first time.

**GENERAL ORDER**

**SJR 4** by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved that **SJR 4** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 4** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--40.

Excused: Adelson, Capps, Harrison, Hobson, Monson, Morgan, Taylor and Williamson.--8.

The resolution passed.

**SJR 4** was referred for engrossment.

**Senator Gumm presiding.**

**GENERAL ORDER**

**SB 361** by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Fisher moved to amend **SB 361**, Page 47, Line 22 ½, by inserting a new Section 5 to read as follows:

“SECTION 5. AMENDATORY 74 O.S. 2001, Section 1316.2, as last amended by Section 5, Chapter 345, O.S.L. 2004 (74 O.S. Supp. 2004, Section 1316.2), is amended to read as follows:

Section 1316.2.(1) Any employee other than an education employee who retires pursuant to the provisions of the Oklahoma Public Employees Retirement System or who

has a vested benefit pursuant to the provisions of the Oklahoma Public Employees Retirement System may continue in force the health and dental insurance benefits authorized by the provisions of the State and Education Employees Group Insurance Act, or other employer insurance benefits if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board, if such election to continue in force is made within thirty (30) days from the date of termination of service. Health insurance benefits offered pursuant to this section shall include the state indemnity plan, managed care plans offered in alternative to the state indemnity plan, Medicare supplements offered by the State and Education Employees Group Insurance Board which shall include prescription drug coverage, other employer plans if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board, and Medicare risk-sharing contracts offered in alternative to the Board's Medicare supplement. Provided, all Medicare risk-sharing contracts shall be subject to a risk adjustment factor, based on generally accepted actuarial principals for adverse selection which may occur. Except as otherwise provided for in Section 840-2.27I of this title, health and dental insurance coverage may not be reinstated at a later time if the election to continue in force is declined. Vested employees other than education employees who have terminated service and are not receiving benefits and effective July 1, 1996, nonvested persons who have terminated service with more than eight (8) years of participating service with a participating employer, who within thirty (30) days from the date of termination of service elect to continue such coverage, shall pay the full cost of said insurance premium at the rate and pursuant to the terms and conditions established by the Board. Provided also, any employee other than an education employee who commences employment with a participating employer on or after September 1, 1991, who terminates service with such employer on or after July 1, 1996, but who otherwise has insufficient years of service to retire or terminate service with a vested benefit pursuant to the provisions of the Oklahoma Public Employees Retirement System or to elect to continue coverage as a nonvested employee as provided in this section, but who, immediately prior to employment with the participating employer was covered as a dependent on the health and dental insurance policy of a spouse who was an active employee other than an education employee, may count as part of his or her credited service for the purpose of determining eligibility to elect to continue coverage under this section, the time during which said terminating employee was covered as such a dependent.

(2) A retired employee other than an education employee who is receiving benefits from the Oklahoma Public Employees Retirement System after September 30, 1988, is under sixty-five (65) years of age and is not otherwise eligible for Medicare and pursuant to subsection (1) of this section elects to continue the health insurance plan shall pay the premium rate for the health insurance minus an amount equal to the premium rate of the Medicare supplement offered by the State and Education Employees Group Insurance Board or One Hundred Five Dollars (\$105.00), whichever is less, which shall be paid by the Oklahoma Public Employees Retirement System to the Board or other insurance carrier if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board in the manner specified in subsection ~~(9)~~ (10) of this section.

(3) A retired employee other than an education employee who is receiving benefits from the Oklahoma Public Employees Retirement System after September 30, 1988, is

sixty-five (65) years of age or older or who is under sixty-five (65) years of age and is eligible for Medicare and pursuant to subsection (1) of this section elects to continue the health insurance plan and elects coverage under the Medicare supplement offered by the State and Education Employees Group Insurance Board or other employer plan if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board shall have One Hundred Five Dollars (\$105.00), or the premium rate of the Medicare supplement, whichever is less, paid by the Oklahoma Public Employees Retirement System to the Board or other insurance carrier of the employer if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board in the manner specified in subsection ~~(9)~~ (10) of this section. If the amount paid by the Oklahoma Public Employees Retirement System does not cover the full cost of the Medicare supplement, the retired employee shall pay to the Board or other insurance carrier of the employer if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board the remaining amount if the retired employee wants to continue coverage. If such retiree elects coverage under any Medicare risk-sharing contract, the retiree shall have One Hundred Five Dollars (\$105.00) or the premium rate of the Medicare risk-sharing contract selected by the retiree, whichever is less, paid by the Oklahoma Public Employees Retirement System to the Board or other insurance carrier of the employer if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board in the manner specified in subsection ~~(9)~~ (10) of this section. If the amount paid by the Oklahoma Public Employees Retirement System does not cover the full cost of the Medicare risk-sharing contract, the retired employee shall pay to the Board or other insurance carrier of the employer if the employer does not participate in the plans offered by the State and Education Employees Group Insurance Board the remaining amount if the retired employee wants to continue coverage.

(4) A sheriff or deputy sheriff who is a member of the Oklahoma Public Employees Retirement System and who becomes one hundred percent (100%) disabled as a result of an on-duty incident, a spouse or dependant children of such disabled sheriff or deputy sheriff, or a surviving spouse or surviving dependent children of a member of the Oklahoma Public Employees Retirement System who was a sheriff or deputy sheriff and who was killed in the line of duty during the performance of duties as a law enforcement officer, whether the death occurred prior to the effective date of this act or on or after the effective date of this act, shall have one hundred percent (100%) of the health care premium cost of the disabled sheriff, disabled deputy sheriff, spouse or dependent children of the disabled sheriff or disabled deputy sheriff, surviving spouse or surviving dependent children, as defined in this subsection, paid by the Oklahoma Public Employees Retirement System to the Board in the manner specified in subsection (10) of this section for health and dental insurance benefits authorized by the provisions of the State and Education Employees Group Insurance Act, and Medicare risk-sharing contracts offered in alternative to the Board's Medicare supplement. For purposes of this subsection, dependent children shall mean all dependent children of the disabled sheriff, disabled deputy sheriff or deceased member until each such child graduates from high school or upon attaining the age of nineteen (19) years, whichever comes first.

(5) (a) A retired employee or surviving spouse other than an education employee who is receiving benefits from the Oklahoma Law Enforcement Retirement System after

September 30, 1988, is under sixty-five (65) years of age and is not otherwise eligible for Medicare and pursuant to subsection (1) of this section elects to continue the health insurance plan shall pay the premium rate for the health insurance minus an amount equal to the premium rate of the Non-Medicare offered by the State and Education Employees Group Insurance Board or One Hundred Five Dollars (\$105.00), whichever is less, which shall be paid by the Oklahoma Law Enforcement Retirement System to the Board in the manner specified in subsection ~~(9)~~ (10) of this section.

(b) For any member of the System killed in the line of duty, whether the member was killed in the line of duty prior to the effective date of this act or on or after the effective date of this act, or if the member was on a disability leave status at the time of death, the surviving spouse or dependents of such deceased member of the Oklahoma Law Enforcement Retirement System may elect to continue or commence health and dental insurance benefits provided said dependents pay the full cost of such insurance and for deaths occurring on or after July 1, 2002, such election is made within thirty (30) days of the date of death. The eligibility for said benefits shall terminate for the surviving children when said children cease to qualify as dependents.

~~(5)~~ (6) A retired employee other than an education employee who is receiving benefits from the Oklahoma Law Enforcement Retirement System after September 30, 1988, is sixty-five (65) years of age or older or who is under sixty-five (65) years of age and is eligible for Medicare and pursuant to subsection (1) of this section elects to continue the health insurance plan and elects coverage under the Medicare supplement offered by the State and Education Employees Group Insurance Board shall have One Hundred Five Dollars (\$105.00), or the premium rate of the Medicare supplement, whichever is less, paid by the Oklahoma Law Enforcement Retirement System to the Board in the manner specified in subsection ~~(9)~~ (10) of this section. If the amount paid by the Oklahoma Law Enforcement Retirement System does not cover the full cost of the Medicare supplement, the retired employee shall pay to the Board the remaining amount if the retired employee wants to continue coverage. If such retiree elects coverage under any Medicare risk-sharing contract, the retiree shall have One Hundred Five Dollars (\$105.00) or the premium rate of the Medicare risk-sharing contract selected by the retiree, whichever is less, paid by the Oklahoma Law Enforcement Retirement System to the Board in the manner specified in subsection ~~(9)~~ (10) of this section. If the amount paid by the Oklahoma Law Enforcement Retirement System does not cover the full cost of the Medicare risk-sharing contract, the retired employee shall pay to the Board the remaining amount if the retired employee wants to continue coverage. Effective July 1, 2004, a retired member of the Oklahoma Law Enforcement Retirement System who retired from the System by means of a personal and traumatic injury of a catastrophic nature and in the line of duty and any surviving spouse of such retired member and any surviving spouse of a member who was killed in the line of duty shall have one hundred percent (100%) of the retired member's or surviving spouse's health care premium cost, whether the member or surviving spouse elects coverage under the Medicare supplement or Medicare risk-sharing contract, paid by the Oklahoma Law Enforcement Retirement System to the Board in the manner specified in subsection ~~(9)~~ (10) of this section.

~~(6)~~ (7) A retired employee other than an education employee who is receiving benefits from the Uniform Retirement System for Justices and Judges after September 30, 1988, is under sixty-five (65) years of age and is not otherwise eligible for Medicare and

pursuant to subsection (1) of this section elects to continue the health insurance plan shall pay the premium rate for the health insurance minus an amount equal to the premium rate of the Medicare supplement offered by the State and Education Employees Group Insurance Board or One Hundred Five Dollars (\$105.00), whichever is less, which shall be paid by the Uniform Retirement System for Justices and Judges to the Board in the manner specified in subsection ~~(9)~~ (10) of this section.

~~(7)~~ (8) A retired employee other than an education employee who is receiving benefits from the Uniform Retirement System for Justices and Judges after September 30, 1988, is sixty-five (65) years of age or older or who is under sixty-five (65) years of age and is eligible for Medicare and pursuant to subsection (1) of this section elects to continue the health insurance plan and elects coverage under the Medicare supplement offered by the State and Education Employees Group Insurance Board shall have One Hundred Five Dollars (\$105.00), or the premium rate of the Medicare supplement, whichever is less, paid by the Uniform Retirement System for Justices and Judges to the Board in the manner specified in subsection ~~(9)~~ (10) of this section. If the amount paid by the Uniform Retirement System for Justices and Judges does not cover the full cost of the Medicare supplement, the retired employee shall pay to the Board the remaining amount if the retired employee wants to continue coverage. If such retiree elects coverage under any Medicare risk-sharing contract, the retiree shall have One Hundred Five Dollars (\$105.00) or the premium rate of the Medicare risk-sharing contract selected by the retiree, whichever is less, paid by the Uniform Retirement System for Justices and Judges to the Board in the manner specified in subsection ~~(9)~~ (10) of this section. If the amount paid by the Uniform Retirement System for Justices and Judges does not cover the full cost of the Medicare risk-sharing contract, the retired employee shall pay to the Board the remaining amount if the retired employee wants to continue coverage.

~~(8)~~ (9) Dependents of a deceased employee who was on active work status or on a disability leave at the time of death or of a participating retirant or of any person who has elected to receive a vested benefit under the Oklahoma Public Employees Retirement System, the Uniform Retirement System for Justices and Judges or the Oklahoma Law Enforcement Retirement System may continue the health and dental insurance benefits in force provided said dependents pay the full cost of such insurance and they were covered as eligible dependents at the time of such death and such election is made within thirty (30) days of date of death. The eligibility for said benefits shall terminate for the surviving children when said children cease to qualify as dependents.

~~(9)~~ (10) The amounts required to be paid by the Oklahoma Public Employees Retirement System, the Uniform Retirement System for Justices and Judges and the Oklahoma Law Enforcement Retirement System pursuant to this section shall be forwarded no later than the tenth day of each month following the month for which payment is due by the Oklahoma Public Employees Retirement System Board of Trustees or the Oklahoma Law Enforcement Retirement Board to the State and Education Employees Group Insurance Board for deposit in the Health, Dental and Life Insurance Reserve Fund or to another insurance carrier as provided for in subsection H of Section 1315 of this title.

~~(10)~~ (11) Upon retirement from employment of the Board of Regents of the University of Oklahoma, any person who was or is employed at the George Nigh Rehabilitation Institute and who transferred employment pursuant to Section 3427 of Title 70 of the Oklahoma Statutes, any person who was employed at the Medical Technology

and Research Authority and who transferred employment pursuant to Section 7068 of this title, and any person who is a member of the Oklahoma Law Enforcement Retirement System pursuant to the authority of Section 2-314 of Title 47 of the Oklahoma Statutes may participate in the benefits authorized by the provisions of the State and Education Employees Group Insurance Act for retired participants, including health, dental and life insurance benefits, if such election to participate is made within thirty (30) days from the date of termination of service. Life insurance benefits for any such person who transferred employment shall not exceed the coverage the person had at the time of such transfer. Retirees who transferred employment and who participate pursuant to this paragraph shall pay the premium for elected benefits less any amounts paid by a state retirement system pursuant to this section.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Corn moved that **SB 361** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 361** was read for the third time at length.

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

Aye: Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--36.

Nay: Aldridge, Anderson, Brogdon, Crain, Ford and Mazzei.--6.

Excused: Adelson, Capps, Harrison, Monson, Taylor and Williamson.--6.

The bill passed.

**SB 361** was referred for engrossment.

**Senator Rabon presiding.**

### **GENERAL ORDER**

**SB 703** by Lerblance of the Senate and Mass of the House was called up for consideration.

Senator Fisher moved to amend **SB 703**, Page 1, by striking the title, which amendment was declared adopted.

Senator Lerblance moved that **SB 703** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 703** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Monson, Taylor and Williamson.--6.

The bill and emergency passed.

**SB 703** was referred for engrossment.

### **GENERAL ORDER**

**SB 990** by Cain of the Senate and Cox of the House was called up for consideration.

Senator Cain moved to amend **SB 990**, Page 1, Lines 23 and 24, by deleting after the word "supervisee," on Line 23 and before the word "including" on Line 24 the language "whether a temporary or fully licensed genetic counselor," which amendment was declared adopted.

Senator Pruitt moved to amend **SB 990**, Page 3, Line 22 ½, by inserting a new subparagraph "d" to read as follows:

"d. The term "genetic counseling" shall not include abortion counseling or abortion referrals. This paragraph shall not be severable from this act.", which amendment was declared adopted.

Senator Cain moved to amend **SB 990**, Page 8, Line 17 through Page 9, Line 3, by deleting subsection "B" and by relettering subsequent subsections, which amendment was declared adopted.

Senator Cain moved to amend **SB 990**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Cain moved that **SB 990** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 990** was read for the third time at length.

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

Aye: Bass, Cain, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--21.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--21.

Excused: Adelson, Capps, Harrison, Monson, Taylor and Williamson.--6.

The bill failed.

Pursuant to Rule 12-23, Senator Cain served notice that the vote be reconsidered whereby **SB 990** failed.

### **GENERAL ORDER**

**SB 514** by Wilson of the Senate and Harrison of the House was called up for consideration.

Senator Wilson moved that **SB 514** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 514** was read for the third time at length.

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

Aye: Bass, Cain, Crutchfield, Easley, Eason McIntyre, Fisher, Hobson, Leftwich, Lerblance, Morgan, Rabon, Shurden, Wilson and Wyrick.--14.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Corn, Crain, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Mazzei, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley and Wilcoxson.--28.

Excused: Adelson, Capps, Harrison, Monson, Taylor and Williamson.--6.

The bill failed.

## **INTRODUCTIONS**

Senator Coates introduced his brother, Brian Coates, and his nephew, Regan Coates; Senator Lerblance introduced his granddaughter, Lexie Lerblance, and his wife Frances; and Senator Anderson introduced former Senator Robert Milacek to the Senate.

## **GENERAL ORDER**

**SB 1006** by Gumm of the Senate and Roan of the House was called up for consideration.

Senator Gumm moved to amend **SB 1006**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Gumm moved that **SB 1006** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1006** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Monson, Taylor and Williamson.--6.

The bill passed.

**SB 1006** was referred for engrossment.

**Senator Gumm presiding.**

**GENERAL ORDER**

**SB 596** by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved that **SB 596** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 596** was read for the third time at length.

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

Aye: Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Justice, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--34.

Nay: Aldridge, Anderson, Brogdon, Crain, Johnson, Jolley, Lamb, Mazzei and Reynolds.--9.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 596** was referred for engrossment.

**GENERAL ORDER**

**SB 556** by Shurden of the Senate and Turner of the House was called up for consideration.

Senator Shurden moved that **SB 556** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 556** was read for the third time at length.

Senator Shurden asked that **SB 556** be laid over temporarily, which was the order.

**SB 556** remains on Third Reading.

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 Gumm presiding.

Senator Gumm 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 Wyrick asked unanimous consent to suspend Rule 5-4 and refer **SR 9** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SR 9** by Wyrick was called up for consideration.

**SR 9** was adopted upon motion of Senator Wyrick and referred for enrollment.

### **GENERAL ORDER**

**SB 815** by Wilson and Corn of the Senate and Smithson of the House was called up for consideration.

Senator Wilson moved that **SB 815** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 815** was read for the third time at length.

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

Aye: Barrington, Bass, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Kerr, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--21.

Nay: Aldridge, Anderson, Branan, Brogdon, Cain, Coates, Coffee, Ford, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Monson, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--21.

Excused: Adelson, Capps, Easley, Harrison, Taylor and Williamson.--6.

The bill failed.

Pursuant to Rule 12-23, Senator Wilson served notice that the vote be reconsidered whereby **SB 815** failed.

### **GENERAL ORDER**

**SB 973** by Laster of the Senate and Morgan (Fred) of the House was called up for consideration.

Senator Laster moved that **SB 973** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 973** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Leftwich, Taylor and Williamson.--6.

The bill passed.

**SB 973** was referred for engrossment.

### **GENERAL ORDER**

**SB 634** by Corn of the Senate and McCarter of the House was called up for consideration.

Senator Corn moved that **SB 634** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 634** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill passed.

**SB 634** was referred for engrossment.

### **GENERAL ORDER**

**SJR 13** by Rabon and Shurden of the Senate and Morgan (Fred) of the House was called up for consideration.

Senator Corn asked to coauthor **SJR 13**, which was the order.

Senator Rabon moved that **SJR 13** be advanced, which motion was declared adopted.

### **THIRD READING**

**SJR 13** was read for the third time at length.

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

Aye: Aldridge, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Shurden, Wilson and Wyrick.--35.

Nay: Anderson, Cain, Eason McIntyre, Ford, Paddack, Riley and Wilcoxson.--7.

Excused: Adelson, Capps, Harrison, Morgan, Taylor and Williamson.--6.

The resolution passed.

**SJR 13** was referred for engrossment.

**MOTION TO RECONSIDER VOTE**

Senator Bass moved to reconsider the vote whereby **SB 314** passed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

**THIRD READING**

Senator Bass moved to reconsider the vote whereby **SB 314** was advanced, which motion was declared adopted.

**GENERAL ORDER**

**SB 314** by Bass and Riley of the Senate and Armes of the House was called up for further consideration.

Senator Bass moved to amend **SB 314**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Bass moved that **SB 314** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 314** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill passed.

**SB 314** was referred for engrossment.

### **GENERAL ORDER**

**SB 217** by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senators Easley, Garrison and Eason McIntyre asked to coauthor **SB 217**, which was the order.

Senator Crutchfield moved to amend **SB 217**, 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 that **SB 217** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 217** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 217** was referred for engrossment.

### **GENERAL ORDER**

**SB 377** by Monson of the Senate and Blackwell of the House was called up for consideration.

Senator Monson moved that **SB 377** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 377** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 377** was referred for engrossment.

**GENERAL ORDER**

**SB 823** by Wilson of the Senate and Miller (Doug) of the House was called up for consideration.

Senator Wilson moved that **SB 823** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 823** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Justice, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Monson, Myers, Paddack, Rabon, Reynolds, Shurden, Wilson and Wyrick.--32.

Nay: Aldridge, Brogdon, Crain, Jolley, Lamb, Mazzei, Nichols, Pruitt, Riley and Wilcoxson.--10.

Excused: Adelson, Capps, Harrison, Morgan, Taylor and Williamson.--6.

The bill passed.

**SB 823** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Corn moved to reconsider the vote whereby **SJR 23** failed, which motion was declared adopted upon roll call as follows:

Aye: Barrington, Bass, Cain, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Monson, Morgan, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Wilson and Wyrick.--27.

Nay: Aldridge, Anderson, Branan, Brogdon, Coates, Coffee, Easley, Ford, Jolley, Justice, Lamb, Mazzei, Myers, Shurden and Wilcoxson.--15.

Excused: Adelson, Capps, Harrison, Leftwich, Taylor and Williamson.--6.

### **THIRD READING**

Senator Corn moved to reconsider the vote whereby **SJR 23** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

**SJR 23** by Corn of the Senate and Smithson of the House was called up for further consideration.

Senator Garrison asked to coauthor **SJR 23**, which was the order.

Senator Corn moved to amend **SJR 23**, Page 2, Line 5, by inserting after the word "persons." and before the word "Only" the words "As used in the Oklahoma Constitution and any laws enacted pursuant to the provisions of this section, "salvage alcoholic beverage" shall mean alcohol, spirits, beer and wine as defined by law and every substance capable of being ingested or consumed as a beverage by a human being, containing more than three and two-tenths percent (3.2%) alcohol by weight, and which is:

1. Purchased for resale at a price less than the average price charged by licensed wholesale distributors due to bankruptcy, foreclosure, business liquidation, insurance loss or other similar circumstances; and

2. Still contained in the original sealed container at the time of sale."; and by amending the title and ballot title to conform, which motion was declared adopted.

Senator Corn moved to amend **SJR 23**, Page 1, by striking the title, which amendment was declared adopted.

Senator Corn moved that **SJR 23** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 23** was read for the third time at length.

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

Aye: Barrington, Bass, Cain, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Johnson, Kerr, Laster, Laughlin, Leftwich, Lerblance, Monson, Morgan, Paddack, Pruitt, Rabon, Riley, Wilson and Wyrick.--25.

Nay: Aldridge, Anderson, Branan, Brogdon, Coates, Coffee, Easley, Ford, Jolley, Justice, Lamb, Lawler, Mazzei, Myers, Nichols, Reynolds, Shurden and Wilcoxson.--18.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The resolution passed.

**SJR 23** was referred for engrossment.

**GENERAL ORDER**

**SB 561** by Cain of the Senate and Balkman of the House was called up for consideration.

Senator Cain moved that **SB 561** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 561** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Hobson, Taylor and Williamson.--6.

The bill passed.

**SB 561** was referred for engrossment.

**THIRD READING**

**SB 556** was called up for further consideration.

Senator Shurden moved to reconsider the vote whereby **SB 556** was advanced, which motion was declared adopted.

**GENERAL ORDER**

**SB 556** by Shurden of the Senate and Turner of the House was called up for further consideration.

Senator Shurden moved to amend **SB 556**, Page 2, Lines 10 through 17, by deleting all new language and inserting in lieu thereof the following language:

“Provided further, the manufacture, exhibition or storage of the following machines or devices which are capable of being used to conduct the following types of gaming as a lawful activity may not be used as the basis for criminal prosecution pursuant to Sections 941 through 988 of Title 21 of the Oklahoma Statutes:

1. Gaming authorized by the State-Tribal Gaming Act; or
  2. Other gaming which may be lawfully conducted by an Indian tribe in this state.”
- and by amending the title to conform, which motion was declared adopted.

Senator Shurden moved that **SB 556** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 556** was read for the third time at length.

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

Aye: Bass, Cain, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--21.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Easley, Ford, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--22.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill failed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 556** failed.

### **GENERAL ORDER**

**SB 801** by Eason McIntyre of the Senate and Gilbert of the House was called up for consideration.

Senator Eason McIntyre moved that **SB 801** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 801** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 801** was referred for engrossment.

### **GENERAL ORDER**

**SB 931** by Lerblance of the Senate and Harrison of the House was called up for consideration.

Senator Lerblance moved that **SB 931** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 931** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddock, Rabon, Shurden, Wilson and Wyrick.--32.

Nay: Aldridge, Brogdon, Jolley, Justice, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--11.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill passed.

**SB 931** was referred for engrossment.

## **GENERAL ORDER**

**SB 682** by Corn of the Senate and Lamons of the House was called up for consideration.

Senator Aldridge moved to amend **SB 682**, Page 3, Line 3½, by inserting a new Section 3 to read as follows:

“SECTION 3. AMENDATORY 21 O.S. 2001, Section 1290.11, is amended to read as follows:

A. The following conditions shall preclude a person from being eligible for a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, ~~Section 1290.1 et seq. of this title~~, for a period of time as prescribed in each of the following paragraphs:

1. An arrest for an alleged commission of a felony offense or a felony charge pending in this state, another state or pursuant to the United States Code. The preclusive period shall be until the final determination of the matter;
2. The person is subject to the provisions of a deferred sentence or deferred prosecution in this state or another state or pursuant to federal authority for the commission of a felony offense. The preclusive period shall be three (3) years and shall begin upon the final determination of the matter;
3. Any involuntary commitment for a mental illness, condition, or disorder pursuant to the provisions of Section 5-410 of Title 43A of the Oklahoma Statutes or any involuntary commitment in another state pursuant to any provisions of law of that state. The preclusive period shall be permanent as provided by Title 18 of the United States Code Section 922(g)(4);
4. The person has previously undergone treatment for a mental illness, condition, or disorder which required medication or supervision as defined by paragraph 7 of Section 1290.10 of this title. The preclusive period shall be three (3) years from the last date of treatment or upon presentation of a certified statement from a licensed physician stating that

the person is either no longer disabled by any mental or psychiatric illness, condition, or disorder or that the person has been stabilized on medication for ten (10) years or more;

5. Inpatient treatment for substance abuse. The preclusive period shall be three (3) years from the last date of treatment or upon presentation of a certified statement from a licensed physician stating that the person has been free from substance use for twelve (12) months or more preceding the filing of an application for a handgun license;

6. Two or more convictions of public intoxication pursuant to Section 8 of Title 37 of the Oklahoma Statutes, or a similar law of another state. The preclusive period shall be three (3) years from the date of the completion of the last sentence;

7. Two or more misdemeanor convictions relating to intoxication or driving under the influence of an intoxicating substance or alcohol. The preclusive period shall be three (3) years from the date of the completion of the last sentence or shall require a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment;

8. A court order for a final Victim Protection Order against the applicant, as authorized by ~~Section 60 et seq. of Title 22 of the Oklahoma Statutes~~ the Protection from Domestic Abuse Act, or any court order granting a final victim protection order against the applicant from another state. The preclusive period shall be three (3) years from the date of the entry of the final court order, or sixty (60) days from the date an order was vacated, cancelled or withdrawn;

9. An adjudicated delinquent or convicted felon residing in the residence of the applicant which may be a violation of Section 1283 of this title. The preclusive period shall be thirty (30) days from the date the person no longer resides in the same residence as the applicant; or

10. An arrest for an alleged commission of, a charge pending for, or the person is subject to the provisions of a deferred sentence or a deferred prosecution for any one or more of the following misdemeanor offenses in this state or another state:

- a. any assault and battery which caused serious physical injury to the victim or any second or subsequent assault and battery,
- b. any aggravated assault and battery,
- c. any stalking pursuant to Section 1173 of this title, or a similar law of another state,
- d. any violation of the Protection from Domestic Abuse Act, ~~Section 60 et seq. of Title 22 of the Oklahoma Statutes~~, or any violation of a victim protection order of another state,
- e. any violation relating to illegal drug use or possession, or
- f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the law of another state.

The preclusive period for this paragraph shall be ~~three (3) years and shall begin upon~~ until the final determination of the matter.

B. Nothing in this section shall be construed to require a full investigation of the applicant by the Oklahoma State Bureau of Investigation.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Corn moved that **SB 682** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 682** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 682** was referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **SB 423** be stricken from the Calendar.

**GENERAL ORDER**

**SB 539** by Monson of the Senate and Roan of the House was called up for consideration.

Senator Monson moved that **SB 539** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 539** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 539** was referred for engrossment.

**Senator Paddack presiding.**

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SB 217** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### **GENERAL ORDER**

**SB 686** by Corn of the Senate and Case of the House was called up for consideration.

Senator Corn moved to amend **SB 686**, Page 3, Line 8 and Page 8, Line 17, by deleting the words "Legislative and Executive" and striking the words "Bond Oversight Commissions" and inserting in lieu thereof the words "Council of Bond Oversight", which amendment was declared adopted.

Senator Corn moved that **SB 686** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 686** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Paddack, Pruitt, Rabon, Riley, Shurden, Wilson and Wyrick.--38.

Nay: Laughlin, Myers, Nichols, Reynolds and Wilcoxson.--5.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 686** was referred for engrossment.

**GENERAL ORDER**

**SB 451** by Gumm of the Senate and Askins of the House was called up for consideration.

Senator Gumm moved that **SB 451** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 451** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilson and Wyrick.--41.

Nay: Nichols and Wilcoxson.--2.

Excused: Adelson, Capps, Harrison, Taylor and Williamson.--5.

The bill passed.

**SB 451** was referred for engrossment.

**GENERAL ORDER**

**SB 816** by Eason McIntyre and Gumm of the Senate and Shumate of the House was called up for consideration.

Senator Jolley moved to amend **SB 816**, Page 1, Line 15, by restoring the stricken language, which amendment was declared adopted.

Senator Eason McIntyre moved that **SB 816** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 816** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill passed.

**SB 816** was referred for engrossment.

### **GENERAL ORDER**

**SB 378** by Lawler and Jolley of the Senate and Dorman and Coody of the House was called up for consideration.

Senator Leftwich asked to coauthor **SB 378**, which was the order.

Senator Lawler moved that **SB 378** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 378** was read for the third time at length.

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

Aye: Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Jolley, Justice, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--32.

Nay: Aldridge, Brogdon, Ford, Johnson, Lamb, Laughlin, Mazzei, Myers, Nichols and Pruitt.--10.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill passed.

**SB 378** was referred for engrossment.

## **GENERAL ORDER**

**SB 695** by Monson of the Senate and Shelton of the House was called up for consideration.

Senator Monson moved to amend **SB 695**, Page 1, Line 24, by deleting after the word “cause” and before the word “to” the words “the annual report” and inserting in lieu thereof the words “a summary of financial statements adopted by the board of trustees”, which amendment was declared adopted.

Senator Monson moved that **SB 695** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 695** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill passed.

**SB 695** was referred for engrossment.

## **GENERAL ORDER**

**SB 974** by Wilson and Lawler of the Senate and Sherrer of the House was called up for consideration.

Senator Garrison asked to coauthor **SB 974**, which was the order.

Senator Wilson moved that **SB 974** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 974** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Shurden, Wilcoxson, Wilson and Wyrick.--41.

Nay: Riley.--1.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill and emergency passed.

**SB 974** was referred for engrossment.

### **GENERAL ORDER**

**SB 296** by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved that **SB 296** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 296** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill passed.

**SB 296** was referred for engrossment.

**GENERAL ORDER**

**SB 597** by Gumm of the Senate and Roan of the House was called up for consideration.

Senator Gumm moved that **SB 597** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 597** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Wilcoxson, Wilson and Wyrick.--41.

Excused: Adelson, Capps, Harrison, Kerr, Shurden, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 597** was referred for engrossment.

**GENERAL ORDER**

**SB 687** by Corn of the Senate and Dorman of the House was called up for consideration.

Senator Corn moved that **SB 687** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 687** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Wilson and

Wyrick.--39.

Nay: Nichols and Pruitt.--2.

Excused: Adelson, Capps, Harrison, Kerr, Shurden, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 687** was referred for engrossment.

### **GENERAL ORDER**

**SB 688** by Corn of the Senate and Nance of the House was called up for consideration.

Senator Corn moved that **SB 688** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 688** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Wilcoxson, Wilson and Wyrick.--41.

Excused: Adelson, Capps, Harrison, Kerr, Shurden, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 688** was referred for engrossment.

### **GENERAL ORDER**

**SB 922** by Monson of the Senate and Cargill of the House was called up for consideration.

Senator Monson moved that **SB 922** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 922** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill passed.

**SB 922** was referred for engrossment.

**GENERAL ORDER**

**SB 705** by Corn of the Senate and Banz of the House was called up for consideration.

Senator Corn moved that **SB 705** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 705** 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Harrison, Kerr, Taylor and Williamson.--6.

The bill and emergency passed.

**SB 705** was referred for engrossment.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 15, 2005, at 9:30 a.m., which motion prevailed.

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

**SBs 430** and **615** were referred for engrossment.

Pursuant to the Fisher motion, the Senate adjourned at 5:05 p.m. to meet Tuesday, March 15, 2005, at 9:30 a.m.