

# Senate Journal

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

**Twenty-fourth Legislative Day, Wednesday, March 16, 2005**

The Senate was called to order by Senator Gumm.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.—46.

Excused: Taylor and Williamson.—2.

Senator Gumm declared a quorum present.

The prayer was offered by Reverend Wanda Johnson, Eastern Oklahoma Presbyterian, Durant, the guest of Senator Gumm.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 20, 50, 294, 374, 400, 409, 460, 467, 538, 554, 613, 620, 629, 642, 647, 661, 684, 706, 711, 712, 720, 727, 729, 755, 758, 763, 841, 861, 873, 880, 891, 896, 926, 929, 930, 932, 935, 937, 962, 975, 997 and 1015** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**Senator Paddack presiding.**

### GENERAL ORDER

**SB 971** by Monson of the Senate and Balkman of the House was called up for consideration.

Senator Monson moved that **SB 971** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 971** was read for the third time at length.

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

Aye: Adelson, 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, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

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

The bill passed.

**SB 971** was referred for engrossment.

### **GENERAL ORDER**

**SB 673** by Gumm of the Senate and Miller (Doug) of the House was called up for consideration.

Senator Garrison asked to coauthor **SB 673**, which was the order.

Senator Gumm moved to amend **SB 673**, 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 Wilcoxson moved to amend the floor substitute to **SB 673**, Page 1, by striking the title.

Senator Gumm moved that **SB 673** be advanced, which motion failed of adoption upon division of the question.

Senator Wilcoxson pressed her previous motion, which motion failed of adoption upon roll call as follows:

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

Nay: Adelson, Bass, Cain, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Shurden, Wilson and Wyrick.--22.

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

Senator Gumm moved that **SB 673** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 673** was read for the third time at length.

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

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

Nay: Anderson, Brogdon, Crain, Jolley, Laughlin, Mazzei, Myers, Pruitt and Reynolds.--9.

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

The bill passed.

Senators Mazzei and Jolley desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36; Nay: 7; Excused: 5.

The emergency passed.

**SB 673** was referred for engrossment.

### **BILLS RETURNED TO COMMITTEE**

Senator Fisher asked unanimous consent, which was granted, that the following bills be returned to committee without instructions as follows:

**SB 343** – Health and Human Resources

**SB 1005** -- Appropriations

**GENERAL ORDER**

**SB 424** by Lawler of the Senate and Armes of the House was called up for consideration.

Senator Lawler moved to amend **SB 424**, 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 Lawler moved to amend the floor substitute to **SB 424**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Lawler moved that **SB 424** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 424** was read for the third time at length.

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

Aye: Adelson, 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, Morgan, Myers, Nichols, Paddack, Pruitt, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--36.

Nay: Aldridge, Brogdon, Crain, Jolley, Lamb, Mazzei and Reynolds.--7.

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

The bill and emergency passed.

**SB 424** was referred for engrossment.

**GENERAL ORDER**

**SB 13** by Wyrick of the Senate and Lamons of the House was called up for consideration.

Senator Wyrick moved that **SB 13** be advanced, which motion was declared adopted.

**THIRD READING**

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

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

Aye: Adelson, 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, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

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

The bill and emergency passed.

**SB 13** was referred for engrossment.

### **GENERAL ORDER**

**SB 418** by Gumm of the Senate and Armes of the House was called up for consideration.

Senator Kerr asked to coauthor **SB 418**, which was the order.

Senator Gumm moved that **SB 418** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 418** was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, 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, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--39.

Nay: Aldridge, Brogdon, Crain and Reynolds.--4.

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

The bill and emergency passed.

**SB 418** was referred for engrossment.

**GENERAL ORDER**

**SB 431** by Lamb of the Senate and Case of the House was called up for consideration.

Senator Lamb moved to amend **SB 431**, Page 4, Line 21, by inserting after the word “make” and before the word “and” the words “, a reasonable estimate of the actual costs of such repairs or replacement”; Page 4, Line 22, by deleting after the word “be” and before the period the word “made” and inserting in lieu thereof the word “completed”; and Page 4, Line 22, by inserting after the period the words “The purchaser shall be entitled to settle the claim for repair or replacement by accepting a monetary payment equal to the amount of the contractor’s reasonable estimate of actual costs.”, which amendment was declared adopted.

Senator Lamb moved that **SB 431** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 431** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Hobson, Johnson, Jolley, Justice, Lamb, Laughlin, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Paddack, Pruitt, Riley, Shurden, Wilcoxson and Wyrick.--35.

Nay: Cain, Kerr, Laster, Lawler, Nichols, Reynolds and Wilson.--7.

Excused: Capps, Eason McIntyre, Harrison, Rabon, Taylor and Williamson.--6.

The bill passed.

**SB 431** was referred for engrossment.

**INTRODUCTION**

Senator Garrison introduced his wife, Faye, to the Senate.

**GENERAL ORDER**

**SB 1014** by Monson of the Senate and Shumate of the House was called up for consideration.

Representative Shumate asked to be removed and Representative Winchester asked to be named principal House author on **SB 1014**, which was the order.

Representative Shumate asked to coauthor **SB 1014**, which was the order.

Senator Monson moved that **SB 1014** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1014** was read for the third time at length.

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

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

Excused: Capps, Eason McIntyre, Harrison, Kerr, Rabon, Taylor and Williamson.--7.

The bill and emergency passed.

**SB 1014** was referred for engrossment.

**Senator Morgan presiding.**

### **GENERAL ORDER**

**SB 610** by Gumm and Adelson of the Senate and Kiesel of the House was called up for consideration.

Representative Kiesel asked to be removed and Representative Calvey asked to be named principal House author on **SB 610**, which was the order.

Representatives Kiesel, Rousselot, Balkman, McMullen and Nations asked to coauthor **SB 610**, which was the order.

Senator Gumm moved that **SB 610** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 610** was read for the third time at length.

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

Aye: Adelson, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Hobson, Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Paddack, Riley, Shurden, Wilson and Wyrick.--33.

Nay: Aldridge, Anderson, Brogdon, Johnson, Laughlin, Nichols, Pruitt, Reynolds and Wilcoxson.--9.

Excused: Eason McIntyre, Harrison, Kerr, Rabon, Taylor and Williamson.--6.

The bill passed.

**SB 610** was referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Mazzei asked unanimous consent to suspend Rule 5-4 and refer **SCR 12** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 12** by Williamson and Mazzei of the Senate and Sullivan of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 12**, which was the order.

**SCR 12** was adopted upon motion of Senator Mazzei and referred for engrossment.

**INTRODUCTION**

Senator Lawler introduced her daughter, Judy Walker, and her grandson, Grant Walker, to the Senate.

**GENERAL ORDER**

**SB 640** by Shurden of the Senate and Nance of the House was called up for consideration.

Senator Shurden moved to amend **SB 640**, 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 Shurden moved that **SB 640** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 640** was read for the third time at length.

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

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

Excused: Eason McIntyre, Harrison, Kerr, Rabon, Taylor and Williamson.--6.

The bill passed.

**SB 640** was referred for engrossment.

**GENERAL ORDER**

**SB 402** by Easley of the Senate and McDaniel of the House was called up for consideration.

Senator Easley moved that **SB 402** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 402** was read for the third time at length.

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

Aye: Adelson, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Hobson, Justice, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Shurden, Wilcoxson, Wilson and Wyrick.--33.

Nay: Aldridge, Anderson, Brogdon, Johnson, Jolley, Lamb, Laughlin, Mazzei and Riley.--9.

Excused: Eason McIntyre, Harrison, Kerr, Rabon, Taylor and Williamson.--6.

The bill passed.

**SB 402** was referred for engrossment.

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

\*

The Senate reconvened with Senator Corn presiding.

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

### **GENERAL ORDER**

**SB 905** by Gumm of the Senate and Calvey of the House was called up for consideration.

Senator Gumm moved that **SB 905** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 905** was read for the third time at length.

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

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

Excused: Eason McIntyre, Hobson, Monson, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 905** was referred for engrossment.

### **GENERAL ORDER**

**SB 867** by Gumm of the Senate and Trebilcock of the House was called up for consideration.

Senator Gumm moved to amend **SB 867**, 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 Gumm moved that **SB 867** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 867** was read for the third time at length.

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

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

Excused: Easley, Hobson, Monson, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 867** was referred for engrossment.

### **GENERAL ORDER**

**SB 631** by Wyrick of the Senate and Ingmire of the House was called up for consideration.

Senator Wyrick moved that **SB 631** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 631** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill and emergency passed.

**SB 631** was referred for engrossment.

**GENERAL ORDER**

**SB 744** by Gumm of the Senate and Kiesel of the House was called up for consideration.

Senator Gumm moved that **SB 744** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 744** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--44.

Excused: Coffee, Monson, Taylor and Williamson.--4.

The bill passed.

**SB 744** was referred for engrossment.

**GENERAL ORDER**

**SB 525** by Bass of the Senate and Askins of the House was called up for consideration.

Senator Bass moved that **SB 525** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 525** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill and emergency passed.

**SB 525** was referred for engrossment.

**GENERAL ORDER**

**SB 435** by Gumm of the Senate and Calvey of the House was called up for consideration.

Senator Rabon asked to coauthor **SB 435**, which was the order.

Senator Gumm moved that **SB 435** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 435** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Pruitt, Rabon, Riley, Shurden, Wilcoxson,

Wilson and Wyrick.--41.

Nay: Brogdon, Nichols and Reynolds.--3.

Excused: Coffee, Monson, Taylor and Williamson.--4.

The bill passed.

**SB 435** was referred for engrossment.

### **GENERAL ORDER**

**SCR 3** by Rabon of the Senate and Roan of the House was called up for consideration.

Senator Gumm and Representative Nations asked to coauthor **SCR 3**, which was the order.

**SCR 3** was adopted upon motion of Senator Rabon and referred for engrossment.

### **GENERAL ORDER**

**SB 385** by Gumm of the Senate and Harrison of the House was called up for consideration.

Senator Gumm moved to amend **SB 385**, Page 1, Line 10½, by inserting a new Section 1 to read as follows:

“SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 840-1.6B of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Office of Personnel Management shall conduct a comprehensive compensation study of all classified and unclassified positions in state government. In order to compare unclassified positions of state government with private sector positions, the Office of Personnel Management, by October 1, 2005, shall categorize all unclassified positions in state government and, when possible, identify similar Merit System job family descriptors for those unclassified positions.

B. A compensation market survey of comparable positions identified by the Office of Personnel Management for the classified and unclassified positions of the state shall be done by an outside vendor. The Office of Personnel Management shall develop a request for proposals and select the vendor that will conduct the market survey. The survey results shall be compiled by the Office of Personnel Management.

C. After compiling the results of the market survey, the Office of Personnel Management shall prepare a report that shall include a comprehensive proposal to bring all positions in state government to comparable private market salary levels within four (4)

years of the date of the report. The report shall be forwarded to the Oklahoma Biennial Compensation Review Board. The Board shall review the report and adopt or revise the report and submit it to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Gumm moved that **SB 385** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 385** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill and emergency passed.

**SB 385** was referred for engrossment.

### **GENERAL ORDER**

**SB 819** by Shurden of the Senate and Ellis of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 819**, which was the order.

Senator Shurden moved that **SB 819** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 819** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison,

Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill and emergency passed.

**SB 819** was referred for engrossment.

### **GENERAL ORDER**

**SB 1013** by Cain of the Senate and Eddins of the House was called up for consideration.

Senator Cain moved that **SB 1013** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1013** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill passed.

**SB 1013** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Cain moved to reconsider the vote whereby **SB 990** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

### **THIRD READING**

Senator Cain moved to reconsider the vote whereby **SB 990** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

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

Senator Cain moved to amend **SB 990**, Page 1, by striking 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: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill passed.

**SB 990** was referred for engrossment.

### **GENERAL ORDER**

**SB 806** by Shurden of the Senate and Lindley of the House was called up for consideration.

Senator Shurden moved to amend **SB 806**, 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 Shurden moved to amend the floor substitute to **SB 806**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Shurden moved that **SB 806** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 806** was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Cain, Capps, Coffee, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson, Justice, Laster, Leftwich, Lerblance, Mazzei, Morgan, Paddack, Rabon, Reynolds, Riley, Shurden, Wilson and Wyrick.--30.

Nay: Aldridge, Brogdon, Coates, Corn, Crain, Ford, Jolley, Kerr, Lamb, Laughlin, Lawler, Myers, Nichols, Pruitt and Wilcoxson.--15.

Excused: Monson, Taylor and Williamson.--3.

The bill passed.

**SB 806** was referred for engrossment.

### **GENERAL ORDER**

**SB 419** by Gumm and Coates of the Senate and Armes of the House was called up for consideration.

Senator Gumm moved to amend **SB 419**, 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 Gumm moved that **SB 419** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 419** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Monson, Taylor and Williamson.--3.

The bill passed.

**SB 419** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1001, 1002, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1180, 1182, 1183, 1184, 1186, 1187, 1189, 1190, 1192, 1193, 1228, 1231, 1241, 1248, 1249, 1255, 1276, 1287, 1292, 1295, 1297, 1298, 1303, 1309, 1324, 1335, 1347, 1357, 1362, 1431, 1455, 1480, 1485, 1486, 1491, 1492, 1503, 1506, 1524, 1538, 1554, 1564, 1575, 1577, 1584, 1587, 1588, 1589, 1592, 1598, 1612, 1618, 1633, 1649, 1667, 1688, 1693, 1707, 1715, 1751, 1753, 1755, 1788, 1792, 1809, 1812, 1837, 1848, 1859, 1862, 1970, 1971 and 1973 and HJR 1009** .

**HB 1001** – By Winchester, Cargill, Cooksey, Dank, Dorman, Jett, Lamons, Liebmann, McDaniel, McMullen, Morgan (Danny), Worthen, Young, Balkman, Nations, Morrissette, Nance, Denney, Hilliard, Sherrer and Shumate of the House and Cain of the Senate.

( Oklahoma Department of Tourism and Recreation - appropriations - effective date – emergency )

**HB 1002** – By Cooksey, Terrill and Morgan (Fred) of the House and Coffee of the Senate.

An Act relating to cities and towns; amending Section 4, Chapter 62, O.S.L. 2004 (11 O.S. Supp. 2004, Section 51-203), which relates to the Oklahoma Municipal Employee Collective Bargaining Act; and adding certain employees to be excluded from act.

**HB 1163** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Court of Criminal Appeals – budgetary limitations – effective date – emergency )

**HB 1164** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( District Attorneys Council – appropriation – effective date – emergency )

**HB 1165** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( District Attorneys Council - budgetary limitations - effective date – emergency )

**HB 1166** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( district courts – appropriations – effective date - emergency )

**HB 1167** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( district courts – budgetary limits – effective date – emergency )

**HB 1168** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Indigent Defense System – appropriation - effective date – emergency )

**HB 1169** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Indigent Defense System – budgetary limitations – effective date – emergency )

**HB 1170** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Council on Judicial Complaints – appropriations – effective date – emergency )

**HB 1171** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Council on Judicial Complaints - budgetary limitations - effective date – emergency )

**HB 1172** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Supreme Court – appropriations - effective date - emergency )

**HB 1173** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Supreme Court – budgetary limitations – effective date – emergency )

**HB 1174** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Workers' Compensation Court – appropriations – effective date – emergency )

**HB 1175** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Workers' Compensation Court – budgetary limitations – effective date – emergency )

**HB 1176** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Constitutional Reserve Fund – appropriation - effective date – emergency )

**HB 1177** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Constitutional Reserve Fund – appropriation – effective date – emergency )

**HB 1180** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( public finance – funds - emergency )

**HB 1182** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Health Care Authority – appropriation – effective date – emergency )

**HB 1183** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( education - appropriation – emergency )

**HB 1184** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( education – appropriations – emergency )

**HB 1186** – By Bengé, Newport and Wesselhoft of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Department of Veterans Affairs – appropriation – effective date – emergency )

**HB 1187** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Department of Transportation – appropriation – effective date – emergency )

**HB 1189** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Office of Juvenile Affairs - budgetary limitations - effective date – emergency )

**HB 1190** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Department of Human Services – budget procedures – effective date – emergency )

**HB 1192** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( public finance - amending 62 O.S., Section 41.31 - budget preparation - effective date – emergency )

**HB 1193** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( public finance – amending 62 O.S., Section 41.31 – budget preparation – effective date – emergency )

**HB 1228** – By Liebmann, Dorman, Nance, Calvey, Dank, Wesselhoft, Peters, Coody, Duncan, Terrill and Cox of the House and Jolley and Lamb of the Senate.

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

**HB 1231** – By Young, Nance, Tibbs and McMullen of the House and Johnson of the Senate.

( children – amending 10 O.S., Section 7115 – child abuse – effective date )

**HB 1241** – By Gilbert of the House and Eason McIntyre of the Senate.

An Act relating to children; amending Section 2, Chapter 198, O.S.L. 2004 (10 O.S. Supp. 2004, Section 7003-8.8), which relates to paternity and child support; modifying procedure for certain paternity actions; modifying procedure for certain child support proceedings; providing for certain forms; and providing an effective date.

**HB 1248** – By Kern, Dorman, Nance, Bengé, Calvey, Cox, DePue, Duncan, Hilliard, Sherrer, Terrill and Wesselhoft of the House and Reynolds of the Senate.

( revenue and taxation – amending 68 O.S., Section 2358 – retirement income exemption – effective date )

**HB 1249** – By Young and Nance of the House and Reynolds of the Senate.

An Act relating to capitol and capitol buildings; authorizing Oklahoma Capitol Improvement Authority to acquire certain real property; identifying property; stating authorized purpose of acquisition; authorizing Authority to hold title to real property; authorizing lease of real property; providing for transfer of title; authorizing issuance of certain obligations; requiring disclosure of terms of real estate purchase contract to Oklahoma Capitol Improvement Authority; stating legislative intent with respect to certain appropriations; imposing limit on cost of acquisition; providing for determination of fair market value; providing for payment of fees and costs; providing for reimbursement of certain costs; authorizing issuance of obligations in series; authorizing engagement of service providers; authorizing creation of reserves for certain purposes; providing for sale of obligations; authorizing agreements; providing for maturity of obligations; authorizing certain use of interest earnings; providing exemption from certain taxation; providing for investment of monies and providing guidelines for investment; providing for codification; providing an effective date; and declaring an emergency.

**HB 1255** – By Gilbert of the House and Eason McIntyre of the Senate.

An Act relating to counties and county officers; amending Section 1, Chapter 110, O.S.L. 2003, as amended by Section 1, Chapter 355, O.S.L. 2004 (19 O.S. Supp. 2004, Section 339.6), which relates to curfew for juveniles; modifying applicability to

unincorporated areas; clarifying sign posting requirement; providing an effective date; and declaring an emergency.

**HB 1276** – By Peters of the House and Riley of the Senate.

( public health and safety - amending seven sections in Title 63 - Oklahoma Hospice Licensing Act - provisional licenses – emergency )

**HB 1287** – By Reynolds and Wesselhoft of the House and Myers of the Senate.

An Act relating to public finance; prohibiting contracts for certain computer software unless the source code is provided; requiring certain documentation; directing the State Purchasing Director to provide advice and assistance; providing definitions; providing for codification; providing an effective date; and declaring an emergency.

**HB 1292** – By Morgan (Fred) and Dank of the House and Wilcoxson of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 3-118.1, as amended by Section 1, Chapter 446, O.S.L. 2002 (70 O.S. Supp. 2004, Section 3-118.1), which relates to budget and operations performance reviews; expanding eligibility for performance review program; authorizing certain governmental officials to request performance reviews; updating agency reference; stating responsibility for certain costs; requiring Education Oversight Board to select districts for review contingent on funding; directing Office of Accountability to provide certain assistance; requiring performance audits on technology center school districts; creating the Technology Center School District Audit Fund; specifying purpose of the fund; providing for contributions to the fund; providing for promulgation of rules; specifying purpose of audits; requiring certain reports; providing for codification; and providing an effective date.

**HB 1295** – By Peters and Lamons of the House and Crutchfield of the Senate.

( juveniles - modifying definitions - agreements for certain youth service programs - designation as youth services agencies - Department of Juvenile Justice - effective date - emergency )

**HB 1297** – By Lamons, Dorman, Nance, Duncan, McDaniel, Rousselot, Turner and Lindley of the House and Fisher of the Senate.

( motor vehicles - amending six sections in Title 47 - vehicle registration - amending 68 O.S., Sections 2101, 2102 and 2103 - motor vehicle excise tax - codification - effective date – emergency }

**HB 1298** – By Banz, Hilliard, Hyman, Roan, Sherrer, Shoemake and Walker of the House and Aldridge and Garrison of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 339, as last amended by Section 5, Chapter 5, O.S.L. 2004 (19 O.S. Supp. 2004, Section 339), which relates to general powers of the board of county commissioners; increasing monetary amount of safety-related incentive awards; and providing an effective date.

**HB 1303** – By Trebilcock and Nance of the House and Crain of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7303-7.6, which relates to reimbursement of care, maintenance, costs, and expenses of child; modifying authority of court; modifying language; and providing an effective date.

**HB 1309** – By Turner, Braddock, McCarter, Toure, Walker, Blackburn, Auffet, Brannon, Brown, Carey, Deutschendorf, Ellis, Gilbert, Glenn, Harrison, Hilliard, Kiesel, Lindley, McMullen, McPeak, Nations, Shelton, Sherrer, Smithson, Staggs and Sweeden of the House and Coates of the Senate.

An Act relating to poor persons; amending 56 O.S. 2001, Section 163.1, which relates to satellite meal sites; providing for certain notice; providing for certain funding requests; requiring certain written notice; providing right to appeal certain denial; specifying procedure for disbursing certain funds; providing for certain notice; and providing an effective date.

**HB 1324** – By Young and Winchester of the House and Wilcoxson of the Senate.  
( roads, bridges and ferries – certain study – codification )

**HB 1335** – By Wesselhoft, Terrill, Nance, Adkins, Askins, Benge, Braddock, Dorman, Hilliard, Jones, McMullen, Morgan (Fred), Sherrer, Smaligo and Winchester of the House and Wilcoxson of the Senate.

( revenue and taxation – amending 68 O.S., Section 809 – estate tax – collateral heirs – effective date )

**HB 1347** – By Terrill and Kiesel of the House and Paddock of the Senate.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-1918.2, as last amended by Section 3, Chapter 374, O.S.L. 2004, and as renumbered by Section 9, Chapter 374, O.S.L. 2004 (59 O.S. Supp. 2004, Section 367.3), which relates to unused prescription medications; expanding program for certain facilities; and providing an effective date.

**HB 1357** – By Terrill, Nations and Wesselhoft of the House and Brogdon of the Senate.

( education - Oklahoma Higher Learning Access Program - modifying eligibility requirements – emergency )

**HB 1362** – By Case of the House and Corn of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 1306, as last amended by Section 1, Chapter 405, O.S.L. 2004 (74 O.S. Supp. 2004, Section 1306), which relates to the powers and duties of the State and Education Employees Group Insurance Board; requiring the Board to contract for certain supplemental products; amending 74 O.S. 2001, Sections 1365, as last amended by Section 2, Chapter 405, O.S.L. 2004, and 1370, as last amended by Section 3, Chapter 405, O.S.L. 2004 (74 O.S. Supp. 2004, Sections 1365 and 1370), which relate to the Oklahoma State Employee Benefits Act; adding duty for the Oklahoma State Employee Benefits Council to provide certain product to participants; modifying provisions related to purchase of benefits by certain persons;

providing for certain flexible benefit allowance amount for certain persons making certain elections; providing an effective date; and declaring an emergency.

**HB 1431** – By Balkman and Wesselhoft of the House and Pruitt of the Senate.

An Act relating to amusements and sports; amending Section 4, Chapter 58, O.S.L. 2003, Section 10, Chapter 58, O.S.L. 2003, Section 14, Chapter 58, O.S.L. 2003 and Section 25, Chapter 58, O.S.L. 2003 (3A O.S. Supp. 2004, Sections 703, 709, 713 and 724), which relate to the Oklahoma Education Lottery Act; modifying definition; clarifying advertising powers of the Oklahoma Lottery Commission; modifying authorized use of gross proceeds of the lottery; modifying use of proceeds from unclaimed tickets; requiring the Oklahoma Lottery Commission to disclose certain information; requiring certain report; providing for codification; and declaring an emergency.

**HB 1455** – By Denney, Wesselhoft and Nance of the House and Williamson of the Senate.

An Act relating to marriage; prohibiting the recognition of common law marriage in Oklahoma; providing exception; providing for codification; and providing an effective date.

**HB 1480** – By Lamons and Peters of the House and Adelson of the Senate.

( health care for the indigent and uninsured in the Tulsa Metropolitan Service Area – appropriation - legislative intent – effective date - emergency )

**HB 1485** – By Tibbs and Nance of the House and Crain of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 955, as amended by Section 4, Chapter 387, O.S.L. 2002 (47 O.S. Supp. 2004, Section 955), which relates to towing of vehicles from roadway; expanding scope of circumstances for towing vehicles from roadway; and providing an effective date.

**HB 1486** – By Tibbs, Wesselhoft and Nance of the House and Williamson of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1123, as last amended by Section 1, Chapter 159, O.S.L. 2003 (21 O.S. Supp. 2004, Section 1123), which relates to lewd and indecent proposals; clarifying punishment; modifying age requirement for sexual battery; and providing an effective date.

**HB 1491** – By Terrill, Dorman, Nance, Duncan and Wesselhoft of the House and Reynolds of the Senate.

( revenue and taxation – amending 68 O.S., Section 2358 – taxable income – exemptions – effective date )

**HB 1492** – By Morgan (Fred), Wesselhoft, Duncan and Nance of the House and Paddock of the Senate.

( higher education - waiver of tuition - Oklahoma National Guard - effective date – emergency )

**HB 1503** – By Roan and Nance of the House and Gumm of the Senate.

An Act relating to emergency medical services; amending 63 O.S. 2001, Sections 1-2509 and 1-2513, which relate to operation of certain ambulance services; providing for certain licensure exemptions; requiring certain requests to originate from certain entities; providing for certain investigations; authorizing certain licensing; providing for certain exceptions; and providing an effective date.

**HB 1506** – By Roan, Piatt, Hilliard, Sherrer, Kiesel and Nations of the House and Crutchfield of the Senate.

( higher education - waiver of tuition for children of certain professionals - adding waiver - effective date - emergency )

**HB 1524** – By Lindley and Nance of the House and Eason McIntyre of the Senate.

An Act relating to crimes and punishments; amending Section 1, Chapter 281, O.S.L. 2004 (21 O.S. Supp. 2004, Section 649.3), which relates to harming, mistreating, or killing service dogs; expanding crime to include service animals; defining term; and providing an effective date.

**HB 1538** – By Peterson (Ron) of the House and Aldridge of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Sections 2004 and 2007, which relate to the Oklahoma Property and Casualty Insurance Guaranty Association Act; modifying definition; modifying coverage of act to exclude payment of full amount of certain worker's compensation benefits; modifying coverage to cover each occurrence; providing an effective date; and declaring an emergency.

**HB 1554** – By DeWitt, Blackwell, Trebilcock and Morgan (Fred) of the House and Lawler of the Senate.

An Act relating to torts; creating the Commonsense Consumption Act; providing short title; stating legislative intent; defining terms; providing immunity from civil liability for certain claims; providing exception; providing pleading requirements; providing for stay of discovery and other proceedings in certain circumstances; providing scope of claims covered; providing for codification; and providing an effective date.

**HB 1564** – By Miller (Ken) and Adkins of the House and Jolley and Brogdon of the Senate.

An Act relating to public buildings and public works; amending 61 O.S. 2001, Section 202.1, as amended by Section 1, Chapter 277, O.S.L. 2003 (61 O.S. Supp. 2004, Section 202.1), which relates to the Public Building Construction and Planning Act; providing applicability of the act to certain entities; clarifying requirement for written approval; providing an exception from agency approval for certain construction methods; clarifying public trusts applicable to certain act; and providing an effective date.

**HB 1575** – By McCarter, Walker, Smithson, Ellis, Shoemake, Mass, Morgan (Fred), Bingman, Brown, Glenn, Hilliard, Hyman, Kiesel, Morrissette, Nance, Roan, Sherrer, Sullivan and Wesselhoft of the House and Crutchfield of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Sections 4-110, as last amended by Section 2, Chapter 287, O.S.L. 2003 and 4-112, as last amended by Section 1, Chapter 284, O.S.L. 2004 (29 O.S. Supp. 2004, Sections 4-110 and 4-112), which relate to fishing and hunting licenses; making certain disabled residents eligible for a disability fishing and hunting license; and declaring an emergency.

**HB 1577** – By Piatt, Nance, Hilliard and Hyman of the House and Coffee of the Senate.

( revenue and taxation - amending 68 O.S., Section 1357 - sales tax exemptions - effective date – emergency )

**HB 1584** – By Jones of the House and Easley of the Senate.

( motor vehicles – amending 21 O.S., Section 918 – sales activities on Sunday – amending 47 O.S., Section 564.1 – new motor vehicles and recreational vehicles – effective date )

**HB 1587** – By Adkins of the House and Lamb of the Senate.

( oil and gas - amending 52 O.S., Sections 318.4, 318.5, 318.6 and 318.9 - surface damages - Corporation Commission )

**HB 1588** – By Adkins, Askins, Blackwell, Carey, Harrison, Hilliard, Johnson, Kiesel, Lamons, McMullen, Morgan (Danny), Peterson (Ron), Sherrer, Smaligo, Sweeden and Wesselhoft of the House and Morgan, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Crain, Crutchfield, Easley, Garrison, Gumm, Harrison, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Wilcoxson and Williamson of the Senate.

( revenue and taxation – amending 68 O.S., Section 1001 – gross production tax – effective date – emergency )

**HB 1589** – By Adkins of the House and Crutchfield of the Senate.

An Act relating to oil and gas; amending 52 O.S. 2001, Section 570.12, which relates to the Production Revenue Standards Act; requiring certain information be provided with payments; modifying certain information; requiring certain information be provided to the owner upon request; limiting number of requests; requiring cross-reference information to be provided to owners at certain times; allowing cross-reference information to be provided in certain forms; and providing an effective date.

**HB 1592** – By Adkins of the House and Coffee of the Senate.

( oil and gas - amending 52 O.S., Section 570.10 - oil and gas production - interest rate - effective date )

**HB 1598** – By McPeak, Morgan (Danny) and Wesselhoft of the House and Garrison of the Senate.

An Act relating to motor vehicles; creating fine for certain violation; providing for codification; and providing an effective date.

**HB 1612** – By Roggow and Dorman of the House and Anderson of the Senate.

( revenue and taxation – Farm Service Agency – Department of Agriculture – credit – codification – effective date )

**HB 1618** – By Bengé, Lamons and Duncan of the House and Riley of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 6201, which relates to Hissom Memorial Treatment Center; modifying lease agreement with Greater Sand Springs Trust Authority; requiring budgeting of certain funds for certain purposes; requiring disbursement of certain funds; and providing an effective date.

**HB 1633** – By Newport of the House and Myers of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 3-83, which relates to combined pesticides; modifying reporting for certain applicators; and providing an effective date.

**HB 1649** – By Winchester and Wesselhoft of the House and Monson of the Senate.

An Act relating to Oklahoma Education Lottery Act; amending Section 11, Chapter 58, O.S.L. 2003 (3A O.S. Supp. 2004, Section 710), which relates to Oklahoma Lottery Commission; restricting method of payment; providing for withholding of certain lottery prize monies; providing for distribution of withheld monies; requiring certain report; specifying contents of report; providing for codification; and declaring an emergency.

**HB 1667** – By Calvey, Coody and Wesselhoft of the House and Barrington and Pruitt of the Senate.

( insurance - amending 36 O.S., Section 625.1 - premium tax credit - effective date )

**HB 1688** – By Smaligo of the House and Shurden of the Senate.

( public health and safety – amending 63 O.S., Sections 1-1912, 1-1914, 1-1914.1 and 1-1951 – Nursing Home Care Act – resolution hearing – nurse aides – codification – effective date )

**HB 1693** – By Calvey, Dorman, Nance, Wesselhoft and Sullivan of the House and Jolley and Barrington of the Senate.

( revenue and taxation – amending 68 O.S., Sections 2358 and 1001 – taxable income – gross production tax – effective date )

**HB 1707** – By Balkman and Dorman of the House and Corn of the Senate.

An Act relating to public finance; enacting the Debt Financing Disclosure Act; defining terms; imposing reporting requirements upon local and state governmental entities with respect to indebtedness; specifying content of reports; requiring filing of information with certain public officials; requiring annual publication of information by Office of State

Finance; providing for access to information through the Internet; providing for codification; and providing an effective date.

**HB 1715** – By Calvey, Nance and Adkins of the House and Paddock of the Senate.  
( revenue and taxation – amending 68 O.S., Sections 1001.1 and 2884 – gross production taxes – attorney fee – effective dates )

**HB 1751** – By Case, Kiesel, Brannon, Smithson and McMullen of the House and Monson of the Senate.  
( telecommunications – amending 63 O.S., Sections 2813, 2814, 2843 and 2843.1 – Nine-One-One Wireless Emergency Number Act – emergency )

**HB 1753** – By Braddock, Jackson, Armes, Coody, DePue, Duncan, Kern, Roggow and Wesselhoft of the House and Bass of the Senate.

An Act relating to public finance; enacting the Oklahoma Military Base Protection Grant Program; stating legislative intent; providing for noncodification; and declaring an emergency.

**HB 1755** – By Miller (Doug) of the House and Nichols of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Sections 840-1.9, 840-4.17, as last amended by Section 12, Chapter 312, O.S.L. 2004 and 840-6.8 (74 O.S. Supp. 2004, Section 840-4.17), which relate to the Oklahoma Personnel Act; modifying duties of the Oklahoma Merit Protection Commission; modifying criteria for employee performance management system; modifying rating requirements; expanding jurisdiction of the Oklahoma Merit Protection Commission; deleting certain procedures for payment of attorney fees; and providing an effective date.

**HB 1788** – By Dank, Worthen and Wesselhoft of the House and Eason McIntyre of the Senate.

( schools – amending 70 O.S., Sections 3-132, 3-133, 3-134 and 3-137 – Oklahoma Charter Schools Act – charter school sponsor – effective date – emergency )

**HB 1792** – By Peterson (Ron) of the House and Branam of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 1304, as amended by Section 1, Chapter 196, O.S.L. 2002 (74 O.S. Supp. 2004, Section 1304), which relates to State and Education Employees Group Insurance Act; authorizing Board to contract with certain program provider; and providing an effective date.

**HB 1809** – By Armes and McMullen of the House and Corn of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Sections 3-100.1, 3-101, 3-103, 3-106, 3-113, 3-116, 3-117, 3-121 and 3-122, which relate to the Oklahoma Apiary Act; modifying definitions; modifying inspection powers; modifying certain destruction of certain bees; modifying certain inspections; modifying certain sales; modifying certain fees; modifying certain registration requirements; modifying certain inspections; requiring certain permits; clarifying terms; modifying certain inspection fees; restricting entry of certain bees into Oklahoma; providing for certain documentation; providing for certain

certificates; providing for inspections; modifying certain violations; clarifying terms; providing for certain crimes; providing for certain actions by the Oklahoma Department of Agriculture, Food, and Forestry; providing for certain exemptions; providing for certain fee; providing for certain reporting; repealing 2 O.S. 2001, Sections 3-107 and 3-114, which relate to shipment and pollination of bees; providing for codification; and providing an effective date.

**HB 1812** – By Armes, Blackwell and Nance of the House and Anderson of the Senate.

An Act relating to pharmacy; amending 59 O.S. 2001, Section 353.1, as last amended by Section 16, Chapter 523, O.S.L. 2004 (59 O.S. Supp. 2004, Section 353.1), which relates to Oklahoma Pharmacy Act; modifying definitions; amending 59 O.S. 2001, Section 353.13, which relates to prohibited acts; providing an exemption; requiring certain reporting and recordkeeping; providing for prohibited acts; providing for promulgation of rules; and providing an effective date.

**HB 1837** – By Jett and Auffet of the House and Laster of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-101, as amended by Section 3, Chapter 455, O.S.L. 2003 (70 O.S. Supp. 2004, Section 6-101), which relates to teacher contracts; allowing a board of education to contract with persons obtaining certification or licensure; prohibiting such persons from being in the classroom; providing for termination of contract in certain condition; amending 70 O.S. 2001, Sections 6-107, as amended by Section 9, Chapter 204, O.S.L. 2003 and 6-108 (70 O.S. Supp. 2004, Section 6-107), which relate to contracts with school employees; amending 70 O.S. 2001, Section 6-190, as last amended by Section 1, Chapter 438, O.S.L. 2004 (70 O.S. Supp. 2004, Section 6-190), which relates to teacher employment, certification, and licensure; providing certain exception; and declaring an emergency.

**HB 1848** – By Steele, Blackwell, Winchester, Cox, Peterson (Pam), Sullivan, DeWitt and Kiesel of the House and Laughlin of the Senate.

An Act relating to insurance; creating the Health Savings Account Act; defining terms; providing for certain requirements for health savings accounts; providing for certain tax treatment for certain persons; limiting certain deposits; providing for certain tax exemptions; restricting use of certain funds for certain purposes; providing for withdraw of certain monies; providing for certain disbursements; providing for certain exemptions from taxation; providing for transfers; providing for distributions in event of death; providing for transfers to certain other employers; providing for codification; and providing an effective date.

**HB 1859** – By Blackwell, Braddock, Brannon, Smithson, Glenn and Brown of the House and Laughlin of the Senate.

An Act relating to public health and safety; creating the Rural Hospitals Relief Act; providing short title; stating legislative findings; providing for establishment and functions of locally designated health care districts; providing for certification of certain amounts to specified entity; requiring promulgation of rules and specifying contents; requiring submission of certain application; amending 70 O.S. 2001, Section 3424.1, which relates to the Oklahoma Rural Health Policy and Research Center; modifying mission of the center;

requiring hospital requesting certain designation to meet certain criteria; providing for codification; and providing an effective date.

**HB 1862** – By Blackwell of the House and Adelson of the Senate.

An Act relating to public finance; amending 62 O.S. 2001, Sections 41.5a and 41.5i, which relate to the powers and duties of the Information Services Division; deleting power to coordinate and have oversight of state agency computer and telecommunications purchasing; amending Section 2, Chapter 128, O.S.L. 2004 (62 O.S. Supp. 2004, Section 41.5t), which relates to accessibility of information technology; deleting requirement to include certain information in long-range plans; repealing 62 O.S. 2001, Section 41.5e, as amended by Section 1, Chapter 128, O.S.L. 2004 (62 O.S. Supp. 2004, Section 41.5e), which relates to long-range plans for state agency computer equipment and software; repealing 62 O.S. 2001, Section 41.5j, which relates to long range-plans for state agency communications and telecommunications systems; and providing an effective date.

**HB 1970** – By Perry of the House and Wilcoxson of the Senate.

( crimes and punishments - amending 21 O.S., Section 1190 - hazing - amending 37 O.S., Sections 537 and 538 – penalties - codification - effective date )

**HB 1971** – By Perry and Nance of the House and Coffee of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1024.2, which relates to purchase, procurement, or possession of child pornography; modifying penalty; prohibiting deferred sentence under certain circumstances; amending Section 1, Chapter 98, O.S.L. 2003 (21 O.S. Supp. 2004, Section 1959), which relates to Computer Crimes Act; expanding scope of computer crime investigations; modifying subpoena procedure; and providing an effective date.

**HB 1973** – By Perry of the House and Coates of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 317.1, which relates to the State Fire Marshal; providing certain exception for exit requirements; providing certain exception for type of smoke detection system; requiring maintenance of certain records; providing an effective date; and declaring an emergency.

**HJR 1009** – By Dank, Terrill, Nance, Thompson and Liotta of the House and Coffee of the Senate.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 8B of Article X of the Constitution of the State of Oklahoma; modifying provisions related to annual maximum increases in fair cash value for certain property; authorizing questions to be submitted for approval; specifying procedures; imposing maximum increase in certain percentages; providing ballot title; and directing filing.

The above-numbered measures were read the first time.

**GENERAL ORDER**

**SB 481** by Rabon of the Senate and Smithson of the House was called up for consideration.

Senator Rabon moved that **SB 481** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 481** was read for the third time at length.

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

Aye: Adelson, Cain, Capps, Crain, Crutchfield, Fisher, Hobson, Kerr, Monson, Morgan, Rabon, Shurden and Wilson.--13.

Nay: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Easley, Eason McIntyre, Ford, Garrison, Gumm, Harrison, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Wilcoxson and Wyrick.--33.

Excused: Taylor and Williamson.--2.

The bill failed.

**GENERAL ORDER**

**SB 835** by Gumm of the Senate and Piatt of the House was called up for consideration.

Senator Gumm moved to amend **SB 835**, Page 1, Line 13, by inserting after the word "property" and before the comma the words "other than farm equipment", which amendment was declared adopted.

Senator Gumm moved that **SB 835** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 835** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison,

Gumm, Harrison, 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.--45.

Excused: Kerr, Taylor and Williamson.--3.

The bill passed.

**SB 835** was referred for engrossment.

### **GENERAL ORDER**

**SB 104** by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senator Morgan moved to amend **SB 104**, Page 1, by striking the title, which amendment was declared adopted.

Senator Morgan moved that **SB 104** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 104** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--45.

Excused: Kerr, Taylor and Williamson.--3.

The bill passed.

**SB 104** was referred for engrossment.

### **GENERAL ORDER**

**SB 846** by Laster of the Senate and Hastings and Askins of the House was called up for consideration.

Senator Garrison asked to coauthor **SB 846**, which was the order.

Senator Laster moved to amend **SB 846**, 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 Laster moved to amend the floor substitute to **SB 846**, Page 23, Line 17, by inserting after the word “procedures” and before the word “and” the language “, one hundred percent (100%) of the current Medicare reimbursement procedures for magnetic resonance imaging and physical medicine procedures”, and by amending the title to conform,

Senator Laster moved that **SB 846** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 846** was read for the third time at length.

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

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--25.

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: Taylor and Williamson.--2.

The bill passed.

**SB 846** was referred for engrossment.

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

\*

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.

**GENERAL ORDER**

**SB 702** by Rabon and Lerblance of the Senate and Terrill of the House was called up for consideration.

Senator Rabon moved that **SB 702** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 702** was read for the third time at length.

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

Aye: Aldridge, Anderson, Bass, Cain, Capps, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Justice, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Riley, Shurden, Wilson and Wyrick.--31.

Nay: Adelson, Barrington, Branan, Brogdon, Coffee, Crain, Jolley, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds and Wilcoxson.--15.

Excused: Taylor and Williamson.--2.

The bill passed.

**SB 702** was referred for engrossment.

**GENERAL ORDER**

**SB 213** by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senator Morgan moved to amend **SB 213**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Morgan moved that **SB 213** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 213** was read for the third time at length.

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

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--25.

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: Taylor and Williamson.--2.

The bill passed.

**SB 213** was referred for engrossment.

### **GENERAL ORDER**

**SB 214** by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senator Morgan moved to amend **SB 214**, Page 1, by striking the title, which amendment was declared adopted.

Senator Morgan moved that **SB 214** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 214** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, 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.--46.

Excused: Taylor and Williamson.--2.

The bill passed.

**SB 214** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Wilcoxson moved to reconsider the vote whereby **SB 966** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Cain, Capps, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Shurden, Wilcoxson and Wyrick.--40.

Nay: Bass, Corn, Paddack, Riley and Wilson.--5.

Excused: Kerr, Taylor and Williamson.--3.

### **THIRD READING**

Senator Wilcoxson moved to reconsider the vote whereby **SB 966** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

**SB 966** by Wilcoxson of the Senate and Coody of the House was called up for further consideration.

Senator Wilcoxson moved to amend the floor substitute to **SB 966**, Page 1, by striking the title, which amendment was declared adopted.

Senator Riley moved to amend the floor substitute to **SB 966**, Page 3, Lines 15 through 19, by restoring all stricken language; Page 4, Line 19, by deleting the new language after the period on Line 19 through the period on Line 21; Page 5, Lines 1 and 2, by deleting all new language; Page 5, Lines 5 through 8, by restoring all stricken language; and Page 5, Line 18 through Line 21, by deleting all new language, which amendment was declared adopted.

Senator Wilcoxson moved that **SB 966** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 966** was read for the third time at length.

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

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

Nay: Bass, Corn and Wilson.--3.

Excused: Taylor and Williamson.--2.

The bill and emergency passed.

**SB 966** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Monson moved to reconsider the vote whereby **SB 366** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Barrington, Bass, Branan, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Myers, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--34.

Nay: Aldridge, Anderson, Brogdon, Coffee, Ford, Jolley, Justice, Lamb, Laughlin, Mazzei, Nichols and Pruitt.--12.

Excused: Taylor and Williamson.--2.

### **THIRD READING**

**SB 366** was read for the third time at length.

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

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Reynolds, Shurden, Wilcoxson, Wilson and Wyrick.--27.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt and Riley.--18.

Excused: Kerr, Taylor and Williamson.--3.

The bill passed.

**SB 366** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Monson moved to reconsider the vote whereby **SB 568** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Gumm, Harrison, Hobson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Monson, Morgan, Nichols, Paddack, Pruitt, Rabon, Reynolds, Shurden, Wilcoxson, Wilson and Wyrick.--32.

Nay: Anderson, Barrington, Brogdon, Crain, Ford, Garrison, Johnson, Jolley, Justice, Lamb, Mazzei, Myers and Riley.--13.

Excused: Kerr, Taylor and Williamson.--3.

### **THIRD READING**

Senator Monson moved to reconsider the vote whereby **SB 568** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

**SB 568** by Monson of the Senate and Toure of the House was called up for further consideration.

Senator Monson moved to amend **SB 568**, Page 1, by striking the title, which amendment was declared adopted.

Senator Monson moved that **SB 568** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 568** was read for the third time at length.

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

Aye: Adelson, Aldridge, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Eason McIntyre, Gumm, Harrison, Hobson, Jolley, Laster, Laughlin, Lawler, Leftwich,

Monson, Morgan, Nichols, Paddack, Rabon, Reynolds, Shurden, Wilcoxson and Wilson.--28.

Nay: Anderson, Barrington, Brogdon, Crain, Easley, Fisher, Ford, Garrison, Johnson, Justice, Lamb, Lerblance, Mazzei, Myers, Pruitt, Riley and Wyrick.--17.

Excused: Kerr, Taylor and Williamson.--3.

The bill passed.

Senator Fisher desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 29; Nay: 16; Excused: 3.

The emergency failed.

**SB 568** was referred for engrossment.

#### **MOTION TO RECONSIDER VOTE**

Senator Shurden moved to reconsider the vote whereby **SB 556** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Barrington, Bass, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Laster, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Paddack, Riley, Shurden, Wilson and Wyrick.--30.

Nay: Aldridge, Anderson, Branan, Brogdon, Coffee, Jolley, Justice, Lamb, Laughlin, Myers, Pruitt, Reynolds and Wilcoxson.--13.

Excused: Kerr, Nichols, Rabon, Taylor and Williamson.--5.

#### **THIRD READING**

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

Representative Turner asked to be removed and Representative Armes asked to be named principal House author on **SB 556**, which was the order.

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

Aye: Adelson, Bass, Cain, Capps, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--26.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coffee, Easley, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--19.

Excused: Kerr, Taylor and Williamson.--3.

The bill passed.

**SB 556** was referred for engrossment.

### **GENERAL ORDER**

**SB 1012** by Pruitt and Riley of the Senate and Balkman of the House was called up for consideration.

Senator Pruitt moved to amend **SB 1012**, 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 Pruitt moved that **SB 1012** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1012** was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Gumm, Harrison, 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.--41.

Nay: Bass, Cain and Garrison.--3.

Excused: Capps, Kerr, Taylor and Williamson.--4.

The bill passed.

**SB 1012** was referred for engrossment.

**EXECUTIVE NOMINATIONS**

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

Brewster, Clark, Tulsa, as a member of the Oklahoma Transportation Authority –  
Transportation

Burgess, Bradley Warren, Lawton, as a member of the Transportation Commission –  
Transportation

Wood, Gail, Stonewall, as a member of the Board of Mental Health and Substance  
Abuse Services – Health and Human Resources

Worthen, Laura Michelle, Moore, as a member of the Air Quality Advisory Council –  
Energy and Environment

Wright, Betty J.C., Del City, as a member of the Board of Regents of Rose State  
College - Education

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to  
convene Thursday, March 17, 2005, at 9:30 a.m., which motion prevailed.

**FIRST READING**

The following was introduced and read the first time:

**SR 11** – By Harrison.

A Resolution congratulating the Pawnee High School Black Bears boys' basketball  
team upon winning the 2004-2005 Class 2A State Championship; commending Pawnee  
High School for being only the third school in state history to win both the football and  
basketball state championship in the same school year; and directing distribution.

**BILL RELEASED****TIME EXPIRED TO RECONSIDER**

**SB 390** was referred for engrossment.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **SB 517** failed.

Pursuant to the Fisher motion, the Senate adjourned at 5:25 p.m. to meet Thursday, March 17, 2005, at 9:30 a.m.