

Senate Journal

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

Thirtieth Legislative Day, Tuesday, March 29, 2005

The Senate was called to order by Senator Rabon.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, 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, Taylor, Williamson and Wyrick.—45.

Excused: Capps, Wilcoxson and Wilson.—3.

Senator Rabon declared a quorum present.

The prayer was offered by Dr. John Fozard, Mid-American Christian, Oklahoma City, the guest of Senator Lawler.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 9 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 13 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

DEDICATION

Former Senator Charles Ford presented the painting “Sam Walton”. Senator Coates addressed the Senate and read a proclamation from Governor Henry. Senator Ford introduced the artist, Mike Wimmer. Mr. Wimmer addressed the Senate.

Senator Ford introduced Sharon Kidd, Director of Operations for Sam's Club, and John Lykins, Regional Vice President of Wal-Mart. Mr. Lykins and Ms. Kidd addressed the Senate, and on behalf of the Wal-Mart Foundation, presented the painting to the Senate as a gift.

GENERAL ORDER

HB 1179 by Bengé and Newport of the House and Morgan and Crutchfield of the Senate was called up for consideration.

Senator Corn moved that **HB 1179** be advanced, which motion was declared adopted.

THIRD READING

HB 1179 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, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson and Wyrick.--45.

Excused: Capps, Wilcoxson and Wilson.--3.

The bill and emergency passed.

HB 1179 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1191 by Hiett et al of the House and Hobson et al of the Senate was called up for consideration.

Senators Gumm, Nichols, Coffee, Corn, Mazzei, Brogdon and Lamb asked to coauthor **HB 1191**, which was the order.

Senator Monson moved to amend **HB 1191**, Page 44, Line 18, by inserting after the period the following language "It is the intent of the Legislature that the expanded program offerings in Tulsa shall be conducted in a manner consistent with the responsibility and legal requirements of the Oklahoma State Regents for Higher Education to fulfill the state wide mission for Langston University.", and by amending the title to conform.

Senator Williamson moved to table the Monson amendment, which tabling 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 Williamson.--21.

Nay: Adelson, Bass, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Morgan, Paddack, Rabon, Shurden, Taylor and Wyrick.--23.

Excused: Cain, Capps, Wilcoxson and Wilson.--4.

The Chair advised that Senator Cain, having been present in the Chamber during the vote to table the Monson amendment to **HB 1191** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 21; Nay: 24; Excused: 3.

Senator Monson pressed the adoption of her amendment, which amendment failed of adoption upon roll call as follows:

Aye: Cain, Easley, Eason McIntyre, Garrison, Gumm, Harrison, Lawler, Leftwich, Monson, Morgan, Rabon and Shurden.--12.

Nay: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Fisher, Ford, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Taylor, Williamson and Wyrick.--33.

Excused: Capps, Wilcoxson and Wilson.--3.

Senator Hobson moved that **HB 1191** be advanced, which motion was declared adopted.

THIRD READING

HB 1191 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, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden,

Taylor, Williamson and Wyrick.--43.

Nay: Eason McIntyre and Monson.--2.

Excused: Capps, Wilcoxson and Wilson.--3.

The bill and emergency passed.

HB 1191 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1010**.

HCR 1010 – By Mass of the House and Lerblance of the Senate.

A Concurrent Resolution directing the Oklahoma Wildlife Conservation Commission to adopt rules changing the class hour requirements for hunter education courses; and directing distribution.

The above-numbered measure was read the first time.

Advising passage of and returning the following Engrossed bills:

SB 412 - coauthored by Nance of the House

SB 415

SB 599

The above-numbered measures were referred for enrollment.

GENERAL ORDER

HB 1178 by Benge and Newport of the House and Morgan and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 1178** be advanced, which motion was declared adopted.

THIRD READING

HB 1178 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, 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, Taylor, Williamson and Wyrick.--44.

Excused: Capps, Coffee, Wilcoxson and Wilson.--4.

The bill and emergency passed.

HB 1178 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1185 by Benge and Newport of the House and Morgan and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 1185** be advanced, which motion was declared adopted.

THIRD READING

HB 1185 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, 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, Taylor, Williamson and Wyrick.--44.

Excused: Capps, Coffee, Wilcoxson and Wilson.--4.

The bill and emergency passed.

HB 1185 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1181 by Benge and Newport of the House and Morgan and Crutchfield of the Senate was called up for consideration.

Senator Corn moved that **HB 1181** be advanced, which motion was declared adopted.

THIRD READING

HB 1181 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, 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, Taylor, Williamson and Wyrick.--44.

Excused: Capps, Coffee, Wilcoxson and Wilson.--4.

The bill and emergency passed.

HB 1181 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1188 by Benge and Newport of the House and Morgan and Crutchfield of the Senate was called up for consideration.

Senator Shurden moved that **HB 1188** be advanced, which motion was declared adopted.

THIRD READING

HB 1188 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, 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, Taylor, Williamson and Wyrick.--44.

Excused: Capps, Coffee, Wilcoxson and Wilson.--4.

The bill and emergency passed.

HB 1188 was properly signed and ordered returned to the Honorable House.

CHANGE IN COMMITTEE ASSIGNMENTS

The following bills were reassigned as follows:

HB 1338 – Withdrawn from Business and Labor Committee and referred to Transportation.

HB 1587 – Withdrawn from Judiciary Committee and referred to Energy and Environment.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 30, 2005, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

HB 1313 – Business and Labor

HB 1402 – General Government

HB 1511 – Business and Labor, remove Leftwich and substitute Coates as principal Senate author and coauthored by Leftwich of the Senate

HB 1564 – General Government

HB 1581 – Business and Labor

HB 1650 – General Government

HB 1754 – General Government

HB 1961 – Business and Labor

DO PASS, As Amended:

HB 1334 – Business and Labor

HB 1378 – General Government

CS for **HB 1535** – Business and Labor

CS for **HB 1607** – Business and Labor

HB 1655 – General Government

HB 1939 – General Government

SECOND READING

The following was read for the second time and referred to committee as indicated:

HB 1652 – Appropriations

FIRST READING

The following was introduced and read the first time:

SCR 17 – By Rabon of the Senate and Roan of the House.

A Concurrent Resolution congratulating Atoka, Oklahoma, for its inclusion on the “USA Today” weather map; commending Atoka, Oklahoma, for its other claims to fame; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 3:05 p.m. to meet Wednesday, March 30, 2005, at 1:30 p.m.