

# Senate Journal

## First Regular Session of the Fiftieth Legislature of the State of Oklahoma Fifty-first Legislative Day, Thursday, May 5, 2005

The Senate was called to order by Senator Corn.

Roll Call:

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

Excused: Anderson, Gumm, Laster, Taylor and Williamson.—5.

Senator Corn declared a quorum present.

The prayer was offered by Reverend Michael Staton, First Baptist Church, Mustang, the guest of Senator Wilcoxson.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 329, 345, 703, 901 and 909** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SRs 29 and 30** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### BILL RECALLED FROM ENROLLMENT

**SB 453** was recalled from Engrossment and Enrollment.

**SENATE RULE SUSPENDED**

Senator Fisher asked unanimous consent, which was granted, to suspend Senate Rule 12-23B as it pertains to **SB 453**.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 453** passed.

**MOTION TO RECONSIDER VOTE**

Senator Shurden moved to reconsider the vote whereby **SB 453** passed, which motion was declared adopted upon roll call as follows:

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

Excused: Anderson, Coffee, Gumm, Laster, Pruitt, Taylor and Williamson.--7.

**FOURTH READING**

Senator Shurden moved to reconsider the vote whereby the House Amendment on **SB 453** were adopted, which motion was declared adopted.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 453** were rejected upon motion of Senator Shurden, conference requested, and Senate conferees to be named later.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Rabon asked unanimous consent to suspend Rule 5-4 and refer **HCR 1019** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1019** by Roggow of the House and Rabon of the Senate was called up for consideration.

**HCR 1019** was adopted upon motion of Senator Rabon and properly signed and ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF HAS**

**HAs to SBs 8, 28, 270, 271, 287, 317, 466, 478, 729, 755, 802, 877, 966 and 1015** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

#### **PENDING CONSIDERATION OF HAS**

**HAs to SBs 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142 and 143** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees appointed as follows: **GCCA**.

#### **MESSAGES FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1027**.

**HCR 1027** – By Covey, McMullen, Richardson, Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Cox, Dank, DePue, DeWitt, Denney, Deutschendorf, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hiatt, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright and Young of the House and Justice of the Senate.

A Concurrent Resolution honoring the El Reno Carnegie Library building on its 100th birthday; commending the El Reno Library on their service to the community; and directing distribution.

The above-numbered measure was read the first time.

Advising fourth reading of and transmitting for signature Enrolled **HB 1910**.

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

Advising naming of House conferees:

**HB 1276** – Peters, Balkman, Cooksey, Ingmire, Sullivan, McDaniel, Shumate  
**HB 1288** – Cox, Blackwell, Turner, Steele, Nance, Gilbert  
**HB 1297** – Lamons, Calvey, Rousselot, Carey, Peters, Bengé  
**HB 1411** – Cox, Jones, Kern, Johnson, Dorman  
**HB 1419** – Kiesel, Steele, Cox, Jett, Ingmire, Duncan, Dorman, Lindley, Nations  
**HB 1426** – Duncan, Tibbs, Hickman, Morrisette, Brown  
**HB 1432** – Coody, Morgan (Fred), Sullivan, Nance, Roan, Smithson  
**HB 1476** – Coody, Calvey, Rousselot, Nance, Dank, Adkins, Carey, Smithson  
**HB 1482** – Banz, Tibbs, Hickman, Carey, Coody  
**HB 1544** – Calvey, Blackwell, Turner, Duncan, Billy, Smithson, Hamilton, Trebilcock  
**HB 1547** – Calvey, Rousselot, Dank, Dorman, Liotta  
**HB 1584** – Jones, Calvey, Rousselot, Adkins, Dorman, Morrisette, Nance  
**HB 1609** – Miller (Doug), Wilt, Worthen, Morrisette, Hamilton, Roggow, Newport  
**HB 1693** – Calvey, Rousselot, Terrill, Liotta, Lindley  
**HB 1704** – Coody, Dank, Jones, Blackwell, Deutschendorf, Staggs  
**HB 1711** – Calvey, Rousselot, Terrill, Dorman, Nance, Dank  
**HB 1713** – Calvey, Rousselot, Bengé, Lamons, Dank, Terrill  
**HB 1722** – Duncan, Walker, Jackson, Armes, Rousselot  
**HB 1779** – Rousselot, Young, Auffet, Pruett, Liebmann, Kern  
**HB 1780** – Rousselot, Calvey, Carey, Banz, Armes, Steele  
**HB 1963** – Steele, Balkman, Cooksey, Cox, Denney, Hamilton, Morrisette  
**HB 1992** – Jones, Kern, Dank, Denney, Deutschendorf, Brannon, Ingmire, Shumate

Advising passage of and returning the following Engrossed measure:

**SCR 9** - coauthored by all other House members

The above-numbered measure was referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1304, 1453, 1747** and **1961**.

Advising fourth reading of and returning Enrolled **SBs 329, 345, 703, 901** and **909**.

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

Advising rejection of **SAs** to **HBs 1265, 1360, 1612, 1617, 1807, 1908** and **2047**, requesting conference and House conferees to be named later.

**SCs NAMED**

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

- SB 41** – Wilcoxson, Lerblance, Crutchfield, Shurden
- SB 620** – Wyrick, Lerblance, Crain
- SB 729** – Lamb, Cain, Fisher, Paddack, Aldridge
- SB 811** – GCCA
- HB 1218** – GCCA
- HB 1227** – Crain, Laster, Corn, Wyrick, Justice
- HB 1240** – Riley, Wilson, Bass, Aldridge, Rabon
- HB 1267** – GCCA
- HB 1275** – GCCA
- HB 1276** – GCCA
- HB 1286** – GCCA
- HB 1293** – Morgan, GCCA
- HB 1313** – Barrington, Leftwich, Fisher, Aldridge, Cain, Taylor
- HB 1316** – GCCA
- HB 1321** – GCCA
- HB 1329** – GCCA
- HB 1337** – Lamb, Leftwich, Cain, Coates, Garrison
- HB 1378** – Jolley, Garrison, Cain, Taylor, Adelson, Johnson
- HB 1384** – GCCA
- HB 1385** – GCCA
- HB 1398** – GCCA
- HB 1444** – GCCA
- HB 1485** – Crain, Wyrick, Riley, Garrison, Harrison
- HB 1500** – GCCA
- HB 1539** – Corn, Laster, Crain
- HB 1547** – Coffee, GCCA
- HB 1556** – GCCA
- HB 1558** – GCCA
- HB 1562** – GCCA
- HB 1577** – Coffee, GCCA
- HB 1588** – Morgan, GCCA
- HB 1625** – GCCA
- HB 1652** – GCCA
- HB 1653** – GCCA
- HB 1693** – GCCA
- HB 1708** – GCCA
- HB 1722** – Anderson, Wilson, Kerr, Rabon, Aldridge
- HB 1755** – GCCA
- HB 1992** – GCCA

**CHANGE INCONFEREES**

Advising change in Senate conferees as follows:

**HB 1586** – add Hobson

**MESSAGES FROM THE HOUSE**

Advising conference granted and naming GCCA on the following bills: **SBs 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 218, 220, 221, 223, 224, 225, 226, 227, 229, 230, 231, 232, 234, 235, 236, and 237.**

Advising naming of House conferees as follows:

**HB 1275** – Peters, Calvey, Rousselot, Bingman, Dank, Carey, Terrill

**HB 1326** – McCarter, Dank, Coody, Carey, Deutschendorf, Jones, Duncan

**HB 1397** – Braddock, Young, Auffet, Kern, Calvey, Rousselot, Smaligo, DePue, Richardson

**HB 1408** – Rousselot, Calvey, Armes, DeWitt, Liotta, Bengé

**HB 1444** – Coody, Dank, Jones, Blackwell, Deutschendorf, Staggs

**HB 1493** – Morgan (Fred), Sullivan, Trebilcock, Askins, Miller (Doug), Braddock

**HB 1558** – Staggs, Jones, Kern, Newport, Bengé, Hyman

**HB 1562** – Miller (Ken), Calvey, Rousselot, Liebmann, Askins

**HB 1605** – Miller (Doug), Calvey, Rousselot, Lindley, Dank, Nance

**HB 1619** – Nance, Young, Auffet, DePue, Calvey, Rousselot

**HB 1625** – Wilt, Calvey, Rousselot, Carey, Smithson, Terrill, Dank, Nance

**HB 1708** – Calvey, Rousselot, Terrill, Dorman, Nance, Dank

**HB 1751** – Case, Nance, Lamons, Balkman, Peterson (Pam), Roan, Smithson, Sullivan,

Banz

**HB 1755** – Miller (Doug), Wright, Wesselhoft, Johnson, Reynolds, Sweeden

**HB 1756** – Miller (Doug), Brown, Jett, Martin, Calvey, Liotta

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 9, 2005, at 1:30 p.m., which motion prevailed.

**MESSAGE FROM THE GOVERNOR**

Advising his approval May 5, 2005, of Enrolled **SBs 245, 283, 368, 413, 522, 580 and 587.**

Pursuant to the Fisher motion, the Senate adjourned at 9:20 a.m. to meet Monday, May 9, 2005, at 1:30 p.m.