

Senate Journal

Second Regular Session of the Fiftieth Legislature of the State of Oklahoma Sixteenth Legislative Day, Monday, March 6, 2006

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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.—47.

Vacancy: District 38.—1.

Senator Gumm declared a quorum present.

The prayer was offered by Reverend John McClemore, Central Christian Church, Enid, the guest of Senator Anderson.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 334, 511, 1040, 1294, 1353, 1364, 1368, 1385, 1401, 1455, 1463, 1515, 1560, 1563, 1598, 1634, 1640, 1655, 1674, 1676, 1677, 1680, 1682, 1720, 1738, 1742, 1754, 1756, 1799, 1800, 1829, 1901, 1909, 1910, 1913, 1917, 1941, 1947, 1971 and 2019 and SJRs 38, 48 and 62 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 1902 by Corn of the Senate and Morgan (Danny) of the House was called up for consideration.

Senator Corn moved that **SB 1902** be advanced, which motion was declared adopted.

THIRD READING

SB 1902 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Johnson (C), Pruitt and Taylor.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1902 was referred for engrossment.

GENERAL ORDER

SJR 58 by Corn of the Senate and Morgan (Danny) of the House was called up for consideration.

Senator Corn moved that **SJR 58** be advanced, which motion was declared adopted.

THIRD READING

SJR 58 was read for the third time at length.

On the question of passage of the resolution, 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Johnson (C), Pruitt and Taylor.--3.

Vacancy: District 38.--1.

The resolution passed.

SJR 58 was referred for engrossment.

GENERAL ORDER

SB 1319 by Brogdon of the Senate and Smaligo of the House was called up for consideration.

Senator Brogdon moved to amend **SB 1319**, Page 3, Lines 22 and 23, by restoring all stricken language, which amendment was declared adopted.

Senator Brogdon moved that **SB 1319** be advanced, which motion was declared adopted.

THIRD READING

SB 1319 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 (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddock, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Laughlin.--1.

Excused: Johnson (C), Pruitt and Taylor.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1319 was referred for engrossment.

GENERAL ORDER

SJR 43 by Corn of the Senate and Steele of the House was called up for consideration.

Senator Corn moved that **SJR 43** be advanced, which motion was declared adopted.

THIRD READING

SJR 43 was read for the third time at length.

On the question of passage of the resolution, 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The resolution passed.

SJR 43 was referred for engrossment.

GENERAL ORDER

SB 1029 by Lawler of the Senate and Walker of the House was called up for consideration.

Senator Lawler moved that **SB 1029** be advanced, which motion was declared adopted.

THIRD READING

SB 1029 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1029 was referred for engrossment.

GENERAL ORDER

SB 1862 by Easley of the Senate and McDaniel of the House was called up for consideration.

Senator Easley moved that **SB 1862** be advanced, which motion was declared adopted.

THIRD READING

SB 1862 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, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Gumm, Harrison, Hobson, Laster, Lawler, Leftwich, Nichols, Rabon, Riley, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--23.

Nay: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coffee, Crain, Ford, Garrison, Johnson (M), Jolley, Justice, Lamb, Laughlin, Lerblance, Mazzei, Myers, Paddack, Reynolds and Shurden.--21.

Excused: Johnson (C), Morgan and Pruitt.--3.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Easley served notice that the vote be reconsidered whereby **SB 1862** failed.

GENERAL ORDER

SB 1797 by Rabon of the Senate and Hyman of the House was called up for consideration.

Senator Rabon moved that **SB 1797** be advanced, which motion was declared adopted.

THIRD READING

SB 1797 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, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Harrison, Hobson, Laster, Lawler, Leftwich, Lerblance, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.--22.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Corn, Crain, Fisher, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Riley, Wilcoxson and Williamson.--22.

Excused: Johnson (C), Morgan and Pruitt.--3.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Rabon served notice that the vote be reconsidered whereby **SB 1797** failed.

GENERAL ORDER

SB 1479 by Wilson and Leftwich of the Senate and Walker of the House was called up for consideration.

Senators Gumm and Garrison asked to coauthor **SB 1479**, which was the order.

Senator Wilson moved that **SB 1479** be advanced, which motion was declared adopted.

THIRD READING

SB 1479 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Johnson (C), Morgan and Pruitt.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1479 was referred for engrossment.

GENERAL ORDER

SB 2047 by Leftwich of the Senate and Wilt of the House was called up for consideration.

Senator Leftwich moved to amend **SB 2047**, Page 3, Line 11, by deleting all language and renumbering subsequent paragraphs; Page 3, Line 14, by deleting all language and renumbering subsequent paragraphs; Page 3, Line 15, by adding the word “and “ after the word “training;”; and Page 3, Lines 16 through 22, by deleting all language and inserting “6. Any employer-driven training need.”, which amendment was declared adopted.

Senator Leftwich moved that **SB 2047** be advanced, which motion was declared adopted.

THIRD READING

SB 2047 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Taylor, Wilcoxson, Wilson and Wyrick.--41.

Nay: Brogdon and Williamson.--2.

Excused: Johnson (C), Morgan, Pruitt and Shurden.--4.

Vacancy: District 38.--1.

The bill passed.

SB 2047 was referred for engrossment.

GENERAL ORDER

SB 1737 by Hobson and Coffee of the Senate and Balkman of the House was called up for consideration.

Senator Hobson moved that **SB 1737** be advanced, which motion was declared adopted.

THIRD READING

SB 1737 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddock, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Johnson (C), Morgan and Pruitt.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1737 was referred for engrossment.

GENERAL ORDER

SB 1713 by Wyrick et al of the Senate and Nance of the House was called up for consideration.

Senator Wyrick asked that **SB 1713** be laid over temporarily, which was the order.

SB 1713 remains on General Order.

GENERAL ORDER

SB 752 by Eason McIntyre of the Senate and Wright of the House was called up for consideration.

Senator Anderson moved to amend **SB 752**, Page 176, Line 12 ½, by inserting a new Section 34 to read as follows:

“SECTION 34. AMENDATORY 70 O.S. 2001, Section 17-116.10, as last amended by Section 4, Chapter 315, O.S.L. 2004 (70 O.S. Supp. 2005, Section 17-116.10), is amended to read as follows:

Section 17-116.10.

§70-17-116.10. Post-retirement employment - Eligibility for continued benefits.

A. Subject to the requirements of Section 6-101.2 of this title and any other applicable requirements of law, a member may enter into post-retirement employment with a public school of Oklahoma and still receive monthly retirement benefits subject to the following limitations:

1. A retired member is not eligible to be employed by the public schools of Oklahoma, in any capacity, for sixty (60) calendar days between the retiree's last day of pre-retirement public-education employment and any post-retirement public-education employment. For purposes of this section, the term "last day of pre-retirement employment" shall mean the last day the employee is required to be physically present on the job to complete the terms of the employment contract or agreement. Employment under any conditions during this time, volunteer services for the purpose of obtaining a paid position at a later date, or payment at a later time for services performed during this time period shall cause the forfeiture of all retirement benefits received during the period;

2. Unless otherwise provided in paragraph 3 of this subsection, earnings from the public schools may not exceed one-half (1/2) of the member's final average salary used in computing retirement benefits, or the Earnings Limitation for employees allowed by the Social Security Administration, whichever is less. For retired members under the age of sixty-two (62) years, the limit on allowed earnings from the public schools of Oklahoma for employment for the performance of duties ordinarily performed by classified or nonclassified personnel shall be the lesser of ~~Fifteen Thousand Dollars (\$15,000.00)~~ Twenty-five Thousand Dollars (\$25,000.00) or one-half (1/2) of the member's final average salary used in computing retirement benefits unless the earnings limitation allowed by the Social Security Administration would be greater than Fifteen Thousand Dollars (\$15,000.00). For retired members sixty-two (62) years of age or older the limit on allowed earnings from the public schools of Oklahoma for the performance of duties ordinarily performed by classified or nonclassified personnel shall be the lesser of Thirty Thousand Dollars (\$30,000.00) or one-half (1/2) of the member's final average salary used in computing retirement benefits. For purposes of this paragraph, the following shall apply:

- a. earnings shall mean "regular annual compensation" as defined in paragraph (25) of Section 17-101 of this title, and shall include any payment by a public school for services rendered by a retired member who is employed for any purpose whatsoever. Supplemental retirement payments paid by a former public school employer pursuant to subsection 9 of Section 17-105 of this title or other state law shall not be considered as earnings,
- b. the Earnings Limitation for employees allowed by the Social Security Administration to workers between the age of sixty-two (62) years and

- sixty-five (65) years shall apply to retired members below the age of sixty-two (62) years,
- c. the limit on allowed earnings from the public schools shall be automatically adjusted effective the first day of January of each year to reflect the current Earnings Limitation for employees as determined from time to time by the Social Security Administration,
 - d. earnings in excess of the maximum limit on allowed earnings from public schools of Oklahoma shall result in a loss of future retirement benefits for the year the post-retirement employment was performed of One Dollar (\$1.00) for each One Dollar (\$1.00) earned over the maximum allowed earnings amount,
 - e. for those members age seventy (70) years and over, the earnings in excess of the maximum limit allowed earnings from public schools of Oklahoma shall be one-half (1/2) the member's final average salary used in computing retirement benefits. However, any retired member receiving benefits from the Retirement System who reached age seventy (70) years prior to July 1, 1991, shall not be restricted by the earnings limits pursuant to this subparagraph until January 1, 1994. To qualify for the provisions of this subparagraph, the member must be employed less than one-half (1/2) time compared to other full-time employees in similar positions;

3. Notwithstanding paragraph 2 of this subsection, a retired classified or nonclassified member who has been retired for thirty-six (36) or more months and who is employed by a public school to perform duties ordinarily performed by classified or nonclassified personnel shall be able to receive annualized earnings from the public school not to exceed Thirty Thousand Dollars (\$30,000.00); and

4. A member shall be considered to be employed by a school district to perform the duties ordinarily performed by classified or nonclassified personnel if the member is hired by the school district in the member's individual capacity to perform the duties or if the member performs the duties through employment with a proprietorship, partnership, corporation, limited liability company or partnership, or any other business structure that has agreed or contracted to provide the services to the school district.

B. A public school district that employs a retired member shall be required to make contributions to the System for the retired member in an amount as required in Section 17-108.1 of this title.

C. For purposes of this section, post-retirement employment of less than one thousand (1,000) hours per year with the Governor, the State Senate, the House of Representatives or the Legislative Service Bureau shall not be considered as post-retirement employment with a public school of Oklahoma.

D. The Board of Trustees of the Teachers' Retirement System of Oklahoma shall promulgate such rules as are necessary to implement the provisions of this section.

E. A member who has entered into post-retirement employment with a participating employer of the Teachers' Retirement System of Oklahoma must fully comply with all the provisions of the rules promulgated by the Board of Trustees pursuant to this section in order to continue receiving his or her monthly retirement benefit.", and by renumbering subsequent sections, which amendment was declared adopted.

Senator Wilson moved to amend **SB 752**, Page 56, Line 7, by inserting after the letter “C.” and before the word “Effective” the number “1.”; and Page 56, Line 11 ½, by inserting a new paragraph 2 to read as follows:

“2. Effective July 1, 2007, any persons receiving benefits pursuant to Section 49-101 of Title 11 of the Oklahoma Statutes shall each receive a monthly benefit equal to _____ Dollars (\$____) for each year of credited service not to exceed thirty (30) years of service.”, which amendment was declared adopted.

Senator Paddack moved to amend **SB 752**, Page 176, Line 12 ½, by inserting a new Section 34 to read as follows:

SECTION 34. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

“It is the intent of the Legislature that there shall be appropriated, to affected employers within the Teachers’ Retirement System of Oklahoma beginning with Fiscal Year 2007 and each fiscal year thereafter, sufficient funds to cover the costs associated with the increase in the employer contribution provided in Section 32 of this act.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Eason McIntyre moved that **SB 752** be advanced, which motion was declared adopted.

THIRD READING

SB 752 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, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

*Not Voting: Barrington.—1.

The bill and emergency passed.

*Senator Barrington asked to be shown not voting on **SB 752** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

SB 752 was referred for engrossment.

GENERAL ORDER

SB 1713 by Wyrick et al of the Senate and Nance of the House was called up for further consideration.

Senator Wyrick moved to amend **SB 1713**, Page 3, Line 13, by deleting after the comma and before the word “by” the word “or” and inserting in lieu thereof the word “and”, which amendment was declared adopted.

Senator Wyrick moved that **SB 1713** be advanced, which motion was declared adopted.

THIRD READING

SB 1713 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1713 was referred for engrossment.

GENERAL ORDER

SB 1915 by Cain of the Senate and Worthen of the House was called up for consideration.

Senator Cain moved that **SB 1915** be advanced, which motion was declared adopted.

THIRD READING

SB 1915 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1915 was referred for engrossment.

GENERAL ORDER

SB 1548 by Garrison of the Senate and Rousselot of the House was called up for consideration.

Senator Garrison moved that **SB 1548** be advanced, which motion was declared adopted.

THIRD READING

SB 1548 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, Cain, Capps, Coates, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Laster, Laughlin, Lawler, Leftwich, Lerblance, Morgan, Myers, Paddack, Rabon, Riley, Shurden, Taylor, Wilson and Wyrick.--30.

Nay: Branan, Brogdon, Coffee, Crain, Easley, Ford, Johnson (M), Jolley, Justice, Lamb, Mazzei, Reynolds, Wilcoxson and Williamson.--14.

Excused: Johnson (C), Nichols and Pruitt.--3.

Vacancy: District 38.--1.

The bill passed.

Senators Crain and Williamson desired to vote Aye and Senator Nichols desired to vote Nay on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 13; Excused: 2; Vacancy: 1.

The emergency passed.

SB 1548 was referred for engrossment.

GENERAL ORDER

SB 1782 by Lerblance of the Senate and Kiesel of the House was called up for consideration.

Senator Lerblance moved that **SB 1782** be advanced, which motion was declared adopted.

THIRD READING

SB 1782 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1782 was referred for engrossment.

GENERAL ORDER

SB 1082 by Corn of the Senate and Adkins of the House was called up for consideration.

Senator Corn moved that **SB 1082** be advanced, which motion was declared adopted.

THIRD READING

SB 1082 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, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--40.

Nay: Brogdon, Jolley, Laughlin, Nichols and Wilcoxson.--5.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1082 was referred for engrossment.

GENERAL ORDER

SB 1093 by Adelson of the Senate and Lamons of the House was called up for consideration.

Senator Riley asked to coauthor **SB 1093**, which was the order.

Senator Adelson moved that **SB 1093** be advanced, which motion was declared adopted.

THIRD READING

SB 1093 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 (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1093 was referred for engrossment.

GENERAL ORDER

SB 1096 by Adelson of the Senate and Balkman of the House was called up for consideration.

Senator Adelson moved that **SB 1096** be advanced, which motion was declared adopted.

THIRD READING

SB 1096 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, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Shurden.--1.

Excused: Harrison, Johnson (C) and Pruitt.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 1096** passed.

GENERAL ORDER

SB 1950 by Hobson and Adelson of the Senate and Nations of the House was called up for consideration.

Senator Hobson moved that **SB 1950** be advanced, which motion was declared adopted.

THIRD READING

SB 1950 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, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddack, Reynolds, Riley, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--38.

Nay: Aldridge, Anderson, Crain, Jolley, Myers, Rabon and Shurden.--7.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1950 was referred for engrossment.

GENERAL ORDER

SB 1874 by Laster of the Senate and Braddock of the House was called up for consideration.

Senator Laster moved to amend **SB 1874**, Page 1, by striking the title, to which request objection was heard. Senator Laster pressed his amendment to strike the title, which amendment was declared adopted upon division of the question.

Senator Laster moved that **SB 1874** be advanced, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Laster, Lawler, Leftwich, Lerblance, Morgan, Rabon, Shurden, Taylor, Wilson and Wyrick.--23.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Paddack, Reynolds, Riley, Wilcoxson and Williamson.--22.

Excused: Johnson (C) and Pruitt.--2.

Vacancy: District 38.--1.

THIRD READING

SB 1874 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, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Rabon, Wilson and Wyrick.--21.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Fisher, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Paddack, Reynolds, Riley, Shurden, Taylor, Wilcoxson and Williamson.--25.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

Pursuant to Rule 12-23, Senator Laster served notice that the vote be reconsidered whereby **SB 1874** failed.

Senator Fisher moved that the Senate recess until 1:30 p.m., 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 1925 by Leftwich of the Senate and Terrill of the House was called up for consideration.

Senator Leftwich moved that **SB 1925** be advanced, which motion was declared adopted.

THIRD READING

SB 1925 was read for the third time at length.

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

Aye: Bass, Cain, Capps, Coates, Corn, Crutchfield, Easley, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Justice, Lawler, Leftwich, Lerblance, Myers, Paddack, Rabon, Reynolds, Riley, Wilson and Wyrick.--25.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Crain, Ford, Jolley, Lamb, Laster, Laughlin, Mazzei, Nichols, Wilcoxson and Williamson.--15.

Excused: Adelson, Coffee, Eason McIntyre, Morgan, Pruitt, Shurden and Taylor.--7.

Vacancy: District 38.--1.

The bill passed.

Senators Crain and Branan desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 27; Nay: 13; Excused: 7; Vacancy: 1.

The emergency failed.

Pursuant to Rule 12-23, Senator Laster served notice that the vote be reconsidered whereby **SB 1925** passed and the emergency failed.

GENERAL ORDER

SB 1951 by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved that **SB 1951** be advanced, which motion was declared adopted.

THIRD READING

SB 1951 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, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.--40.

Nay: Anderson, Brogdon and Laughlin.--3.

Excused: Morgan, Pruitt, Shurden and Taylor.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1951 was referred for engrossment.

GENERAL ORDER

SB 1578 by Fisher of the Senate and Adkins of the House was called up for consideration.

Senator Fisher moved that **SB 1578** be advanced, which motion was declared adopted.

THIRD READING

SB 1578 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm,

Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Brogdon and Laughlin.--2.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1578 was referred for engrossment.

GENERAL ORDER

SJR 47 by Shurden of the Senate and Calvey of the House was called up for consideration.

Senator Shurden moved that **SJR 47** be advanced, which motion was declared adopted.

THIRD READING

SJR 47 was read for the third time at length.

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

Aye: Adelson, Cain, Corn, Fisher, Gumm, Harrison, Hobson, Lerblance, Morgan, Rabon, Riley, Shurden, Taylor and Wilson.--14.

Nay: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Capps, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Mazzei, Myers, Nichols, Paddack, Reynolds, Wilcoxson, Williamson and Wyrick.--32.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The resolution failed

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SJR 47** failed.

Senator Corn presiding.**GENERAL ORDER**

SB 1434 by Adelson of the Senate and Steele of the House was called up for consideration.

Senators Corn, Leftwich and Garrison asked to coauthor **SB 1434**, which was the order.

Senator Riley moved to amend **SB 1434**, Page 5, Line 1, by deleting after the word “packaging” and before the semicolon the words “whenever possible”, which amendment was declared adopted.

Senator Adelson moved that **SB 1434** be advanced, which motion was declared adopted.

THIRD READING

SB 1434 was read for the third time at length.

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

Aye: Adelson, Anderson, Bass, Branan, Cain, Capps, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Laughlin, Lawler, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.--30.

Nay: Aldridge, Barrington, Brogdon, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Mazzei, Myers, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--17.

Vacancy: District 38.--1.

The bill passed.

Senators Crain, Mazzei, Riley, Myers, Lamb and Barrington desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36; Nay: 11; Vacancy: 1.

The emergency passed.

SB 1434 was referred for engrossment.

GENERAL ORDER

SB 1313 by Gumm and Mazzei of the Senate and Calvey of the House was called up for consideration.

Senator Gumm moved that **SB 1313** be advanced, which motion was declared adopted.

THIRD READING

SB 1313 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1313 was referred for engrossment.

GENERAL ORDER

SB 1965 by Gumm of the Senate and Calvey of the House was called up for consideration.

Senator Gumm moved that **SB 1965** be advanced, which motion was declared adopted.

THIRD READING

SB 1965 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Reynolds.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1965 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Lamb moved to reconsider the vote whereby **SB 1763** failed.

Senator Rabon moved to table the Lamb motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Adelson, Bass, Brogdon, Capps, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Johnson (C), Johnson (M), Laster, Laughlin, Lawler, Lerblance, Morgan, Myers, Paddack, Rabon, Shurden, Wilson and Wyrick.--27.

Nay: Aldridge, Anderson, Barrington, Branan, Cain, Coates, Coffee, Hobson, Jolley, Justice, Lamb, Leftwich, Mazzei, Nichols, Pruitt, Reynolds, Riley, Taylor, Wilcoxson and Williamson.--20.

Vacancy: District 38.--1.

GENERAL ORDER

SB 1773 by Rabon of the Senate and Case of the House was called up for consideration.

Senator Rabon moved that **SB 1773** be advanced, which motion was declared adopted.

THIRD READING

SB 1773 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1773 was referred for engrossment.

GENERAL ORDER

SB 1774 by Rabon of the Senate and Case of the House was called up for consideration.

Senator Rabon moved that **SB 1774** be advanced, which motion was declared adopted.

THIRD READING

SB 1774 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1774 was referred for engrossment.

GENERAL ORDER

SB 1664 by Gumm et al of the Senate and Nance and Piatt of the House was called up for consideration.

Senator Gumm moved to amend **SB 1664**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Gumm moved that **SB 1664** be advanced, which motion was declared adopted.

THIRD READING

SB 1664 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1664 was referred for engrossment.

GENERAL ORDER

SB 1792 by Paddack et al of the Senate and Dank of the House was called up for consideration.

Senator Paddack moved that **SB 1792** be advanced, which motion was declared adopted.

THIRD READING

SB 1792 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, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Jolley, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Shurden, Taylor, Wilcoxson, Williamson and Wyrick.--32.

Nay: Aldridge, Anderson, Barrington, Capps, Crain, Easley, Ford, Johnson (M), Justice, Lamb, Lawler, Pruitt, Rabon, Riley and Wilson.--15.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1792 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Jolley moved to reconsider the vote whereby **SB 1942** passed, 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

THIRD READING

Senator Jolley moved to reconsider the vote whereby **SB 1942** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 1942 by Jolley et al of the Senate and Newport of the House was called up for consideration.

Senator Laughlin moved to amend **SB 1942**, Page 21, Line 8 1/2, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 68 O.S. 2001, Section 1362, as last amended by Section 69, Chapter 5, O.S.L. 2004 (68 O.S. Supp. 2005, Section 1362), is amended to read as follows:

Section 1362.

A. Except as otherwise provided by Section 1361 of this title, the tax levied pursuant to the provisions of the Oklahoma Sales Tax Code, Section 1350 et seq. of this title, shall be remitted or paid to the Oklahoma Tax Commission by the vendor of tangible personal property, services, privileges, admissions, dues, fees, or any other item subject to the tax levied pursuant to the provisions of the Oklahoma Sales Tax Code.

B. The amount of tax to be collected by the vendor or to be remitted by the holder of a direct payment permit on each sale shall be the applicable percentage of the gross receipts or gross proceeds thereof as provided by Section 1354 of this title. The applicable percentage shall equal the combination of the state and any applicable municipal and county sales tax rates. In computing the tax to be collected or remitted as the result of any transaction, the tax amount must be carried to the third decimal place when the tax amount is expressed in dollars. The tax must be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four. The vendor or direct payment permit holder may elect to compute the tax due on transactions on an item or invoice basis.

C. For the convenience of the vendor or direct payment permit holder, the Tax Commission is hereby authorized to establish and revise, when necessary, bracket system guidelines to be followed in collecting the tax levied pursuant to the provisions of the Oklahoma Sales Tax Code, any municipal sales tax, or county sales tax.

The use of bracket system guidelines does not relieve the vendor or direct payment permit holder from the duty and liability to remit to the Tax Commission, an amount equal to the applicable percentage of the gross receipts or gross proceeds derived from all sales during the taxable period as provided by Section 1354 of this title.

D. Except as otherwise provided by Section 1361 of this title, each person required pursuant to the provisions of the Oklahoma Sales Tax Code to make a sales tax report shall include in the gross proceeds derived from sales to consumers or users, the sales value of all tangible personal property which has been purchased for resale, manufacturing, or further processing, and withdrawn from stock in trade for use or consumption during the taxable period covered by such report, and shall pay the tax on the sales value of this tangible personal property withdrawn from stock in trade for consumption or use; provided, such tax shall not be due on such tangible personal property which has been donated ~~for the purpose of assisting persons affected by the tornadoes occurring May 3, 1999, or May 8 or 9, 2003~~ to an organization or entity exempt from the payment of sales tax pursuant to Sections 1356 or 1357 of this title.

E. All persons, either within or without the state, selling merchandise or other tangible personal property in this state through peddlers, solicitors, or other salespersons who do not have established places of business in this state, shall remit or pay the tax levied pursuant to the provisions of the Oklahoma Sales Tax Code and shall be required to file reports and pay the taxes due on all sales made to consumers or users by themselves or by their peddlers, solicitors, or other salespersons.

F. All persons defined as Group Five vendors remitting sales tax based upon use of motor fuel or diesel fuel as a sale shall include in a monthly sales tax report the number of

gallons of fuel so used and the sales price of the motor fuel or diesel fuel. The amount of tax to be remitted by the Group Five vendor shall be the applicable percentage as provided by Section 1354 of this title, of the sales price of the fuel used during the applicable reporting period.”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Jolley moved that **SB 1942** be advanced, which motion was declared adopted.

THIRD READING

SB 1942 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1942 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Shurden moved to reconsider the vote whereby **SB 1295** passed and the emergency failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Aldridge.--1.

Vacancy: District 38.--1.

THIRD READING

SB 1295 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, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Nay: Crain.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1295 was referred for engrossment.

GENERAL ORDER

SB 558 by Shurden and Coates of the Senate and Liotta of the House was called up for consideration.

Senator Shurden moved that **SB 558** be advanced, which motion was declared adopted.

THIRD READING

SB 558 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, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilson and Wyrick.--43.

Nay: Corn, Wilcoxson and Williamson.--3.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 558 was referred for engrossment.

GENERAL ORDER

SB 267 by Crutchfield of the Senate and Case of the House was called up for consideration.

Senator Crutchfield moved that **SB 267** be advanced, which motion was declared adopted.

THIRD READING

SB 267 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 267 was referred for engrossment.

Senator Taylor presiding.

GENERAL ORDER

SB 1770 by Fisher of the Senate and Carey of the House was called up for consideration.

Senator Fisher moved that **SB 1770** be advanced, which motion was declared adopted.

THIRD READING

SB 1770 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1770 was referred for engrossment.

GENERAL ORDER

SB 1867 by Corn of the Senate and Armes of the House was called up for consideration.

Senator Justice moved to amend **SB 1867**, Page 1, Line 9 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 21 O.S. 2001, Section 443, as amended by Section 1, Chapter 74, O.S.L. 2005 (21 O.S. Supp. 2005, Section 443), is amended to read as follows:

Section 443. A. Any person having been imprisoned in a county or city jail or detained in a juvenile detention facility awaiting charges on a felony offense or prisoner awaiting trial or having been sentenced on a felony charge to the custody of the Department of Corrections or any other prisoner having been lawfully detained who escapes from a juvenile detention facility while actually confined therein or escapes from a county or city jail, either while actually confined therein, while permitted to be at large as a trusty, or while awaiting transportation to a Department of Corrections facility for execution of sentence, shall be guilty of a felony punishable by imprisonment of not less than one (1) year nor more than seven (7) years.

B. Any person who is an inmate in the custody of the Department of Corrections who escapes from said custody, either while actually confined in a correctional facility, while assigned to an alternative to incarceration authorized by law, while assigned to the Parole Conditional Supervision Program as authorized by Section 365 of Title 57 of the Oklahoma Statutes or while permitted to be at large as a trusty, shall be guilty of a felony punishable by imprisonment of not less than two (2) years nor more than seven (7) years.

C. For the purposes of this section, an inmate assigned to an alternative to incarceration authorized by law or to the Preparole Conditional Supervision Program shall be considered to have escaped if the inmate cannot be located within a twenty-four hour period or if he or she fails to report to a correctional facility or institution, as directed. This includes any person escaping by absconding from an electronic monitoring device or absconding after removing an electronic monitoring device from their body.

D. For the purposes of this section, if the individual who escapes has felony convictions for offenses other than the offense for which ~~he~~ the person was serving imprisonment at the time of ~~his~~ the escape, those previous felony convictions may be used for enhancement of punishment pursuant to the provisions of Section 434 of this ~~act~~ title. The fact that any such convictions may have been used to enhance punishment in the sentence for the offense for which ~~he~~ the person was imprisoned at the time of the escape shall not prevent such convictions from being used to enhance punishment for the escape.” and by renumbering subsequent sections, which amendment was declared adopted.

Senator Corn moved that **SB 1867** be advanced, which motion was declared adopted.

THIRD READING

SB 1867 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Cain.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1867 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2097, 2107, 2134, 2363, 2365, 2375, 2476, 2480, 2513, 2514, 2621, 2635, 2662, 2753, 2789, 2813, 2839, 2840, 2891, 2904** and **3139**.

HB 2097 – By Dank and Nance of the House and Wilcoxson of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-194, as last amended by Section 1, Chapter 127, O.S.L. 2005 (70 O.S. Supp. 2005, Section 6-194), which relates to school district professional development programs; requiring certain training on recognition and reporting of child abuse; providing an effective date; and declaring an emergency.

HB 2107 – By Kern, Dank, Deutschendorf, Wesselhoft, Balkman, Calvey, Cargill, Coody, Hickman, Terrill, Tibbs and Winchester of the House and Brogdon of the Senate.

An Act relating to schools; creating the Academic Freedom Act; stating legislative finding and intent; providing rights and protection for public school teachers to present certain scientific views; providing employment protection for public school teachers who present certain information; providing academic protection for students who subscribe to certain scientific positions; clarifying application of rights under the act; providing for construction of the act; providing for codification; providing for noncodification; and providing an effective date.

HB 2134 – By Wright, Lamons, Blackwell, Duncan, Nance, Perry, Adkins, Brannon, Calvey, Gilbert, Martin, Morgan (Fred), Peterson (Pam), Shumate, Smaligo, Smithson, Sullivan, Terrill and Tibbs of the House and Eason McIntyre of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 13.1, as amended by Section 7, Chapter 22, O.S.L. 2002 (21 O.S. Supp. 2005, Section 13.1), which relates to prison sentences; adding home invasion to mandatory minimum percentage requirement; prohibiting home invasion; providing penalty; providing for codification; and providing an effective date.

HB 2363 – By Banz of the House and Riley of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 8-103.2, which relates to education transfers; modifying extramural athletic competition eligibility requirements; allowing the transfer of students whose parents or legal guardians are teachers; providing for codification; providing an effective date; and declaring an emergency.

HB 2365 – By Martin, Blackwell, Duncan, Nance and Terrill of the House and Ford of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1738, as amended by Section 13, Chapter 460, O.S.L. 2002 (21 O.S. Supp. 2005, Section 1738), which relates to seizure and forfeiture proceedings; authorizing forfeiture of property for violation of certain laws; and providing an effective date.

HB 2375 – By Newport of the House and Aldridge of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Section 1106, which relates to surplus lines; modifying what constitutes surplus line; modifying conditions for procuring surplus line insurance; and providing an effective date.

HB 2476 – By Rousselot, Nance, Askins, Auffet, Roan and Nations of the House and Easley of the Senate.

An Act relating to Oklahoma Drug Court Act; amending 22 O.S. 2001, Section 471.1, which relates to authorization of drug court programs; expanding scope of drug court program provisions; and providing an effective date.

HB 2480 – By Rousselot and Nance of the House and Easley of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 701.16, which relates to solicitation for murder in the first degree; providing statute of limitations for certain offense; defining term; and providing an effective date.

HB 2513 – By Terrill and Nance of the House and Crain of the Senate.

An Act relating to bail bondsmen; amending 59 O.S. 2001, Sections 1306, as amended by Section 35, Chapter 307, O.S.L. 2002 and 1327, as last amended by Section 1, Chapter 71, O.S.L. 2005 (59 O.S. Supp. 2005, Sections 1306 and 1327), which relate to professional requirements for bail bondsmen; modifying certain financial requirements; modifying circumstances for which bondsman and insurer are exonerated for further liability; prohibiting certain act and providing penalty therefor; providing for codification; and providing an effective date.

HB 2514 – By Young of the House and Eason McIntyre of the Senate.

An Act relating to the Oklahoma Public Employees Retirement System; amending 74 O.S. 2001, Sections 918, as last amended by Section 98, Chapter 3, O.S.L. 2003 and 919.1, as last amended by Section 5, Chapter 539, O.S.L. 2004 (74 O.S. Supp. 2005, Sections 918 and 919.1), which relate to certain benefits and employee contributions; modifying provisions related to Option C benefit; authorizing payment of actuarially based lump-sum amounts based upon certain events; modifying employee contribution amounts for certain employees; making effectiveness of certain provisions contingent upon certain action of the Legislature; providing an effective date; and declaring an emergency.

HB 2621 – By Walker of the House and Wyrick of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 4-106, as amended by Section 1, Chapter 94, O.S.L. 2003 (29 O.S. Supp. 2005, Section 4-106), which relates to commercial hunting area licenses; changing fee for big game or combination big game and upland game commercial hunting area license; updating statutory language; amending 29 O.S. 2001, Section 4-112, as last amended by Section 2, Chapter 382, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-112), which relates to hunting licenses; deleting nonresident commercial hunting area big game ten-day permit; requiring nonresidents hunting in certain commercial hunting area to have nonresident hunting license; exempting residents hunting in certain commercial hunting areas from deer gun, archery, and primitive firearms hunting licenses and elk or antelope hunting licenses; deleting nonresident commercial hunting area big game ten-day permit fee; providing an effective date; and declaring an emergency.

HB 2635 – By Ingmire and Shelton of the House and Bass of the Senate.

An Act relating to contracts; amending Sections 2, 3, and 5, Chapter 233, O.S.L. 2005 (15 O.S. Supp. 2005, Sections 796, 797 and 798.1), which relate to the Gift Certificate and

Gift Card Disclosure Act; adding definition; modifying exemptions; and providing an effective date.

HB 2662 – By Roan, Nance, Smithson and Brannon of the House and Corn of the Senate.

An Act relating to Oklahoma Drug Court Act; amending 22 O.S. 2001, Section 471.6, which relates to final eligibility hearing and acceptance into program; authorizing modification of driver license revocation or denial by judge under certain circumstances; and providing an effective date.

HB 2753 – By Thompson, Terrill, Braddock, Brannon, Covey, Deutschendorf, Duncan, Lindley, Nance, Shelton, Smithson and Turner of the House and Jolley of the Senate.

(revenue and taxation - 47 O.S., Section 1135.2 - special license plates - amending 68 O.S., Sections 1357, 2105, and 2358 - sales tax exemption - veterans - effective dates - emergency)

HB 2789 – By Adkins and Smaligo of the House and Corn of the Senate.

(revenue and taxation – amending 68 O.S., Section 2357.11 – credits – Oklahoma-mined coal)

HB 2813 – By Denney, Worthen, Smithson, Jackson, Sullivan, Nance, McMullen and Auffet of the House and Shurden of the Senate.

An Act relating to animals; amending 4 O.S. 2001, Sections 44 and 47, which relate to dangerous dogs; expanding and modifying scope of certain definitions; adding definition; modifying penalties; providing for strict liability of damages under certain circumstances; providing an exception; making certain action unlawful; providing penalty; and declaring an emergency.

HB 2839 – By Winchester, Steele, Hiatt, Nance, Blackwell, Case, Duncan, Calvey, Cooksey, Denney, DePue, Lamons, Martin, Terrill and Thompson of the House and Lamb of the Senate.

An Act relating to sex offenders; amending Section 3, Chapter 455, O.S.L. 2002 (21 O.S. Supp. 2005, Section 51.1a), which relates to second and subsequent offenses; expanding scope of sentencing requirements; amending 21 O.S. 2001, Section 1123, as last amended by Section 1, Chapter 159, O.S.L. 2003 and Section 1, Chapter 209, O.S.L. 2003 (21 O.S. Supp. 2005, Sections 1123 and 1125), which relate to lewd molestation and zone of safety; modifying penalties; making certain acts unlawful; providing penalties; expanding scope of prohibited act; amending 22 O.S. 2001, Section 991a, as last amended by Section 2, Chapter 441, O.S.L. 2005 (22 O.S. Supp. 2005, Section 991a), which relates to sentencing powers of the court; prohibiting courts and district attorneys from waiving or exempting certain persons from registration requirements; amending 57 O.S. 2001, Section 584, as last amended by Section 9, Chapter 465, O.S.L. 2005 and Section 1, Chapter 223, O.S.L. 2003 (57 O.S. Supp. 2005, Sections 584 and 590), which relate to the Sex Offenders Registration Act; providing for the assessment of certain fees; specifying distribution of

fees; directing the use of fees; expanding scope of certain unlawful act; clarifying residency restriction; providing for codification; and providing an effective date.

HB 2840 – By Steele, Winchester, Hiatt, Jackson, Kern, Peterson (Pam), Wesselhoft, Sullivan, Coody, Cox, Gilbert, Miller (Ken), Balkman, Blackwell, Calvey, Dank, Denney, DePue, Duncan, Morgan (Fred), Nance, Terrill and Thompson of the House and Coates of the Senate.

An Act relating to children; creating the Kelsey Smith-Briggs Child Protection Reform Act; amending 10 O.S. 2001, Section 601.6, which relates to the Office of Juvenile System Oversight; expanding the duties of the Office of Juvenile System Oversight; amending 10 O.S. 2001, Sections 7003-3.7, 7003-4.1, 7003-6.2, 7003-6.2A and 7005-1.4, which relate to Oklahoma Children's Code; requiring attorney to communicate certain information to court under certain circumstances; providing certain requirements of court-appointed special advocates; providing for use of uniform orders; directing certain entity to publish forms; directing certain entities to assist in development of orders; requiring certain information be included on form; modifying time limitations for notice of appeal; requiring appeal by district attorney upon request by certain person; providing for written notice; modifying appeal procedures; expanding scope of hearing requirement; authorizing representative of certain entity to provide testimony under certain circumstances; authorizing cross-examination of representative of certain entity; requiring the Department of Human Services to establish a performance-based incentive compensation program for certain employees; expanding scope of records disclosure requirement; establishing the Oklahoma Children and Juvenile Law Reform Committee; directing cooperation; stating Committee membership, method of appointment, term and procedure for vacancies; stating purposes and duties for Committee; establishing dates for Committee to submit recommendations; providing termination date for Committee; providing for appointment of cochairs and officers; authorizing travel reimbursement; providing for meetings, quorum and record-keeping; requiring progress reports; providing staff to assist Committee; authorizing judge of district court to request an investigation under certain circumstances; amending 10 O.S. 2001, Section 7106, which relates to the Oklahoma Child Abuse Reporting and Prevention Act; deleting utilization of certain program; authorizing request for investigation under certain circumstances; amending 74 O.S. 2001, Section 150.5, as last amended by Section 1, Chapter 278, O.S.L. 2005 (74 O.S. Supp. 2005, Section 150.5), which relates to persons to initiate request for investigations by Oklahoma State Bureau of Investigation; authorizing certain persons to request an investigation under certain circumstances; providing for codification; providing for noncodification; and providing an effective date.

HB 2891 – By Denney and Nance of the House and Coates of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 698.16, as amended by Section 2, Chapter 172, O.S.L. 2005, and Section 1, Chapter 78, O.S.L. 2004 (59 O.S. Supp. 2005, Sections 698.16 and 698.29), which relate to the Oklahoma Veterinary Practice Act; modifying certain requirements; and providing an effective date.

HB 2904 – By Miller (Ken) and Smithson of the House and Lamb of the Senate.
(revenue and taxation - Ad Valorem Tax Code - codification - effective date)

HB 3139 – By Morgan (Fred) of the House and Laster of the Senate.

An Act relating to duplicate sections; amending, merging, consolidating, and repealing duplicate sections; amending 21 O.S. 2001, Section 1220, as last amended by Section 1, Chapter 291, O.S.L. 2005 (21 O.S. Supp. 2005, Section 1220); repealing 21 O.S. 2001, Section 1220, as last amended by Section 1, Chapter 190, O.S.L. 2005 (21 O.S. Supp. 2005, Section 1220); amending 22 O.S. 2001, Section 991a, as last amended by Section 2, Chapter 441, O.S.L. 2005 (22 O.S. Supp. 2005, Section 991a); repealing 22 O.S. 2001, Section 991a, as last amended by Section 1, Chapter 183, O.S.L. 2005 (22 O.S. Supp. 2005, Section 991a); repealing 22 O.S. 2001, Section 1230, as amended by Section 3, Chapter 426, O.S.L. 2005 (22 O.S. Supp. 2005, Section 1230); amending 25 O.S. 2001, Section 307.1, as last amended by Section 1, Chapter 232, O.S.L. 2005 (25 O.S. Supp. 2005, Section 307.1); repealing 25 O.S. 2001, Section 307.1, as last amended by Section 24, Chapter 129, O.S.L. 2005 (25 O.S. Supp. 2005, Section 307.1); amending 28 O.S. 2001, Section 153, as last amended by Section 4, Chapter 208, O.S.L. 2005 (28 O.S. Supp. 2005, Section 153); repealing 28 O.S. 2001, Section 153, as last amended by Section 5, Chapter 192, O.S.L. 2005 (28 O.S. Supp. 2005, Section 153); amending 29 O.S. 2001, Section 4-110, as last amended by Section 1, Chapter 382, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-110); repealing 29 O.S. 2001, Section 4-110, as last amended by Section 2, Chapter 214, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-110); amending 29 O.S. 2001, Section 4-112, as last amended by Section 3, Chapter 214, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-112); repealing 29 O.S. 2001, Section 4-112, as last amended by Section 1, Chapter 281, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-112); repealing 29 O.S. 2001, Section 4-112, as last amended by Section 4, Chapter 304, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-112); repealing 29 O.S. 2001, Section 4-112, as last amended by Section 2, Chapter 382, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-112); amending 29 O.S. 2001, Section 4-114, as last amended by Section 4, Chapter 214, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-114); repealing 29 O.S. 2001, Section 4-114, as last amended by Section 1, Chapter 304, O.S.L. 2005 (29 O.S. Supp. 2005, Section 4-114); amending 43A O.S. 2001, Section 1-103, as last amended by Section 1, Chapter 195, O.S.L. 2005 (43A O.S. Supp. 2005, Section 1-103); repealing 43A O.S. 2001, Section 1-103, as last amended by Section 1, Chapter 150, O.S.L. 2005 (43A O.S. Supp. 2005, Section 1-103); amending 43A O.S. 2001, Section 1-109, as last amended by Section 3, Chapter 195, O.S.L. 2005 (43A O.S. Supp. 2005, Section 1-109); repealing 43A O.S. 2001, Section 1-109, as last amended by Section 5, Chapter 150, O.S.L. 2005 (43A O.S. Supp. 2005, Section 1-109); amending 43A O.S. 2001, Section 3-415, as last amended by Section 17, Chapter 150, O.S.L. 2005 (43A O.S. Supp. 2005, Section 3-415); repealing 43A O.S. 2001, Section 3-415, as last amended by Section 20, Chapter 195, O.S.L. 2005 (43A O.S. Supp. 2005, Section 3-415); amending 43A O.S. 2001, Section 5-501, as last amended by Section 50, Chapter 150, O.S.L. 2005 (43A O.S. Supp. 2005, Section 5-501); repealing 43A O.S. 2001, Section 5-501, as last amended by Section 1, Chapter 110, O.S.L. 2005 (43A O.S. Supp. 2005, Section 5-501); amending 47 O.S. 2001, Section 6-106, as last amended by Section 1, Chapter 394, O.S.L. 2005 (47 O.S. Supp. 2005, Section 6-106); repealing 47 O.S. 2001, Section 6-106, as last amended by Section 1, Chapter 36, O.S.L. 2005 (47 O.S. Supp. 2005, Section 6-106); repealing 47 O.S.

2001, Section 11-810, as amended by Section 9, Chapter 190, O.S.L. 2005 (47 O.S. Supp. 2005, Section 11-810); amending 47 O.S. 2001, Section 11-902, as last amended by Section 1, Chapter 189, O.S.L. 2005 (47 O.S. Supp. 2005, Section 11-902); repealing 47 O.S. 2001, Section 11-902, as last amended by Section 2, Chapter 167, O.S.L. 2005 (47 O.S. Supp. 2005, Section 11-902); amending 47 O.S. 2001, Section 18-101, as last amended by Section 1, Chapter 103, O.S.L. 2005 (47 O.S. Supp. 2005, Section 18-101); repealing 47 O.S. 2001, Section 18-101, as last amended by Section 12, Chapter 190, O.S.L. 2005 (47 O.S. Supp. 2005, Section 18-101); repealing Section 1, Chapter 411, O.S.L. 2005 (47 O.S. Supp. 2005, Section 1120.2); amending 51 O.S. 2001, Section 24A.5, as amended by Section 5, Chapter 199, O.S.L. 2005 (51 O.S. Supp. 2005, Section 24A.5); repealing 51 O.S. 2001, Section 24A.5, as amended by Section 1, Chapter 223, O.S.L. 2005 (51 O.S. Supp. 2005, Section 24A.5); amending 51 O.S. 2001, Section 24A.8, as amended by Section 6, Chapter 199, O.S.L. 2005 (51 O.S. Supp. 2005, Section 24A.8); repealing 51 O.S. 2001, Section 24A.8, as amended by Section 1, Chapter 35, O.S.L. 2005 (51 O.S. Supp. 2005, Section 24A.8); amending 59 O.S. 2001, Section 161.4, as last amended by Section 1, Chapter 16, O.S.L. 2005 (59 O.S. Supp. 2005, Section 161.4); repealing 59 O.S. 2001, Section 161.4, as last amended by Section 1, Chapter 149, O.S.L. 2005 (59 O.S. Supp. 2005, Section 161.4); repealing 59 O.S. 2001, Section 353.18, as last amended by Section 1, Chapter 357, O.S.L. 2005 (59 O.S. Supp. 2005, Section 353.18); amending 59 O.S. 2001, Section 2082, as last amended by Section 1, Chapter 131, O.S.L. 2005 (59 O.S. Supp. 2005, Section 2082); repealing 59 O.S. 2001, Section 2082, as last amended by Section 1, Chapter 112, O.S.L. 2005 (59 O.S. Supp. 2005, Section 2082); repealing 59 O.S. 2001, Section 3003, as last amended by Section 3, Chapter 285, O.S.L. 2005 (59 O.S. Supp. 2005, Section 3003); amending 63 O.S. 2001, Section 1-1951, as last amended by Section 13, Chapter 460, O.S.L. 2005 (63 O.S. Supp. 2005, Section 1-1951); repealing 63 O.S. 2001, Section 1-1951, as last amended by Section 1, Chapter 235, O.S.L. 2005 (63 O.S. Supp. 2005, Section 1-1951); amending 63 O.S. 2001, Section 1-2509, as amended by Section 1, Chapter 191, O.S.L. 2005 (63 O.S. Supp. 2005, Section 1-2509); repealing 63 O.S. 2001, Section 1-2509, as amended by Section 2, Chapter 204, O.S.L. 2005 (63 O.S. Supp. 2005, Section 1-2509); amending 63 O.S. 2001, Section 4021, as last amended by Section 18, Chapter 190, O.S.L. 2005 (63 O.S. Supp. 2005, Section 4021); repealing 63 O.S. 2001, Section 4021, as last amended by Section 100, Chapter 1, O.S.L. 2005 (63 O.S. Supp. 2005, Section 4021); repealing 68 O.S. 2001, Section 602, as amended by Section 2, Chapter 411, O.S.L. 2005 (68 O.S. Supp. 2005, Section 602); amending 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 296, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 279, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 8, Chapter 381, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 449, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 456, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 1, Chapter 475, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); repealing 68 O.S. 2001, Section 1356, as last amended by Section 13, Chapter 479, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1356); amending 68 O.S. 2001, Section 1357, as last amended by Section 9, Chapter 381, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1357); repealing 68 O.S. 2001, Section 1357, as last amended by Section 1, Chapter

293, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1357); repealing 68 O.S. 2001, Section 1357, as last amended by Section 1, Chapter 295, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1357); repealing 68 O.S. 2001, Section 1357, as last amended by Section 1, Chapter 383, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1357); repealing 68 O.S. 2001, Section 1357, as last amended by Section 14, Chapter 479, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1357); amending 68 O.S. 2001, Section 2355, as last amended by Section 4, Chapter 413, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2355); repealing 68 O.S. 2001, Section 2355, as last amended by Section 10, Chapter 381, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2355); amending 68 O.S. 2001, Section 2358, as last amended by Section 12, Chapter 381, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2358); repealing 68 O.S. 2001, Section 2358, as last amended by Section 1, Chapter 237, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2358); repealing 68 O.S. 2001, Section 2358, as last amended by Section 1, Chapter 354, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2358); repealing 68 O.S. 2001, Section 2358, as last amended by Section 9, Chapter 413, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2358); repealing 68 O.S. 2001, Section 2358, as last amended by Section 6, Chapter 1, 1st Extraordinary Session, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2358); amending 68 O.S. 2001, Section 2817, as last amended by Section 13, Chapter 381, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2817); repealing 68 O.S. 2001, Section 2817, as last amended by Section 1, Chapter 451, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2817); amending 68 O.S. 2001, Section 2902, as last amended by Section 22, Chapter 479, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2902); repealing 68 O.S. 2001, Section 2902, as last amended by Section 1, Chapter 286, O.S.L. 2005 (68 O.S. Supp. 2005, Section 2902); amending 68 O.S. 2001, Section 3603, as last amended by Section 1, Chapter 352, O.S.L. 2005 (68 O.S. Supp. 2005, Section 3603); repealing 68 O.S. 2001, Section 3603, as last amended by Section 1, Chapter 390, O.S.L. 2005 (68 O.S. Supp. 2005, Section 3603); amending 69 O.S. 2001, Section 1705, as last amended by Section 4, Chapter 474, O.S.L. 2005 (69 O.S. Supp. 2005, Section 1705); repealing 69 O.S. 2001, Section 1705, as last amended by Section 4, Chapter 68, O.S.L. 2005 (69 O.S. Supp. 2005, Section 1705); amending 70 O.S. 2001, Section 1210.508B, as last amended by Section 2, Chapter 431, O.S.L. 2005 (70 O.S. Supp. 2005, Section 1210.508B); repealing 70 O.S. 2001, Section 1210.508B, as last amended by Section 2, Chapter 385, O.S.L. 2005 (70 O.S. Supp. 2005, Section 1210.508B); amending 74 O.S. 2001, Section 150.12, as last amended by Section 1, Chapter 378, O.S.L. 2005 (74 O.S. Supp. 2005, Section 150.12); repealing 74 O.S. 2001, Section 150.12, as last amended by Section 3, Chapter 223, O.S.L. 2005 (74 O.S. Supp. 2005, Section 150.12); amending 74 O.S. 2001, Section 500.2, as last amended by Section 4, Chapter 223, O.S.L. 2005 (74 O.S. Supp. 2005, Section 500.2); repealing 74 O.S. 2001, Section 500.2, as last amended by Section 1, Chapter 396, O.S.L. 2005 (74 O.S. Supp. 2005, Section 500.2); repealing 74 O.S. 2001, Section 840-5.5, as last amended by Section 7, Chapter 176, O.S.L. 2005 (74 O.S. Supp. 2005, Section 840-5.5); amending 74 O.S. 2001, Section 1306, as last amended by Section 1, Chapter 450, O.S.L. 2005 (74 O.S. Supp. 2005, Section 1306); repealing 74 O.S. 2001, Section 1306, as last amended by Section 1, Chapter 198, O.S.L. 2005 (74 O.S. Supp. 2005, Section 1306); amending 74 O.S. 2001, Section 3907, as last amended by Section 6, Chapter 168, O.S.L. 2005 (74 O.S. Supp. 2005, Section 3907); repealing 74 O.S. 2001, Section 3907, as last amended by Section 2, Chapter 24, O.S.L. 2005 (74 O.S. Supp. 2005, Section 3907); and declaring an emergency.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 1845 by Corn of the Senate and Lamons of the House was called up for consideration.

Senator Corn moved that **SB 1845** be advanced, which motion was declared adopted.

THIRD READING

SB 1845 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, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Laster, Leftwich, Lerblance, Mazzei, Morgan, Paddack, Pruitt, Rabon, Riley, Shurden, Taylor, Wilson and Wyrick.--36.

Nay: Barrington, Brogdon, Justice, Lamb, Laughlin, Lawler, Myers, Nichols, Reynolds, Wilcoxson and Williamson.--11.

Vacancy: District 38.--1.

The bill passed.

SB 1845 was referred for engrossment.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 7, 2006, at 10:00 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 70 – By Coffee.

A Resolution mourning the death of the late T. Ray Phillips III; extending condolences; and directing distribution.

MESSAGES FROM THE GOVERNOR

Advising his approval March 3, 2006, of Enrolled **SB 1020**.

Advising his approval March 6, 2006, of Enrolled **SB 1022**.

Pursuant to the Fisher motion, the Senate adjourned at 3:00 p.m. to meet Tuesday, March 7, 2006, at 10:00 a.m.