

Senate Journal

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

Seventeenth Legislative Day, Tuesday, March 7, 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 267, 558, 752, 1029, 1082, 1093, 1295, 1313, 1319, 1434, 1479, 1548, 1578, 1664, 1713, 1737, 1770, 1773, 1774, 1782, 1792, 1845, 1867, 1902, 1915, 1942, 1950, 1951, 1965 and 2047 and SJRs 43 and 58 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

Senator Paddack presiding.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1517, 2145, 2364, 2379, 2430, 2472, 2473, 2626, 2655, 2660, 2676, 2771, 2929, 2962, 2963, 2967** and **3056**.

HB 1517 – By Liebmann of the House and Corn of the Senate.

An Act relating to roads, bridges and ferries; repealing 69 O.S. 2001, Section 504, which relates to maintenance of streets, roads and state-owned parking lots on Capitol grounds; providing an effective date; and declaring an emergency.

HB 2145 – By Ellis, Nance, Liotta, Dorman, Lamons and Morgan (Fred) of the House and Shurden 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 mandatory minimum percentage of sentence to be served for certain offenses; adding certain offense to mandatory minimum percentage requirement; providing an exception; and providing an effective date.

HB 2364 – By Martin and Nance of the House and Ford of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Section 571, which relates to definitions; modifying and updating certain definitions; and providing an effective date.

HB 2379 – By Wilt of the House and Myers of the Senate.

(professions and occupations - amending 59 O.S., Sections 1689, 1692, 1850.10 and 1850.14 - Electrical License Act - Mechanical Licensing Act - effective date)

HB 2430 – By Kern, Nance, Thompson and Shelton of the House and Lawler of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 21.1, as last amended by Section 2, Chapter 415, O.S.L. 2004 (10 O.S. Supp. 2005, Section 21.1), which relates to custody; specifying standard for obtaining custody; and providing an effective date.

HB 2472 – By Perry, Dank, Dorman, Adkins, Terrill, McMullen, Auffet, Morrissette, Hamilton and Nance of the House and Gumm of the Senate.

(revenue and taxation - amending 68 O.S., Sections 2905, 2906 and 2907 - property tax relief provisions - effective date)

HB 2473 – By Perry, Wright, Ingmire and Nance of the House and Coffee of the Senate.

An Act relating to technology; amending 15 O.S. 2001, Sections 776.1 and 776.4, which relates to unlawful electronic mail messages; making certain electronic mail messages unlawful; updating statutory language; adding certain definitions; creating the Anti-Phishing Act; providing for definitions; prohibiting persons from creating and using web pages with certain fraudulent intent; allowing certain persons to bring civil actions for

violations of the act; providing damages; authorizing courts to increase damages in certain circumstances; allowing recovery of certain fees and costs; making unlawful acts under act violations of the Oklahoma Consumer Protection Act; exempting certain actions by telecommunications providers or Internet service providers from the act; providing for codification; and providing an effective date.

HB 2626 – By Pruett of the House and Rabon of the Senate.

An Act relating to banks and trust companies; amending 6 O.S. 2001, Section 901, which relates to payable on death (P.O.D.) accounts; modifying and adding procedures regarding beneficiaries on P.O.D. accounts; providing procedure for granting access to a safe deposit box upon death of the lessee of the box; providing for termination of authorization under certain circumstances; providing penalty; clarifying liability; providing for codification; and providing an effective date.

HB 2655 – By Winchester, Lindley, Shelton, Auffet, Dorman, McMullen, Pruett, Sherrer, Shoemake and Walker of the House and Lawler of the Senate.

An Act relating to agriculture; creating the Oklahoma Farm-to-School Program Act; establishing the Oklahoma Farm-to-School Program; stating purpose of the Program; making the Oklahoma Department of Agriculture, Food, and Forestry the lead agency for the Program; directing the State Department of Education to provide assistance and staffing; requiring the Oklahoma Department of Agriculture, Food, and Forestry to establish grant guidelines; creating the Oklahoma Farm-to-School Task Force; stating purpose of the Task Force; providing for membership, appointment of chair, and staffing; requiring a written report; providing for travel reimbursement; providing for codification; providing an effective date; and declaring an emergency.

HB 2660 – By Roan and Nance of the House and Rabon of the Senate.

An Act relating to execution process; prohibiting certain entities from revoking, suspending or denying professional license for participating in execution process; providing for codification; and providing an effective date.

HB 2676 – By Staggs of the House and Garrison of the Senate.

An Act relating to public retirement systems; amending 70 O.S. 2001, Section 17-101, as last amended by Section 118, Chapter 1, O.S.L. 2005 (70 O.S. Supp. 2005, Section 17-101), which relates to the Teachers' Retirement System of Oklahoma; modifying definition; providing an effective date; and declaring an emergency.

HB 2771 – By Smithson and Nance of the House and Corn of the Senate.

An Act relating to public safety; amending 22 O.S. 2001, Sections 1114.3, Section 2, Chapter 461, O.S.L. 2003, 1115.1, 1115.2 and 1115.3 (22 O.S. Supp. 2005, Section 1114.3A), which relate to bail; modifying delivery requirement of citations; providing gender-neutral language; modifying guidelines for release upon personal recognizance; specifying information to be recorded on citations; modifying notification exceptions; updating statutory references; deleting release and arrest procedures for certain violations; providing statutory references; amending 47 O.S. 2001, Section 6-117, as last amended by Section 3, Chapter 199, O.S.L. 2005 (47 O.S. Supp. 2005, Section 6-117), which relates to

driver licenses; authorizing development of procedures for automatic notification to employers under certain circumstances; and providing an effective date.

HB 2929 – By Richardson, Hyman, Brown, Covey, Denney, DeWitt, McCarter, McMullen, Morgan (Fred), Roan, Shoemake, Turner and Walker of the House and Shurden and Justice of the Senate.

An Act relating to agriculture; creating the Feral Swine Control Act; stating purpose; defining terms; specifying license and permit requirements; authorizing removal of feral swine; authorizing the promulgation of rules; establishing importation requirements; making certain activities unlawful; providing for penalties; providing for emergency orders of the State Veterinarian; amending 4 O.S. 2001, Sections 85.1, 85.2, 98 and 99, which relate to estrays and the enclosure of animals; modifying definitions; modifying procedures; modifying penalties; amending 29 O.S. 2001, Section 4-135, as amended by Section 1, Chapter 193, O.S.L. 2004 (29 O.S. Supp. 2005, Section 4-135), which relates to permits to control nuisance or damage by wildlife; deleting requirement for hunting feral hogs at night; providing for codification; and providing an effective date.

HB 2962 – By Sullivan and Duncan of the House and Lerblance of the Senate.

An Act relating to attorneys and state bar; amending 5 O.S. 2001, Section 5, which relates to authority of attorney to represent a party; deleting certain attorney of record requirement; and declaring an emergency.

HB 2963 – By Sullivan, Duncan, Dorman, Glenn, Hilliard, Ingmire, Lamons, McMullen, Nance, Pruett, Rousselot and Sherrer of the House and Crain of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Sections 1272, as amended by Section 1, Chapter 465, O.S.L. 2003 and 1277 (21 O.S. Supp. 2005, Section 1272), which relate to carrying weapons; allowing certain judges to carry weapons in courthouse; and providing an effective date.

HB 2967 – By Sullivan, Lamons and Nance of the House and Laster of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 83, which relates to liability of father to support child; conforming statutory reference; removing certain procedures for establishment of paternity and temporary support orders; providing procedure for name change in certain circumstances; creating the Uniform Parentage Act; providing short title; defining terms; stating applicability of act; stating effect of act on certain laws; specifying jurisdiction under this act; stating requirements to establish certain relationship; stating rights of certain child; stating applicability of certain relationship; creating certain presumption under specified circumstances; permitting certain parties to sign certain acknowledgment; specifying contents in certain acknowledgment; stating circumstances causing certain acknowledgment to be void or voidable; establishing validity of certain denial; directing execution of certain documents; stating effect of certain documents; prohibiting fee for certain filing; establishing time period for signing certain document; allowing challenge of certain document under certain circumstances; stating burden of proof for certain proceeding; establishing procedures for certain proceeding; stating applicability of certain document from another state; requiring Department of Human Services to prescribe certain forms; authorizing State Department of Health to

release certain copies under specified circumstances; requiring Department of Human Services to promulgate certain rules; stating applicability of certain article; permitting certain entities to order specified testing; specifying type and requirements of certain testing; establishing procedures for certain testing; stating contents of report of certain testing; providing for admissibility of certain testing; creating rebuttable presumption of paternity; establishing responsibility for certain costs; prohibiting certain testing under specified circumstances; authorizing court to order certain testing of specified individuals; allowing certain proceeding; specifying rules for certain proceeding; stating eligibility to maintain certain proceeding; allowing joinder of certain parties in specified proceeding; clarifying jurisdiction in certain proceeding; stating venue for certain proceeding; establishing time period for commencement of certain proceeding; allowing court to deny certain motion under specified circumstances; stating factors to consider in denial of certain motion; requiring appointment of guardian ad litem under certain circumstances; establishing procedures for certain expert testimony; establishing procedures for enforcement of order for certain testing; requiring court to issue certain temporary orders under specified circumstances; requiring application of certain rules for specified adjudication; allowing court to close certain proceeding; establishing confidentiality of certain records; stating orders required or permitted by the court under certain circumstances; stating effect of certain determination; construing provisions; stating applicability of act to certain proceedings; amending 56 O.S. 2001, Section 238.6B, which relates to notice of paternity; conforming statutory reference; modifying procedures related to establishment of paternity; increasing certain percentage; modifying specified time period; updating reference to certain entity; amending 63 O.S. 2001, Section 1-311.3, which relates to affidavits acknowledging paternity; conforming statutory reference; conforming certain procedures; amending 63 O.S. 2001, Section 1-321, which relates to birth certificates; modifying procedure and authority to change surname of certain children; repealing 10 O.S. 2001, Sections 1, 1.1, 1.2, 2, 3, 70, as amended by Section 1, Chapter 314, O.S.L. 2002, 71, 76.1, 77.1, 86, 89, 89.1, 89.3, 501, 502, 503, 504, 505, 506 and 508 (10 O.S. Supp. 2005, Section 70), which relate to parentage and genetic testing; providing for codification; and providing an effective date.

HB 3056 – By Balkman, Gilbert, Jackson, Kern, Coody, Miller (Ken), Cox, Sherrer, Lindley, Billy, Blackburn, Dank, Denney, Deutschendorf, McDaniel, Nance and Rousselot of the House and Rabon of the Senate.

An Act relating to crimes and punishments; creating the Prevention of Youth Access to Alcohol Act; providing short title; amending 11 O.S. 2001, Sections 14-111, as last amended by Section 1, Chapter 173, O.S.L. 2004, 27-126 and 28-102, as last amended by Section 6, Chapter 173, O.S.L. 2004 (11 O.S. Supp. 2005, Sections 14-111 and 28-102), which relate to enforcement of violations of municipal ordinances and costs; modifying maximum allowable fines and costs for certain offenses; providing that portion of such fines and costs be used for certain purposes; amending 21 O.S. 2001, Section 1215, which relates to possession of intoxicating beverages by under-age person; prohibiting certain possession of low-point beer; 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), which relates to fees and costs in criminal cases; modifying certain fees; amending 37 O.S. 2001, Section 163.11, as amended by Section 2, Chapter 170, O.S.L. 2004 (37 O.S. Supp. 2005, Section

163.11), which relates to low-point beer permits; modifying length of time for mandatory revocation of permit under certain circumstances; providing rebuttable presumption for persons cited for violations; amending 37 O.S. 2001, Sections 241, 244 and 246, which relate to laws pertaining to low-point beer and persons under twenty-one years of age; deleting certain exception; providing penalties for first, second, and third offenses; requiring deposit of one-half of fine in certain revolving fund; providing rebuttable presumption for persons cited for violations; requiring notification of violation to certain persons and entities; establishing notification procedure; clarifying and providing time limitations for reissuance of permits; providing penalties for first, second, and third violation of certain prohibited act; requiring revocation of driver licenses and denial of driving privileges for certain persons; requiring alcohol assessment under certain circumstances; requiring revocation of driver licenses and denial of driving privileges for certain persons; making certain actions unlawful; providing penalties; authorizing the issuance, display or possession of a license under certain circumstances; amending 47 O.S. 2001, Section 6-107.1, which relates to cancellation or denial of driving privileges for certain persons; modifying periods of cancellation or denial; creating a revolving fund and stating purpose therefor; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 1747 by Gumm of the Senate and Carey of the House was called up for consideration.

Senators Corn, Branan, Nichols and Coates asked to coauthor **SB 1747**, which was the order.

Senator Gumm moved to amend **SB 1747**, Page 4, Lines 4 and 5, by deleting all language after the period on Line 4 through the comma on Line 5 and capitalizing the word “any”, and by restoring the title, which amendment was declared adopted.

Senator Nichols moved to amend **SB 1747**, Page 4, Line 8, by inserting after the word “death,” and before the first word “by” the word “or”; and Page 4, Lines 8 and 9, by deleting all language after the word “parole” on Line 8 through the period on Line 9, and by amending the title to conform, which amendment was declared adopted.

Senator Gumm moved that **SB 1747** be advanced, which motion was declared adopted.

THIRD READING

SB 1747 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson and Wyrick.--40.

Nay: Adelson, Cain, Eason McIntyre, Hobson, Johnson (C), Lerblance and Wilson.--7.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1747 was referred for engrossment.

GENERAL ORDER

SB 1991 by Morgan of the Senate and Wilt of the House was called up for consideration.

Senator Morgan moved that **SB 1991** be advanced, which motion was declared adopted.

THIRD READING

SB 1991 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, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Riley, Taylor, Wilson and Wyrick.--34.

Nay: Branan, Brogdon, Coffee, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Shurden, Wilcoxson and Williamson.--13.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1991 was referred for engrossment.

GENERAL ORDER

SB 1046 by Gumm of the Senate and Calvey of the House was called up for consideration.

Senator Gumm moved to amend **SB 1046**, Page 14, Lines 16 and 17, by deleting all language after the word “to” on Line 16 and before the word “of” on Line 17 and inserting in lieu thereof the words “a spouse”, which amendment was declared adopted.

Senator Gumm moved that **SB 1046** be advanced, which motion was declared adopted.

THIRD READING

SB 1046 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1046 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

SB 1458 by Bass of the Senate and Carey of the House was called up for consideration.

Senator Bass moved that **SB 1458** be advanced, which motion was declared adopted.

THIRD READING

SB 1458 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--45.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1458 was referred for engrossment.

GENERAL ORDER

SB 1365 by Hobson of the Senate and Perry of the House was called up for consideration.

Senator Hobson moved that **SB 1365** be advanced, which motion was declared adopted.

THIRD READING

SB 1365 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--45.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1365 was referred for engrossment.

GENERAL ORDER

SB 1593 by Kerr and Hobson of the Senate and Miller (Doug) of the House was called up for consideration.

Senator Hobson moved to amend **SB 1593**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Hobson moved that **SB 1593** be advanced, which motion was declared adopted.

THIRD READING

SB 1593 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson and Wyrick.--44.

Excused: Pruitt, Williamson and Wilson.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1593 was referred for engrossment.

GENERAL ORDER

SB 2044 by Coates of the Senate and Carey of the House was called up for consideration.

Senator Coates asked that **SB 2044** be laid over for this legislative day, which was the order.

SB 2044 remains on General Order.

GENERAL ORDER

SB 1693 by Fisher of the Senate and Carey of the House was called up for consideration.

Senator Fisher moved that **SB 1693** be advanced, which motion was declared adopted.

THIRD READING

SB 1693 was read for the third time at length.

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

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

Nay: Coffee.--1.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1693 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Rabon moved to reconsider the vote whereby **SB 1797** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Bass, Cain, Capps, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.--26.

Nay: Anderson, Barrington, Branan, Brogdon, Coffee, Crain, Fisher, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Riley and Wilcoxson.--19.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

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: Cain, Capps, Crutchfield, Easley, Eason McIntyre, Gumm, Harrison, Hobson, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Rabon, Shurden, Taylor, Wilson and Wyrick.--18.

Nay: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Fisher, Ford, Garrison, Johnson (M), Jolley, Justice, Lamb, Laughlin, Lawler, Mazzei, Myers, Nichols, Paddack, Reynolds, Riley and Wilcoxson.--27.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill failed.

GENERAL ORDER

SB 1037 by Paddack and Coates of the Senate and Hilliard of the House was called up for consideration.

Senators Leftwich and Eason McIntyre asked to coauthor **SB 1037**, which was the order.

Senator Paddack moved to amend **SB 1037**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Paddack moved that **SB 1037** be advanced, which motion was declared adopted.

THIRD READING

SB 1037 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--45.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1037 was referred for engrossment.

GENERAL ORDER

SB 1787 by Morgan of the Senate and Cargill of the House was called up for consideration.

Senator Crutchfield moved that **SB 1787** be advanced, which motion was declared adopted.

THIRD READING

SB 1787 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, Reynolds, Riley, Shurden, Taylor, Wilson and Wyrick.--43.

Nay: Wilcoxson.--1.

Excused: Pruitt, Rabon and Williamson.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1787 was referred for engrossment.

GENERAL ORDER

SB 1921 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved to amend **SB 1921**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Crain moved that **SB 1921** be advanced, which motion was declared adopted.

THIRD READING

SB 1921 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, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--42.

Nay: Laughlin and Rabon.--2.

Excused: Easley, Pruitt and Williamson.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1921 was referred for engrossment.

GENERAL ORDER

SB 266 by Hobson of the Senate and Perry of the House was called up for consideration.

Senator Hobson moved that **SB 266** be advanced, which motion was declared adopted.

THIRD READING

SB 266 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--45.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 266 was referred for engrossment.

GENERAL ORDER

SB 1057 by Hobson of the Senate and Perry of the House was called up for consideration.

Senator Hobson moved that **SB 1057** be advanced, which motion was declared adopted.

THIRD READING

SB 1057 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, 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--42.

Excused: Coates, Corn, Morgan, Pruitt and Williamson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1057 was referred for engrossment.

GENERAL ORDER

SB 1510 by Crutchfield of the Senate and Hilliard of the House was called up for consideration.

Senator Crutchfield moved that **SB 1510** be advanced, which motion was declared adopted.

THIRD READING

SB 1510 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, 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--44.

Excused: Coates, Pruitt and Williamson.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1510 was referred for engrossment.

GENERAL ORDER

SB 1359 by Myers and Coffee of the Senate and Kern and Newport of the House was called up for consideration.

Representative Dorman asked to coauthor **SB 1359**, which was the order.

Senator Myers moved that **SB 1359** be advanced, which motion was declared adopted.

THIRD READING

SB 1359 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, 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, Reynolds, Shurden, Taylor, Wilson and Wyrick.--41.

Nay: Rabon, Riley and Wilcoxson.--3.

Excused: Coates, Pruitt and Williamson.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1359 was referred for engrossment.

THIRD READING

SB 1341, last considered on Page 592, 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), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Shurden, Taylor, Wilson and Wyrick.--40.

Nay: Cain, Johnson (M), Rabon, Riley and Wilcoxson.--5.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1341 was referred for engrossment.

GENERAL ORDER

SB 1759 by Morgan of the Senate and Carey of the House was called up for consideration.

Senator Morgan moved that **SB 1759** be advanced, which motion was declared adopted.

THIRD READING

SB 1759 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--45.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1759 was referred for engrossment.

GENERAL ORDER

SB 1099 by Adelson of the Senate and Sherrer of the House was called up for consideration.

Senator Adelson moved that **SB 1099** be advanced, which motion was declared adopted.

THIRD READING

SB 1099 was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddack, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--36.

Nay: Aldridge, Brogdon, Coffee, Crain, Ford, Johnson (M), Jolley, Myers and Rabon.--9.

Excused: Pruitt and Williamson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1099 was referred for engrossment.

GENERAL ORDER

SB 1689 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 1689** be advanced, which motion was declared adopted.

THIRD READING

SB 1689 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, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Pruitt, Rabon, Taylor and Williamson.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1689 was referred for engrossment.

GENERAL ORDER

SB 1686 by Lerblance of the Senate and Liotta of the House was called up for consideration.

Senator Lerblance moved that **SB 1686** be advanced, which motion was declared adopted.

THIRD READING

SB 1686 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, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1686 was referred for engrossment.

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

*

The Senate reconvened with Senator Corn presiding.

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

INTRODUCTION

Senator Aldridge introduced former Senator James Howell to the Senate.

GENERAL ORDER

SB 1291 by Aldridge of the Senate and Banz of the House was called up for consideration.

Senator Aldridge moved that **SB 1291** be advanced, which motion was declared adopted.

THIRD READING

SB 1291 was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Corn, Crain, Crutchfield, Fisher, Ford, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Taylor and Wilson.--30.

Nay: Adelson, Cain, Capps, Easley, Eason McIntyre, Garrison, Gumm, Lawler, Lerblance, Rabon, Shurden and Wyrick.--12.

Excused: Coffee, Harrison, Pruitt, Wilcoxson and Williamson.--5.

Vacancy: District 38.--1.

The bill passed.

SB 1291 was referred for engrossment.

GENERAL ORDER

SB 1691 by Barrington of the Senate and McCarter of the House was called up for consideration.

Senator Barrington moved that **SB 1691** be advanced, which motion was declared adopted.

THIRD READING

SB 1691 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden,

Taylor, Wilson and Wyrick.--41.

Excused: Coffee, Harrison, Morgan, Pruitt, Wilcoxson and Williamson.--6.

Vacancy: District 38.--1.

The bill passed.

SB 1691 was referred for engrossment.

GENERAL ORDER

SB 1290 by Easley of the Senate and Sherrer of the House was called up for consideration.

Senator Easley moved that **SB 1290** be advanced, which motion was declared adopted.

THIRD READING

SB 1290 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, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilson and Wyrick.--41.

Excused: Coffee, Harrison, Morgan, Pruitt, Wilcoxson and Williamson.--6.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1290 was referred for engrossment.

DEDICATION

Senator Charles Ford presented the painting "David Ross Boyd". Senator Cal Hobson addressed the Senate. Senator Ford introduced University of Oklahoma President David Boren. President Boren addressed the Senate. Senator Ford introduced the artist, Mike Wimmer. Mr. Wimmer addressed the Senate.

Senator Hobson and President David L. and Molly Shi Boren presented the painting to the Senate as a gift.

GENERAL ORDER

SB 1453 by Wilson of the Senate and Brown of the House was called up for consideration.

Senator Wilson moved that **SB 1453** be advanced, which motion was declared adopted.

THIRD READING

SB 1453 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, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Excused: Harrison, Hobson, Pruitt and Wilcoxson.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1453 was referred for engrossment.

GENERAL ORDER

SB 1312 by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved to amend **SB 1312**, Page 1, Line 19, by deleting all language after the word "who" and through the semicolon on Line 21, and inserting in lieu thereof the words, "pays qualified higher education expenses of an individual, as such expenses are defined in Section 3970.3 of Title 70 of the Oklahoma Statutes, equal to the amount of such expenses paid by the taxpayer"; and Page 2, Line 2, by deleting all language after the third word "the" and through the period on Line 3, and inserting in lieu thereof the words, "expenses are paid", which amendment was declared adopted.

Senator Gumm moved that **SB 1312** be advanced, which motion was declared adopted.

THIRD READING

SB 1312 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, 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: Hobson.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1312 was referred for engrossment.

GENERAL ORDER

SB 1296 by Shurden of the Senate and Walker of the House was called up for consideration.

Senator Rabon moved to amend **SB 1296**, Page 2, Lines 4 and 5, by deleting all language and inserting in lieu thereof the language "C. The Commission is further authorized to declare an open season on mountain lions and black bears.", and by amending the title to conform, which amendment was declared adopted.

Senator Shurden moved to amend **SB 1296**, Page 1, by striking the title, which amendment was declared adopted.

Senator Shurden moved that **SB 1296** be advanced, which motion was declared adopted.

THIRD READING

SB 1296 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Cain and Eason McIntyre.--2.

Excused: Morgan.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1296 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Laster moved to reconsider the vote whereby **SB 1874** failed.

Senator Fisher moved to table the Laster motion, which tabling motion was declared adopted.

GENERAL ORDER

SB 1494 by Wilson of the Senate and Walker of the House was called up for consideration.

Senator Wilson moved to amend **SB 1494**, Page 3, Line 16, by inserting after the word “boundaries” and before the semicolon the language “where the municipality nominates or elects by ward”, and by amending the title to conform, which amendment was declared adopted.

Senator Wilson moved that **SB 1494** be advanced, which motion was declared adopted.

THIRD READING

SB 1494 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, 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, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Cain and Morgan.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1494 was referred for engrossment.

GENERAL ORDER

SB 2016 by Gumm et al of the Senate and Dorman of the House was called up for consideration.

Senator Jolley asked to coauthor **SB 2016**, which was the order.

Senator Gumm moved that **SB 2016** be advanced, which motion was declared adopted.

THIRD READING

SB 2016 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, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Fisher and Morgan.--2.

Vacancy: District 38.--1.

The bill passed.

SB 2016 was referred for engrossment.

GENERAL ORDER

SB 1387 by Cain and Johnson (Constance) of the Senate and McDaniel of the House was called up for consideration.

Senator Cain moved that **SB 1387** be advanced, which motion was declared adopted.

THIRD READING

SB 1387 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, Cain, Capps, Corn, Crutchfield, Eason McIntyre, Fisher, Harrison, Hobson, Johnson (C), Jolley, Laster, Leftwich, Morgan, Paddack, Rabon, Riley, Shurden, Taylor, Williamson and Wilson.--23.

Nay: Aldridge, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Easley, Ford, Garrison, Gumm, Johnson (M), Justice, Lamb, Laughlin, Lawler, Lerblance, Mazzei, Myers, Nichols, Pruitt, Reynolds, Wilcoxson and Wyrick.--24.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Cain served notice that the vote be reconsidered whereby **SB 1387** failed.

GENERAL ORDER

SB 1665 by Gumm and Corn of the Senate and Piatt and Carey of the House was called up for consideration.

Senator Lawler asked to coauthor **SB 1665**, which was the order.

Senator Gumm moved to amend **SB 1665**, Page 1, by striking the title; Page 11, Lines 21 through 23, by deleting all language; and Page 14, Line 7 ½, by inserting a new subsection C to read as follows:

“C. Notwithstanding the provisions of paragraph B of this section, if the total amount of sales taxes remitted to a municipality or county for the month of August, pursuant to Section 1374 of this title, is greater than the amount remitted for the August of the preceding year, no revenue shall be apportioned to such municipality or county pursuant to paragraph B of this section.”, which amendment was declared adopted.

Senator Gumm moved that **SB 1665** be advanced, which motion was declared adopted.

THIRD READING

SB 1665 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Gumm, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson and Wyrick.--42.

Nay: Barrington, Cain, Garrison, Johnson (C) and Wilson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1665 was referred for engrossment.

GENERAL ORDER

SB 1752 by Rabon of the Senate and Liotta of the House was called up for consideration.

Senator Rabon moved to amend **SB 1752**, Page 3, Lines 18 and 19, by restoring the stricken language and by deleting the words "as set by Commission rule"; and Page 4, Lines 7 and 8 by restoring the stricken language and by deleting the words "as set by Commission rule"; and Page 17, Line 9, by inserting after the word "citations" and before the word "for" the following language "to motor carriers or operators of commercial motor vehicles", which amendment was declared adopted.

Senator Rabon moved to amend **SB 1752**, Page 25, Line 20, by inserting after the word "shall" and before the word "present" the words "knowingly, or intentionally", which amendment was declared adopted.

Senator Rabon moved that **SB 1752** be advanced, which motion was declared adopted.

THIRD READING

SB 1752 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1752 was referred for engrossment.

GENERAL ORDER

SB 1892 by Morgan of the Senate and Cargill of the House was called up for consideration.

Senator Fisher moved that **SB 1892** be advanced, which motion was declared adopted.

THIRD READING

SB 1892 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, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Nichols and Pruitt.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1892 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

SB 1734 by Morgan of the Senate and Wilt of the House was called up for consideration.

Senator Leftwich moved that **SB 1734** be advanced, which motion was declared adopted.

THIRD READING

SB 1734 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, 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, Williamson, Wilson and Wyrick.--42.

Nay: Laughlin and Wilcoxson.--2.

Excused: Coffee, Ford and Pruitt.--3.

Vacancy: District 38.--1.

The bill passed.

Senator Coffee desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43; Nay: 2; Excused: 2; Vacancy: 1.

The emergency passed.

SB 1734 was referred for engrossment.

GENERAL ORDER

SB 1331 by Aldridge of the Senate and Case of the House was called up for consideration.

Senator Aldridge moved that **SB 1331** be advanced, which motion was declared adopted.

THIRD READING

SB 1331 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1331 was referred for engrossment.

GENERAL ORDER

SB 1743 by Morgan of the Senate and Benge of the House was called up for consideration.

Senator Adelson moved that **SB 1743** be advanced, which motion was declared adopted.

THIRD READING

SB 1743 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1743 was referred for engrossment.

GENERAL ORDER

SB 1726 by Nichols of the Senate and Cargill of the House was called up for consideration.

Senator Nichols moved that **SB 1726** be advanced, which motion was declared adopted.

THIRD READING

SB 1726 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1726 was referred for engrossment.

GENERAL ORDER

SB 1675 by Bass et al of the Senate and Armes of the House was called up for consideration.

Senator Lawler asked to coauthor **SB 1675**, which was the order.

Senator Bass moved to amend **SB 1675**, Page 2, Line 10 ½, by inserting a new Section 4 to read as follows:

“SECTION 4. This act shall become effective July 1, 2006.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Bass moved that **SB 1675** be advanced, which motion was declared adopted.

THIRD READING

SB 1675 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1675 was referred for engrossment.

GENERAL ORDER

SB 1391 by Leftwich and Branan of the Senate and Terrill of the House was called up for consideration.

Senator Ford asked to coauthor **SB 1391**, which was the order.

Senator Leftwich moved that **SB 1391** be advanced, which motion was declared adopted.

THIRD READING

SB 1391 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1391 was referred for engrossment.

GENERAL ORDER

SB 1769 by Corn of the Senate and Terrill of the House was called up for consideration.

Senator Corn moved to amend **SB 1769**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Corn moved that **SB 1769** be advanced, which motion was declared adopted.

THIRD READING

SB 1769 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 (M), Jolley, Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Cain, Johnson (C) and Lamb.--3.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1769 was referred for engrossment.

GENERAL ORDER

SB 1337 by Leftwich of the Senate and Thompson of the House was called up for consideration.

Senator Leftwich moved that **SB 1337** be advanced, which motion was declared adopted.

THIRD READING

SB 1337 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, 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.

Nay: Johnson (C).--1.

Excused: Fisher and Pruitt.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1337 was referred for engrossment.

GENERAL ORDER

SB 1091 by Morgan and Coffee of the Senate and Winchester of the House was called up for consideration.

Senator Adelson moved that **SB 1091** be advanced, which motion was declared adopted.

THIRD READING

SB 1091 was read for the third time at length.

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

Aye: Adelson, Aldridge, Barrington, Bass, Cain, Capps, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--40.

Nay: Anderson, Branan, Brogdon, Coates and Justice.--5.

Excused: Fisher and Pruitt.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1091 was referred for engrossment.

GENERAL ORDER

SB 408 by Mazzei of the Senate and Young of the House was called up for consideration.

Senator Mazzei moved that **SB 408** be advanced, which motion was declared adopted.

THIRD READING

SB 408 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 408 was referred for engrossment.

GENERAL ORDER

SB 1601 by Eason McIntyre of the Senate and Liotta of the House was called up for consideration.

Senator Hobson asked to coauthor **SB 1601**, which was the order.

Senator Eason McIntyre moved that **SB 1601** be advanced, which motion was declared adopted.

THIRD READING

SB 1601 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, 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1601 was referred for engrossment.

GENERAL ORDER

SJR 60 by Bass of the Senate and Dorman of the House was called up for consideration.

Senator Bass moved that **SJR 60** be advanced, which motion was declared adopted.

THIRD READING

SJR 60 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 (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Pruitt and Riley.--2.

Vacancy: District 38.--1.

The resolution passed.

SJR 60 was referred for engrossment.

Senator Rabon moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 8, 2006, at 10:00 a.m., which motion prevailed.

MESSAGE FROM THE GOVERNOR

Advising his approval March 7, 2006, of Enrolled **SB 489**.

Pursuant to the Rabon motion, the Senate adjourned at 4:20 p.m. to meet Wednesday, March 8, 2006, at 10:00 a.m.