

Senate Journal

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

Twenty-ninth Legislative Day, Wednesday, March 29, 2006

The Senate was called to order by Senator Gumm.

Roll Call:

Present: 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.

Excused: Aldridge.—1.

Vacancy: District 38.—1.

Senator Gumm declared a quorum present.

The prayer was offered by Reverend Bill Hulse, Parkview Baptist Church, Tulsa, the guest of Senator Crain.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 77 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

INTRODUCTION

Senator Crain introduced his daughter, Catherine, to the Senate.

FIRST READING

The following were introduced and read the first time:

SR 80 – By Corn.

A Resolution thanking Tom Hinkle for his service to Oklahoma veterans; wishing him well upon the occasion of his retirement; and directing distribution.

SR 81 – By Easley.

A Resolution congratulating the East Central High School Cardinals for winning the Class 5A State Football Championship; commending their winning season and first state title; and directing distribution.

SR 82 – By Easley.

A Resolution congratulating the East Central High School Lady Cardinals basketball team for winning the Class 5A State Championship; commending the Lady Cardinals for its post-season play; and directing distribution.

SR 83 – By Coffee.

A Resolution commending Arvie McKemy Brandes for a rich and fulfilling life; congratulating Arvie McKemy Brandes upon the occasion of her 100th birthday; and directing distribution.

SR 84 – By Lerblance.

A Resolution memorializing Congress to resist cuts in Alzheimer’s disease research; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Easley asked unanimous consent to suspend Rule 5-4 and refer **SR 82** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 82 by Easley was called up for consideration.

All other members of the Senate asked to coauthor **SR 82**, which was the order.

SR 82 was adopted upon motion of Senator Easley and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Easley asked unanimous consent to suspend Rule 5-4 and refer **SR 81** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 81 by Easley was called up for consideration.

All other members of the Senate asked to coauthor **SR 81**, which was the order.

SR 81 was adopted upon motion of Senator Easley and referred for enrollment.

**MESSAGE FROM THE HOUSE
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

**SB 1100
SB 1102
SB 1104
SB 1106
SB 1108
SB 1110
SB 1112
SB 1114
SB 1116
SB 1118
SB 1120
SB 1122
SB 1124
SB 1126
SB 1128
SB 1130
SB 1132
SB 1134
SB 1136
SB 1138
SB 1140
SB 1142
SB 1144
SB 1146
SB 1148**

SB 1150**SB 1152****SB 1154****SB 1156****SB 1158****SB 1160****SB 1162**

SB 1190 - Coauthored by Balkman, Billy, Bingman, Cargill, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Hiatt, Jackson, Jett, Martin, Miller(Doug), Nance, Peterson(Pam), Peterson(Ron), Richardson, Steele, Tibbs, Wesselhoft, and Winchester

House amendments were read on the above-numbered bills.

PENDING CONSIDERATION OF HAS

HAS to SB 1190 were concurred in upon motion of Senator Rabon.

Senators Lawler, Shurden, Laughlin, Justice, Coates, Ford, Myers, Johnson (M), Barrington, Johnson (C), Paddack, Riley, Wilcoxson, Reynolds, Anderson, Crain, Jolley, Lamb, Brogdon, Mazzei, Nichols, Williamson and Branan asked to coauthor **SB 1190**, which was the order.

SB 1190, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted 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, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Aldridge and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

GENERAL ORDER

HB 2165 by Bengé and Newport of the House and Crutchfield and Rabon of the Senate was called up for consideration.

Senator Lawler asked to coauthor **HB 2165**, which was the order.

Senator Taylor moved to amend **HB 2165**, 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 Taylor moved that **HB 2165** 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, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.--25.

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

Excused: Aldridge, Barrington and Pruitt.--3.

Vacancy: District 38.--1.

THIRD READING

HB 2165 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, 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, Williamson, Wilson and Wyrick.--43.

Nay: Coffee and Wilcoxson.--2.

Excused: Aldridge and Pruitt.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Taylor served notice that the vote be reconsidered whereby **HB 2165** and the emergency passed.

CHANGE IN COMMITTEE ASSIGNMENT

Senator Fisher asked unanimous consent, which was granted, that the following bill be reassigned as follows:

HB 2592 – withdrawn from Judiciary committee and referred to Health and Human Resources.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 30, 2006, at 9:30 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

HB 2099 – Judiciary, coauthored by Nations of the House
HB 2123 – Sunset Review
HB 2124 – Sunset Review
HB 2126 – Sunset Review
HB 2127 – Sunset Review
HB 2129 – Sunset Review
HB 2130 – Sunset Review
HB 2131 – Sunset Review
HB 2132 – Sunset Review
HB 2133 – Sunset Review
HB 2149 – Sunset Review
HB 2150 – Sunset Review
HB 2151 – Sunset Review
HB 2152 – Sunset Review
HB 2153 – Sunset Review
HB 2154 – Sunset Review
HB 2966 – Judiciary

DO PASS, As Amended:

CS for **SB 1815** – Judiciary, coauthored by McCarter (principal House author)

HB 2122 – Sunset Review
HB 2125 – Sunset Review
HB 2538 – Judiciary
HB 2598 – Judiciary, coauthored by Cain of the Senate
HB 2619 – Judiciary
HB 2660 – Judiciary, coauthored by Lerblance of the Senate
HB 2662 – Judiciary
HB 2750 – Judiciary
HB 2840 – Judiciary, coauthored by Morgan (Danny) of the House
HB 2905 – Judiciary
HB 3011 – Judiciary
HB 3012 – Judiciary
HB 3084 – Judiciary
HJR 1057 – Judiciary, coauthored by Smithson, Brannon of the House

SECOND READING

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

HB 2585 – Public Safety and Homeland Security

Pursuant to the Fisher motion, the Senate adjourned at 2:15 p.m. to meet Thursday, March 30, 2006, at 9:30 a.m.