

# Senate Journal

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

**Thirty-fourth Legislative Day, Thursday, April 6, 2006**

The Senate was called to order by Senator Corn.

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, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Taylor.—1.

Vacancy: District 38.—1.

Senator Corn declared a quorum present.

The prayer was offered by Reverend Michael Shipma, Heritage Presbyterian Church, Edmond, the guest of Senator Lamb.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**HBs 1646, 2062, 2073 and 2506** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SR 79** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on **HB 2360** was ordered granted and Senate conferees to be named later.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Leftwich asked unanimous consent to suspend Rule 5-4 and refer **HCR 1056** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1056** by Lindley et al of the House and Leftwich of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1056**, which was the order.

**HCR 1056** was adopted upon motion of Senator Leftwich and properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2793** by Miller (Doug) et al of the House and Bass of the Senate was called up for consideration.

Senator Bass moved to amend **HB 2793**, 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 Bass moved that **HB 2793** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2793** 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, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Coates, Myers, Rabon, Taylor and Williamson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2793** was referred for engrossment.

### **GENERAL ORDER**

**HB 2685** by Newport et al of the House and Aldridge and Fisher of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2685** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2685** 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, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Coates, Myers, Rabon, Taylor and Williamson.--5.

Vacancy: District 38.--1.

The bill passed.

**HB 2685** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2462** by Coody et al of the House and Bass of the Senate was called up for consideration.

Senator Riley asked to coauthor **HB 2462**, which was the order.

Senator Bass moved that **HB 2462** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2462** 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, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Coates, Myers, Rabon, Taylor and Williamson.--5.

Vacancy: District 38.--1.

The bill passed.

**HB 2462** was referred for engrossment.

### **MESSAGES FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1050**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 2474, 2507, 2792, 2962 and 2966**.

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

Advising rejection of **SAs** to **HB 1539**, requesting further conference and House conferees to be named later.

Advising passage of and transmitting for consideration Engrossed **HJR 1069** and **1070**.

**HJR 1069** – By Balkman, Wesselhoft and Shelton of the House and Laughlin of the Senate.

A Joint Resolution relating to permanent rules of the Oklahoma Lottery Commission; amending proposed OAC 429:15-1-11, which relates to instant lottery games; adding requirement that game reports be published within certain time period; directing publication and distribution; and declaring an emergency.

**HJR 1070** – By Balkman, Shelton and Wesselhoft of the House and Laughlin of the Senate.

A Joint Resolution relating to permanent rules of the Oklahoma Lottery Commission; amending proposed OAC 429:20-1-12, which relates to online lottery games; adding requirement that game reports be published within certain time period; directing publication and distribution; and declaring an emergency.

The above-numbered measures were read the first time.

Advising passage of and returning the following Engrossed bills:

**SB 1476** - Coauthored by Nance of the House

**SB 1505** - Coauthored by Coody, Duncan, Steele, Hilliard, Askins, Banz, Bingman, Cargill, Dank, DePue, Dorman, Hickman, Jackson, Kern, Liebmann, Liotta, Miller (Ken), Morgan (Fred), Peters, Peterson (Ron), Pruett, Reynolds, Sullivan, Terrill, Thompson, Tibbs and Young

**SB 1552**

**SB 1678**

The above-numbered measures were referred for enrollment.

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of the measure as amended:

**SB 516 (2ND CCR)**

The above-numbered measure, as amended in conference, was referred for enrollment.

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

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

**SB 1095** - Coauthored by Shelton of the House

**SB 1406**

**SB 1941** - Coauthored by Dorman, Terrill, Dank, Adkins and Banz of the House

House amendments were read on the above-numbered bills.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 10, 2006, at 1:30 p.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS:

**HB 2102** – Health and Human Resources

**HB 2387** – Appropriations

**HB 2431** – Appropriations

**HB 2458** – Health and Human Resources

**HB 2865** – Health and Human Resources

**HB 2878** – Tourism and Wildlife

**HB 3042** – Health and Human Resources

DO PASS, As Amended:

CS for **HB 1231** – Appropriations

**HB 1268** – Appropriations

**HB 1757** – Appropriations

**HB 2072** – Finance

**HB 2077** – Tourism and Wildlife

**HB 2121** – Finance

CS for **HB 2147** – Finance

**HB 2157** – Finance

**HB 2355** – Energy and Environment

**HB 2357** – Appropriations

**HB 2362** – Finance

CS for **HB 2366** – Appropriations

- HB 2373** – Finance
- CS for HB 2376** – Finance
- HB 2453** – Finance
- HB 2461** – Finance, coauthored by Easley, Bass of the Senate, and coauthored by Brannon, Smithson, Tibbs of the House
- HB 2465** – Appropriations
- HB 2469** – Finance, coauthored by Capps of the Senate
- CS for HB 2470** – Appropriations
- HB 2485** – Health and Human Resources
- CS for HB 2513** – Appropriations
- HB 2516** – Appropriations, coauthored by Bass, Coffee, Lamb of the Senate
- HB 2518** – Appropriations
- HB 2527** – Appropriations
- CS for HB 2535** – Finance, coauthored by Branan, Lawler of the Senate
- HB 2541** – Finance
- HB 2552** – Appropriations
- HB 2554** – Appropriations
- CS for HB 2563** – Tourism and Wildlife
- CS for HB 2592** – Health and Human Resources
- CS for HB 2603** – Energy and Environment
- HB 2609** – Appropriations
- CS for HB 2618** – Appropriations, coauthored by Rabon of the Senate
- CS for HB 2621** – Tourism and Wildlife
- HB 2628** – Finance, coauthored by Hiatt of the House
- HB 2634** – Appropriations
- HB 2649** – Finance
- HB 2688** – Finance
- HB 2690** – Finance
- HB 2704** – Finance
- CS for HB 2749** – Finance
- HB 2753** – Finance
- HB 2763** – Finance, coauthored by Blackwell of the House
- HB 2810** – Finance, coauthored by Branan of the Senate
- HB 2812** – Finance
- HB 2822** – Finance
- HB 2844** – Health and Human Resources, coauthored by Leftwich of the Senate
- HB 2909** – Health and Human Resources
- CS for HB 2940** – Finance, coauthored by Branan, Ford, Johnson (Mike), Mazzei of the Senate, and coauthored by Brannon, Smithson of the House
- HB 2958** – Finance, coauthored by Blackwell of the House
- CS for HB 3015** – Energy and Environment
- HB 3016** – Tourism and Wildlife
- CS for HB 3020** – Energy and Environment
- CS for HB 3024** – Energy and Environment

**CS for HB 3078** – Finance, remove Pruett and substitute Armes as principal House author, and coauthored by Lawler of the Senate

**HB 3116** – Finance

**HB 3122** – Finance

**HJR 1058** – Finance, coauthored by Brannon, Smithson of the House

### **FIRST READING**

The following was introduced and read the first time:

**SCR 48** – By Lerblance of the Senate and Armes of the House.

A Concurrent Resolution designating April 19, 2006, “Water Day” at the State Capitol; requesting a comprehensive study for an updated state water plan; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 9:45 a.m. to meet Monday, April 10, 2006, at 1:30 p.m.