

# Senate Journal

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

**Thirty-eighth Legislative Day, Monday, April 17, 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 Randy Southerland, New Hope Baptist Church, Duncan, the guest of Senator Lawler.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 2163, 2164, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2323, 2324, 2325, 2326, 2327,**

2328, 2329, 2330, 2331, 2332, 2333, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2353, 2454, 2486, 2529, 2538, 2565, 2585, 2603, 2646, 2660, 2662, 2690, 2771, 2788, 2789, 2895, 2929, 2935, 2960, 3015 and 3115 were each correctly engrossed and, together with engrossed SAs, properly signed and ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1908** was adopted upon motion of Senator Crain.

**HB 1908**, as amended in conference, was read at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.--44.

Excused: Adelson, Gumm and Taylor.--3.

Vacancy: District 38.--1.

The bill passed.

**HB 1908**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

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

**SB 1125**  
**SB 1127**  
**SB 1129**  
**SB 1133**  
**SB 1135**  
**SB 1137**  
**SB 1139**  
**SB 1141**  
**SB 1143**  
**SB 1145**

**SB 1147**  
**SB 1149**  
**SB 1151**  
**SB 1153**  
**SB 1155**  
**SB 1157**  
**SB 1159**  
**SB 1161**  
**SB 1163**  
**SB 1165**  
**SB 1167**  
**SB 1169**  
**SB 1171**  
**SB 1173**  
**SB 1175**  
**SB 1177**  
**SB 1179**  
**SB 1181**  
**SB 1183**  
**SB 1185**  
**SB 1187**  
**SB 1189**  
**SB 1275**  
**SB 1278**  
**SB 1280**  
**SB 1282**  
**SB 1284**  
**SB 1826**

House amendments were read on the above-numbered bills.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 2431, 2606, 2643, 2696, 2750, 2891, 3043 and 3044** and **HJR 1066**.

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

Advising concurrence in **SAs** to and passage of Engrossed **HB 2062**.

Advising rejection of **SAs** to **HBs 2393, 2594 and 2904**, requesting conference and House conferees to be named later.

**GENERAL ORDER**

**HB 3085** by Case et al of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 3085** be advanced, which motion was declared adopted upon roll call as follows:

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

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

Excused: Adelson and Taylor.--2.

Vacancy: District 38.--1.

**THIRD READING**

**HB 3085** 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, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon, Shurden, Wilson and Wyrick.--25.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--20.

Excused: Coates and Taylor.--2.

Vacancy: District 38.--1.

The bill passed.

Pursuant to Rule 12-23, Senator Jolley served notice that the vote be reconsidered whereby **HB 3085** passed.

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

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

**SB 1191  
SB 1195  
SB 1197  
SB 1199  
SB 1201  
SB 1203  
SB 1205  
SB 1207  
SB 1209  
SB 1211  
SB 1213  
SB 1215  
SB 1217  
SB 1221  
SB 1223  
SB 1225  
SB 1229  
SB 1231  
SB 1233  
SB 1237  
SB 1239  
SB 1241  
SB 1243  
SB 1245  
SB 1247  
SB 1249  
SB 1251  
SB 1253  
SB 1255  
SB 1257  
SB 1259**

House amendments were read on the above-numbered bills.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HB 2062**.

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

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on **HBs 2393, 2594 and 2904** was ordered granted and Senate conferees to be named later.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1061**.

**HCR 1061** – By Balkman, Adkins, Armes, Askins, Auffet, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hiett, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright and Young of the House and Hobson of the Senate.

A Concurrent Resolution designating April 17, 2006, as Diabetes Awareness Day in the State of Oklahoma; and directing distribution.

The above-numbered measure was read the first time.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Hobson asked unanimous consent to suspend Rule 5-4 and refer **HCR 1061** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1061** by Balkman et al of the House and Hobson of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1061**, which was the order.

**HCR 1061** was adopted upon motion of Senator Hobson and properly signed and ordered returned to the Honorable House.

## **GENERAL ORDER**

**HB 2361** by Banz of the House and Aldridge and Garrison of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2361** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2361** 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.

**HB 2361** was properly signed and ordered returned to the Honorable House.

## **INTRODUCTION**

Senator Pruitt introduced his son, Cade, to the Senate. Senator Fisher asked unanimous consent, which was granted, that Cade be named Honorary President Pro Tempore for this legislative day.

## **GENERAL ORDER**

**HB 2097** by Dank and Nance of the House and Paddack of the Senate was called up for consideration.

Senator Paddack moved that **HB 2097** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2097** 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, 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.--45.

Excused: Anderson and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2097** was referred for engrossment.

**GENERAL ORDER**

**HB 2527** by Miller (Doug) of the House and Johnson (Constance) of the Senate was called up for consideration.

Senator Johnson (Constance) moved that **HB 2527** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2527** 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, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--39.

Nay: Branan, Coffee, Lamb, Pruitt and Reynolds.--5.

Excused: Adelson, Rabon and Taylor.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Johnson (Constance) served notice that the vote be reconsidered whereby **HB 2527** passed.

## **GENERAL ORDER**

**HB 2397** by Sherrer et al of the House and Easley of the Senate was called up for consideration.

Senator Ford moved to amend **HB 2397**, Page 20, Line 19 through Page 21, Line 2, by deleting all language after the numeral "53." and inserting in lieu thereof the language "Sales of boxes of food by a church or by an organization, which is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3). To qualify under the provisions of this paragraph, the organization must be organized for the primary purpose of feeding needy individuals or to encourage volunteer service by requiring such service in order to purchase food. These boxes shall only contain edible staple food items.", which amendment was declared adopted.

Senator Easley moved that **HB 2397** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2397** 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, Wilson and Wyrick.--45.

Excused: Taylor and Williamson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Easley served notice that the vote be reconsidered whereby **HB 2397** passed.

**Senator Gumm presiding.**

### **GENERAL ORDER**

**HB 2356** by Liotta et al of the House and Capps of the Senate was called up for consideration.

Senator Mazzei asked to coauthor **HB 2356**, which was the order.

Senator Capps moved that **HB 2356** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2356** 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, 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, Wilcoxson, Wilson and Wyrick.--42.

Excused: Corn, Pruitt, Shurden, Taylor and Williamson.--5.

Vacancy: District 38.--1.

The bill passed.

Senator Shurden desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43; Excused: 4; Vacancy: 1.

The emergency passed.

**HB 2356** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2794** by Miller (Doug) of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 2794** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2794** 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, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Pruitt and Taylor.--2.

Vacancy: District 38.--1.

The bill passed.

**HB 2794** was referred for engrossment.

### **GENERAL ORDER**

**HB 2589** by Duncan et al of the House and Hobson of the Senate was called up for consideration.

Senator Hobson moved that **HB 2589** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2589** 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, Williamson, Wilson and Wyrick.--45.

Excused: Pruitt and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2589** was referred for engrossment.

### **GENERAL ORDER**

**HB 2424** by Glenn and Peterson (Pam) of the House and Garrison of the Senate was called up for consideration.

Senator Garrison moved that **HB 2424** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2424** 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, 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, Williamson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill passed.

**HB 2424** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2822** by DeWitt et al of the House and Wyrick of the Senate was called up for consideration.

Senator Laughlin asked to coauthor **HB 2822**, which was the order.

Senator Wyrick moved that **HB 2822** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2822** 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2822** was referred for engrossment.

**GENERAL ORDER**

**HB 1268** by Ingmire et al of the House and Adelson of the Senate was called up for consideration.

Senators Shurden, Leftwich, Garrison and Eason McIntyre asked to coauthor **HB 1268**, which was the order.

Senator Adelson moved that **HB 1268** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1268** 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill passed.

**HB 1268** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bill:

#### **SB 1131**

The above-numbered measure was referred for enrollment.

### **GENERAL ORDER**

**HB 2499** by Hickman et al of the House and Laughlin and Capps of the Senate was called up for consideration.

Senator Laughlin moved that **HB 2499** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2499** was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Branan, Cain, Capps, Coates, Coffee, Crain, Fisher, Gumm, Harrison, Hobson, Johnson (M), Jolley, Lamb, Laster, Laughlin, Mazzei, Myers, Williamson and Wilson.--22.

Nay: Aldridge, Bass, Brogdon, Corn, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Johnson (C), Justice, Lawler, Leftwich, Lerblance, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson and Wyrick.--22.

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

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Laughlin served notice that the vote be reconsidered whereby **HB 2499** failed.

### **GENERAL ORDER**

**HB 2516** by Young et al of the House and Leftwich et al of the Senate was called up for consideration.

Senator Leftwich moved that **HB 2516** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2516** 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Harrison, Hobson, Johnson (C), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilson and Wyrick.--38.

Nay: Aldridge, Gumm, Johnson (M), Myers, Wilcoxson and Williamson.--6.

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

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2516** was referred for engrossment.

### **GENERAL ORDER**

**HB 2877** by Case of the House and Hobson of the Senate was called up for consideration.

Senator Hobson moved to amend **HB 2877**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2877** to the engrossed version of the bill.

Senator Hobson moved that **HB 2877** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2877** 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, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Brogdon.--1.

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

Vacancy: District 38.--1.

The bill passed.

**HB 2877** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1672** by Nations et al of the House and Hobson of the Senate was called up for consideration.

Senator Hobson moved that **HB 1672** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1672** 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, Myers, Nichols, Paddack, Rabon,

Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill passed.

**HB 1672** was referred for engrossment.

### **GENERAL ORDER**

**HB 2425** by Glenn of the House and Wyrick of the Senate was called up for consideration.

Senator Wyrick moved to amend **HB 2425**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Wyrick moved that **HB 2425** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2425** 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill passed.

**HB 2425** was referred for engrossment.

**GENERAL ORDER**

**HB 2661** by Roan of the House and Rabon of the Senate was called up for consideration.

Senator Rabon moved to amend **HB 2661**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2661** to the engrossed version of the bill.

Senator Rabon moved that **HB 2661** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2661** 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, 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Nay: Branan and Williamson.--2.

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

Vacancy: District 38.--1.

The bill passed.

**HB 2661** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1580** by Piatt of the House and Crutchfield of the Senate was called up for consideration.

Senator Myers moved to amend **HB 1580**, Page 1, Line 11 ½, by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 42 O.S. 2001, Section 43, is amended to read as follows:

A. Every hospital in ~~the State of Oklahoma~~ this state, which shall furnish emergency medical or other service to any patient injured by reason of an accident not covered by the Workers' Compensation Act, shall, if such injured party shall assert or maintain a claim against another for damages on account of such injuries, have a lien upon that part going or belonging to such patient of any recovery or sum had or collected or to be collected by such patient, or by his heirs, personal representatives or next of kin in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care and maintenance of such patient in such hospital up to the date of payment of such damages: Provided, however, that this lien shall be inferior to any lien or claim of any attorney or attorneys for handling the claim on behalf of such patient, his heirs or personal representatives; provided further, that the lien herein set forth shall not be applied or considered valid against any claim for amounts due under the Workers' Compensation Act in this state.

B. This section shall also apply, in medically referred cases, to a medical diagnostic imaging facility not affiliated with a hospital that provides diagnostic imaging that includes, but is not limited to, modalities such as Magnetic Resonance Imaging (MRI), Computed Tomography (CT) and Positron Emission Tomography (PET).”, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Crutchfield moved that **HB 1580** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1580** 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

Vacancy: District 38.--1.

The bill passed.

**HB 1580** was referred for engrossment.

**GENERAL ORDER**

**HB 2518** by Cox and Nance of the House and Paddack of the Senate was called up for consideration.

Senator Paddack moved to amend **HB 2518**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2518** to the engrossed version of the bill.

Senator Paddack moved that **HB 2518** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2518** 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, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--43.

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

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2518** was properly signed and ordered returned to the Honorable House.

**FIRST READING**

The following were introduced and read the first time:

**SCR 49** – By Lerblance and Armes of the House.

A Concurrent Resolution designating April 19, 2006, “Water Day” at the State Capitol; and directing distribution.

**SR 93** – By Bass and Leftwich.

A Resolution commending the work of Allen McKinney on behalf of disabled veterans; designating April 18, 2006, “Allen McKinney Day” at the Oklahoma State Capitol; and directing distribution.

**SR 94** – By Branan and Coffee.

A Resolution congratulating the Putnam City High School Pirates Boys Basketball team upon winning the 2006 Class 6A Basketball State Championship; and directing distribution.

**SR 95** – By Morgan.

A Resolution expressing gratitude to Senator Frank Shurden for his service in the Oklahoma State Senate; and directing distribution.

**SR 96** – By Morgan.

A Resolution recognizing the Oklahoma Master Gardener program; designating April 19, 2006, “Master Gardener Day” at the Oklahoma State Capitol; urging the people of Oklahoma to take advantage of Oklahoma State University Extension Services; and directing distribution.

**SR 97** – By Jolley.

A Resolution commending Jill Rumbaugh for her teaching talents; congratulating her upon her selection as a 2005 Milken Family Foundation National Educator Award recipient; and directing distribution.

#### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Lerblance asked unanimous consent to suspend Rule 5-4 and refer **SCR 49** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SCR 49** by Lerblance of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **SCR 49**, which was the order.

**SCR 49** was adopted upon motion of Senator Lerblance and referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Corn asked unanimous consent to suspend Rule 5-4 and refer **SR 87** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 87** by Corn was called up for consideration.

All other members of the Senate asked to coauthor **SR 87**, which was the order.

**SR 87** was adopted upon motion of Senator Corn and referred for enrollment.

**GENERAL ORDER**

**HB 2664** by Roan of the House and Corn of the Senate was called up for consideration.

Senator Corn moved to amend **HB 2664**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2664** to the engrossed version of the bill.

Senator Corn moved that **HB 2664** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2664** 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, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Coffee, Lerblance, Morgan, Pruitt and Taylor.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2664** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 2626** by Pruett of the House and Rabon of the Senate, last considered on Page 1040, was called up for further consideration.

Senator Williamson moved to amend **HB 2626**, Page 6, Line 6 ½, by inserting a new subsection 12 to read as follows:

“12. Subsequent to the effective date of this act, a bank shall provide a customer creating a P.O.D. account with a written notice that the distribution of the proceeds in the P.O.D. account shall be consistent with the provisions of Title 6, Section 901 of Oklahoma Statutes.” and by amending the title to conform, which amendment was declared adopted.

Senator Rabon moved that **HB 2626** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2626** 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, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Coffee, Lerblance, Morgan, Pruitt and Taylor.--5.

Vacancy: District 38.--1.

The bill passed.

**HB 2626** was referred for engrossment.

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 49** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**EXECUTIVE NOMINATIONS**

The following executive nominations were read and referred to committee as indicated:

Davis, Shawn, Calumet, as a member of the Highway Construction Materials Technician Certification Board - Transportation

Gault, Jeannie K., Elgin, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Johnson, Michael P., Tulsa, as a member of the Board of Trustees for Oklahoma State University/Tulsa - Education

Reed, Deanna, Poteau, as a member of the Board of Regents for Carl Albert State College - Education

Vanderslice, Ronna, Weatherford, as a member of the Board of Mental Health and Substance Abuse Services - Health and Human Resources

Wiebener, Peggy Elaine, Thomas, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

**BILL RELEASED  
TIME EXPIRED TO RECONSIDER**

**HB 2086** was properly signed and ordered returned to the Honorable House.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 18, 2006, at 1:15 p.m., which motion prevailed.

**SECOND READING**

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

**SCR 48** – Appropriations

**MESSAGES FROM THE GOVERNOR**

Advising his approval April 13, 2006, of Enrolled **SBs 516, 1476, 1505, 1552** and **1678**.

Advising his approval April 17, 2006, of Enrolled **SBs 682, 1331, 1364** and **1365**.

Pursuant to the Fisher motion, the Senate adjourned at 4:15 p.m. to meet Tuesday, April 18, 2006, at 1:15 p.m.

**JOURNAL CORRECTION**

Page 1040, Line 15, by inserting the following:

“Senator Gumm asked to coauthor **HB 2698**, which was the order.”