

# Senate Journal

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

**Fifty-seventh Legislative Day, Friday, May 19, 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, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.—45.

Excused: Pruitt, Riley and Taylor.—3.

Senator Corn declared a quorum present.

The prayer was offered by Reverend Todd Leatherman, Highland Park Christian Church, Tulsa, the guest of Senator Riley.

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

**SCR 56** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SBs 1086, 1088 and 1742** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### **MESSAGE FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1069**.

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

Advising passage of and transmitting for consideration Engrossed **HCR 1073**.

**HCR 1073** – By Piatt, Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, DePue, DeWitt, Denney, Deutschendorf, 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), 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 Crutchfield of the Senate.

A Concurrent Resolution commending the life of Enoch Watterson; designating circle drive; and directing distribution.

The above-numbered measure was read the first time.

#### **PENDING CONSIDERATION OF HAS**

**HAs to SB 324** were concurred in upon motion of Senator Coffee.

Senator Coates asked to coauthor **SB 324**, which was the order.

**SB 324**, as amended by the Honorable House, was read 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill passed.

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

**FIRST READING**

The following was introduced and read the first time:

**SR 117** – By Mazzei.

A Resolution commending the Jenks Girls Golf Team for winning the 2006 Class 6A State Championship; congratulating them for their third consecutive victory; and directing distribution.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Mazzei asked unanimous consent to suspend Rule 5-4 and refer **SR 117** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 117** by Mazzei was called up for consideration.

All other members of the Senate asked to coauthor **SR 117**, which was the order.

**SR 117** was adopted upon motion of Senator Mazzei and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Crutchfield asked unanimous consent to suspend Rule 5-4 and refer **HCR 1072** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1072** by Hilliard et al of the House and Crutchfield of the Senate was called up for consideration.

All other members of the Senate, except Rabon, asked to coauthor **HCR 1072**, which was the order.

**HCR 1072** was adopted upon motion of Senator Crutchfield and properly signed and ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1076** was adopted upon motion of Senator Easley.

**SB 1076**, as amended in conference, was read 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Leftwich, Pruitt, Rabon, Riley, Taylor and Williamson.--6.

The bill passed.

**SB 1076**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1793** was adopted upon motion of Senator Justice.

Senator Garrison asked to coauthor **SB 1793**, which was the order.

**SB 1793**, as amended in conference, was read 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 1793**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1434** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**PENDING CONSIDERATION OF CCR**

The **CCR on SB 1597** was adopted upon motion of Senator Laster.

**SB 1597**, as amended in conference, was read 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill and emergency passed.

**SB 1597**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR on SB 1701** was adopted upon motion of Senator Shurden.

**SB 1701**, as amended in conference, was read 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill passed.

**SB 1701**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Fisher moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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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.

### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 1086, 1088** and **1742**.

The above-numbered enrolled measures were referred to the Governor.

Advising naming House conferees on Engrossed:

**HB 2867** - Worthen, Smaligo, Martin, Auffet, Kiesel Piatt, Staggs and Young

**HB 2955** - Hickman, Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Peterson (Ron), Shoemake, Walker and Wilt

**HB 2999** - Winchester, Peters, Billy, Carey, Hamilton, Hilliard, Jackson and Steele

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 1167** - Balkman, Cooksey, Brown, Cox, Eddins, Ellis, Tibbs and Newport

**SB 1324** - Peters, Case, Liebmann, Liotta, Carey and Hilliard

**SB 1397** - Sullivan, Armes, Covey, DeWitt, Roggow and Shoemake

**SB 1675** - Armes, Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Peterson (Ron), Shoemake, Walker and Wilt

**SB 1752** - Liotta, Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Peterson (Ron), Shoemake, Walker and Wilt

**SB 1850** - Denney, Steele, Cox, Billy, Newport, Brown, Sherrer and Glenn

**MESSAGE FROM THE HOUSE  
CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HB 1757**

**HB 2412** - coauthored by Nance and Wright of the House

**HB 2490** - coauthored by Billy of the House

**HB 2585** - coauthored by Nance of the House

**HB 2749**

**HB 2882** - coauthored by Wesselhoft of the House

**HB 2929** - coauthored by Braddock of the House

Conference committee reports were read on the above-numbered bills.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1686** was adopted upon motion of Senator Lerblance.

Representatives Smithson and Brannon asked to coauthor **SB 1686**, which was the order.

**SB 1686**, as amended in conference, was read 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, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Lerblance, Mazzei, Myers, Nichols, Rabon, Reynolds, Schulz, Wilcoxson, Williamson, Wilson and Wyrick.--40.

Excused: Eason McIntyre, Leftwich, Morgan, Paddack, Pruitt, Riley, Shurden and Taylor.--8.

The bill and emergency passed.

**SB 1686**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1842** was adopted upon motion of Senator Laster.

**SB 1842**, as amended in conference, was read 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, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

The bill and emergency passed.

**SB 1842**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**Senator Gumm presiding.**

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

The **CCR** on **SB 1614** was adopted upon motion of Senator Lawler.

**SB 1614**, as amended in conference, was read 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, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Corn, Pruitt, Riley and Taylor.--4.

The bill passed.

**SB 1614**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**HB 2812** – remove GCCA and add Johnson (Mike), Morgan, Crutchfield

**MESSAGE FROM THE HOUSE**

Advising rejection of **CCRs** to the following bills, requesting further conference and naming same House conferees as follows:

**HB 2077** - Ellis, Walker, Jackson, Liotta, Roggow and Thompson

**HB 2461** - Coody, Calvey, Rousselot, Liotta, Dorman and Adkins

**HB 2462** - Coody, Calvey, Rousselot, Carey, Armes and Liotta

**HB 2845** - Calvey, Rousselot, Terrill, Adkins, Liotta and Dorman

**HB 2958** - Calvey, Rousselot, Terrill, Adkins, Liotta and Dorman

**SB 1495** - Miller (Ken), Steele, Cox, Liebmann, Shelton, Askins and Newport

**PENDING SENATE ACTION**

**HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

**SB 1495** – Corn, Lamb, Leftwich

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 22, 2006, at 9:00 a.m., which motion prevailed.

**CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 266**

**SB 1401**

**SB 1412**

**SB 1463**

**SB 1495 (2ND CCR)**

**SB 1496**

**SB 1748**

**SB 1894**

**SB 1919**

**SB 2017**

**FIRST READING**

The following was introduced and read the first time:

**SCR 57** – By Shurden of the Senate and Liotta of the House.

A Concurrent Resolution authorizing the use of interest on construction funds with respect to completed projects funded through the Oklahoma Capitol Improvement Authority Series 1999A Bonds for purposes of acquiring additional property and other improvements for the Lincoln Boulevard Renaissance Project.

Pursuant to the Fisher motion, the Senate adjourned at 11:35 a.m. to meet Monday, May 22, 2006, at 9:00 a.m.