

# Senate Journal

## Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma

**Second Legislative Day, Tuesday, February 3, 2004**

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Excused: Easley.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Trace Morgan, First Baptist Church, Stillwater, the guest of Senator Morgan.

### **PENDING CONSIDERATION OF HAS**

**HAs to SB 267** were rejected upon motion of Senator Capps, conference requested, and Senate conferees to be named later.

### **DEDICATION**

Senator Ford presented the painting “The Last Farewell of Wiley Post and Will Rogers”. Senator Ford introduced Mr. Charles W. Harris, trustee of The Sisk Charitable Trust. Mr. Harris addressed the Senate. Senator Ford introduced the artist, Mike Wimmer. Mr. Wimmer addressed the Senate. Mr. Harris, on behalf of The Sisk Charitable Trust, presented the painting to the Senate as a gift.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 4, 2004, 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:

**SB 1340** – Judiciary, coauthored by Blackburn (principal House author)

DO PASS, As Amended:

**SB 883** – Judiciary, coauthored by Winchester (principal House author)

### **SECOND READING**

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

**SB 839** – Transportation

**SB 840** – General Government

**SB 841** – Finance

**SB 842** – Appropriations

**SB 843** – Finance

**SB 844** – Finance

**SB 845** – Transportation

**SB 846** – Energy, Environment and Communications

**SB 847** – Appropriations

**SB 848** – Energy, Environment and Communications

**SB 849** – Education

**SB 850** – Judiciary

**SB 851** – General Government

**SB 852** – Business and Labor

**SB 853** – Finance

**SB 854** – Appropriations

**SB 855** – Appropriations

**SB 856** – Retirement and Group Health

**SB 857** – Finance

**SB 858** – Finance

**SB 859** – Finance

**SB 860** – Finance

**SB 861** – Finance

- SB 862** – Finance
- SB 863** – Energy, Environment and Communications
- SB 864** – Sunset Review
- SB 865** – Rules
- SB 866** – General Government
- SB 867** – Appropriations
- SB 868** – General Government
- SB 869** – General Government
- SB 870** – Finance
- SB 871** – Finance
- SB 872** – Judiciary
- SB 873** – Education
- SB 874** – Finance
- SB 875** – Finance
- SB 876** – Judiciary
- SB 877** – Appropriations
- SB 878** – Energy, Environment and Communications
- SB 879** – Energy, Environment and Communications
- SB 880** – Rules
- SB 881** – Judiciary
- SB 882** – Judiciary
- SB 883** – Judiciary
- SB 884** – Veterans, Military Affairs, and Public Safety
- SB 885** – General Government
- SB 886** – Judiciary
- SB 887** – Finance
- SB 888** – Finance
- SB 889** – Judiciary
- SB 890** – General Government
- SB 891** – General Government
- SB 892** – Finance
- SB 893** – Appropriations
- SB 894** – Education
- SB 895** – Education
- SB 896** – Education
- SB 897** – Appropriations
- SB 898** – Energy, Environment and Communications
- SB 899** – Human Resources
- SB 900** – Veterans, Military Affairs, and Public Safety
- SB 901** – Veterans, Military Affairs, and Public Safety
- SB 902** – Judiciary
- SB 903** – Energy, Environment and Communications
- SB 904** – Energy, Environment and Communications
- SB 905** – General Government

**SB 906** – General Government  
**SB 907** – General Government  
**SB 908** – Appropriations  
**SB 909** – Direct To Calendar  
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**SB 1088** – Commerce  
**SB 1089** – Rules  
**SB 1090** – Judiciary  
**SB 1091** – Judiciary  
**SB 1092** – Finance  
**SB 1093** – Finance  
**SB 1094** – Appropriations  
**SB 1095** – Appropriations  
**SB 1096** – Appropriations  
**SB 1097** – Appropriations  
**SB 1098** – Appropriations  
**SB 1099** – Energy, Environment and Communications  
**SB 1100** – Appropriations  
**SB 1101** – Rules  
**SB 1102** – Finance  
**SB 1103** – Appropriations  
**SB 1104** – General Government  
**SB 1105** – Appropriations  
**SB 1106** – Appropriations  
**SB 1107** – Appropriations  
**SB 1108** – General Government  
**SB 1109** – Human Resources  
**SB 1110** – Human Resources  
**SB 1111** – Human Resources  
**SB 1112** – Education  
**SB 1113** – Appropriations  
**SB 1114** – Appropriations  
**SB 1115** – Education  
**SB 1116** – Education  
**SB 1117** – Appropriations  
**SB 1118** – Transportation  
**SB 1119** – Rules  
**SB 1120** – Finance  
**SB 1121** – Finance  
**SB 1122** – Finance  
**SB 1123** – General Government  
**SB 1124** – Appropriations  
**SB 1125** – Education



- SB 1126** – Finance
- SB 1127** – Energy, Environment and Communications
- SB 1128** – Education
- SB 1129** – Appropriations
- SB 1131** – Retirement and Group Health
- SB 1132** – Judiciary
- SB 1133** – Finance
- SB 1134** – Retirement and Group Health
- SB 1135** – Appropriations
- SB 1136** – Appropriations
- SB 1137** – Appropriations
- SB 1138** – Retirement and Group Health
- SB 1139** – Retirement and Group Health
- SB 1140** – Retirement and Group Health
- SB 1141** – Retirement and Group Health
- SB 1142** – Retirement and Group Health
- SB 1143** – Rules
- SB 1144** – Retirement and Group Health
- SB 1145** – Retirement and Group Health
- SB 1146** – Finance
- SB 1147** – Education
- SB 1148** – Appropriations
- SB 1149** – Retirement and Group Health
- SB 1150** – Business and Labor
- SB 1151** – Transportation
- SB 1152** – Judiciary
- SB 1153** – General Government
- SB 1154** – Appropriations
- SB 1155** – Appropriations
- SB 1156** – Appropriations
- SB 1157** – Appropriations
- SB 1158** – Appropriations
- SB 1159** – Rules
- SB 1160** – Retirement and Group Health
- SB 1161** – Appropriations
- SB 1162** – Retirement and Group Health
- SB 1163** – Agriculture and Rural Development
- SB 1164** – Appropriations
- SB 1165** – Retirement and Group Health
- SB 1166** – Business and Labor
- SB 1167** – Energy, Environment and Communications
- SB 1168** – Appropriations
- SB 1169** – Appropriations
- SB 1170** – Finance

**SB 1171** – Judiciary  
**SB 1172** – Appropriations  
**SB 1173** – Business and Labor  
**SB 1174** – Appropriations  
**SB 1175** – Retirement and Group Health  
**SB 1176** – Finance  
**SB 1177** – Appropriations  
**SB 1178** – Finance  
**SB 1179** – Appropriations  
**SB 1180** – Human Resources  
**SB 1181** – Energy, Environment and Communications  
**SB 1182** – Rules  
**SB 1183** – Finance  
**SB 1184** – Appropriations  
**SB 1185** – Appropriations  
**SB 1186** – Judiciary  
**SB 1187** – Finance  
**SB 1188** – General Government  
**SB 1189** – Appropriations  
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**SB 1193** – Finance  
**SB 1194** – Appropriations  
**SB 1195** – Finance  
**SB 1196** – Appropriations  
**SB 1197** – Finance  
**SB 1198** – Appropriations  
**SB 1199** – Appropriations  
**SB 1200** – Appropriations  
**SB 1201** – Appropriations  
**SB 1202** – Rules  
**SB 1203** – Retirement and Group Health  
**SB 1204** – Agriculture and Rural Development  
**SB 1205** – Energy, Environment and Communications  
**SB 1206** – Aerospace and Technology  
**SB 1207** – Appropriations  
**SB 1208** – Veterans, Military Affairs, and Public Safety  
**SB 1209** – General Government  
**SB 1210** – Judiciary  
**SB 1211** – Business and Labor  
**SB 1212** – Appropriations  
**SB 1213** – Judiciary  
**SB 1214** – Rules

- SB 1215** – Judiciary
- SB 1216** – Agriculture and Rural Development
- SB 1217** – Judiciary
- SB 1218** – Rules
- SB 1219** – Energy, Environment and Communications
- SB 1220** – Judiciary
- SB 1221** – Business and Labor
- SB 1222** – Appropriations
- SB 1223** – Judiciary
- SB 1224** – Veterans, Military Affairs, and Public Safety
- SB 1225** – Appropriations
- SB 1226** – Retirement and Group Health
- SB 1227** – Appropriations
- SB 1228** – Retirement and Group Health
- SB 1229** – Rules
- SB 1230** – Education
- SB 1231** – General Government
- SB 1232** – Appropriations
- SB 1233** – Agriculture and Rural Development
- SB 1234** – Business and Labor
- SB 1235** – Judiciary
- SB 1236** – Agriculture and Rural Development
- SB 1237** – Commerce
- SB 1238** – Judiciary
- SB 1239** – Finance
- SB 1240** – Finance
- SB 1241** – Judiciary
- SB 1242** – Appropriations
- SB 1243** – Finance
- SB 1244** – Commerce
- SB 1245** – Finance
- SB 1246** – Judiciary
- SB 1247** – Finance
- SB 1248** – Rules
- SB 1249** – Rules
- SB 1250** – Rules
- SB 1251** – Education
- SB 1252** – Rules
- SB 1253** – Finance
- SB 1254** – Finance
- SB 1255** – Human Resources
- SB 1256** – Appropriations
- SB 1257** – Retirement and Group Health
- SB 1258** – Judiciary

**SB 1259** – Commerce  
**SB 1260** – Retirement and Group Health  
**SB 1261** – Retirement and Group Health  
**SB 1262** – Judiciary  
**SB 1263** – Human Resources  
**SB 1264** – General Government  
**SB 1265** – Appropriations  
**SB 1266** – Appropriations  
**SB 1267** – Judiciary  
**SB 1268** – Judiciary  
**SB 1269** – Judiciary  
**SB 1270** – Agriculture and Rural Development  
**SB 1271** – Education  
**SB 1272** – Appropriations  
**SB 1273** – Finance  
**SB 1274** – Appropriations  
**SB 1275** – Judiciary  
**SB 1276** – Business and Labor  
**SB 1277** – Appropriations  
**SB 1278** – Education  
**SB 1279** – Education  
**SB 1280** – Appropriations  
**SB 1281** – Energy, Environment and Communications  
**SB 1282** – Finance  
**SB 1283** – General Government  
**SB 1284** – Energy, Environment and Communications  
**SB 1285** – Finance  
**SB 1286** – Finance  
**SB 1287** – Judiciary  
**SB 1288** – Appropriations  
**SB 1289** – Rules  
**SB 1290** – Judiciary  
**SB 1291** – Judiciary  
**SB 1292** – Energy, Environment and Communications  
**SB 1293** – Energy, Environment and Communications  
**SB 1294** – Education  
**SB 1295** – General Government  
**SB 1296** – Energy, Environment and Communications  
**SB 1297** – Finance  
**SB 1298** – Veterans, Military Affairs, and Public Safety  
**SB 1299** – Appropriations  
**SB 1300** – Agriculture and Rural Development  
**SB 1301** – Appropriations  
**SB 1302** – Agriculture and Rural Development

- SB 1303** – General Government
- SB 1304** – Retirement and Group Health
- SB 1305** – Appropriations
- SB 1306** – Appropriations
- SB 1307** – Business and Labor
- SB 1308** – Judiciary
- SB 1309** – General Government
- SB 1310** – Appropriations
- SB 1311** – Energy, Environment and Communications
- SB 1312** – Appropriations
- SB 1313** – Judiciary
- SB 1314** – Finance
- SB 1315** – Judiciary
- SB 1316** – Judiciary
- SB 1317** – Energy, Environment and Communications
- SB 1318** – Finance
- SB 1319** – Rules
- SB 1320** – Finance
- SB 1321** – Finance
- SB 1322** – Appropriations
- SB 1323** – Finance
- SB 1324** – Judiciary
- SB 1325** – Appropriations
- SB 1326** – Judiciary
- SB 1327** – Judiciary
- SB 1328** – Appropriations
- SB 1329** – Education
- SB 1330** – Retirement and Group Health
- SB 1331** – Judiciary
- SB 1332** – Energy, Environment and Communications
- SB 1333** – Judiciary
- SB 1334** – Judiciary
- SB 1335** – Retirement and Group Health
- SB 1336** – Rules
- SB 1337** – Rules
- SB 1338** – Rules
- SB 1339** – Appropriations
- SB 1340** – Judiciary
- SB 1341** – Appropriations
- SB 1342** – Finance
- SB 1343** – Rules
- SB 1344** – Human Resources
- SB 1345** – Retirement and Group Health
- SB 1346** – General Government

- SB 1347** – Appropriations
- SB 1348** – General Government
- SB 1349** – Appropriations
- SB 1350** – Energy, Environment and Communications
- SB 1351** – Finance
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- SB 1353** – Human Resources
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- SB 1355** – Finance
- SB 1356** – Finance
- SB 1357** – Energy, Environment and Communications
- SB 1358** – Finance
- SB 1359** – Finance
- SB 1360** – Agriculture and Rural Development
- SB 1361** – Appropriations
- SB 1362** – Appropriations
- SB 1363** – Finance
- SB 1364** – Judiciary
- SB 1365** – Rules
- SB 1366** – Judiciary
- SB 1367** – Appropriations
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- SB 1376** – Finance
- SB 1377** – Judiciary
- SB 1378** – Rules
- SB 1379** – Appropriations
- SB 1380** – Judiciary
- SB 1381** – Business and Labor
- SB 1382** – Finance
- SB 1383** – Finance
- SB 1384** – Retirement and Group Health
- SB 1385** – Appropriations
- SB 1386** – Transportation
- SB 1387** – Appropriations
- SB 1388** – Retirement and Group Health
- SB 1389** – Retirement and Group Health
- SB 1390** – Appropriations

- SB 1391** – Retirement and Group Health
- SB 1392** – General Government
- SB 1393** – Veterans, Military Affairs, and Public Safety
- SB 1394** – Appropriations
- SB 1395** – Judiciary
- SB 1396** – Appropriations
- SB 1397** – Judiciary
- SB 1398** – General Government
- SB 1399** – Appropriations
- SB 1400** – Judiciary
- SB 1401** – Judiciary
- SB 1402** – Appropriations
- SB 1403** – Appropriations
- SB 1404** – Veterans, Military Affairs, and Public Safety
- SB 1405** – Appropriations
- SB 1406** – Human Resources
- SB 1407** – Judiciary
- SB 1408** – Judiciary
- SB 1409** – Rules
- SB 1410** – Appropriations
- SB 1411** – Business and Labor
- SB 1412** – Veterans, Military Affairs, and Public Safety
- SB 1413** – Appropriations
- SB 1414** – Appropriations
- SB 1415** – Judiciary
- SB 1416** – Veterans, Military Affairs, and Public Safety
- SB 1417** – Appropriations
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- SB 1419** – General Government
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- SB 1421** – Energy, Environment and Communications
- SB 1422** – Retirement and Group Health
- SB 1423** – Retirement and Group Health
- SB 1424** – Judiciary
- SB 1425** – Education
- SB 1426** – Human Resources
- SB 1427** – Appropriations
- SB 1428** – Appropriations
- SB 1429** – Human Resources
- SB 1430** – Judiciary
- SB 1431** – Human Resources
- SB 1432** – Energy, Environment and Communications
- SB 1433** – Human Resources
- SB 1434** – Retirement and Group Health

**SB 1435** – Judiciary  
**SB 1436** – Commerce  
**SB 1437** – Finance  
**SB 1438** – Judiciary  
**SB 1439** – Appropriations  
**SB 1440** – Judiciary  
**SB 1441** – Finance  
**SB 1442** – Judiciary  
**SB 1443** – Finance  
**SB 1444** – Judiciary  
**SB 1445** – Education  
**SB 1446** – Veterans, Military Affairs, and Public Safety  
**SB 1447** – Appropriations  
**SB 1448** – Finance  
**SB 1449** – Education  
**SB 1450** – Rules  
**SB 1451** – Appropriations  
**SB 1452** – Appropriations  
**SB 1453** – Finance  
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**SB 1456** – Appropriations  
**SB 1457** – Appropriations  
**SB 1458** – Appropriations  
**SB 1459** – Energy, Environment and Communications  
**SB 1460** – Appropriations  
**SB 1461** – Veterans, Military Affairs, and Public Safety  
**SB 1462** – Rules  
**SB 1463** – Transportation  
**SB 1464** – Transportation  
**SB 1465** – Appropriations  
**SB 1466** – Tourism and Wildlife  
**SB 1467** – Veterans, Military Affairs, and Public Safety  
**SB 1468** – Judiciary  
**SB 1469** – Judiciary  
**SB 1470** – Appropriations  
**SB 1471** – Appropriations  
**SB 1472** – Judiciary  
**SB 1473** – Education  
**SB 1474** – Rules  
**SB 1475** – Appropriations  
**SB 1476** – General Government  
**SB 1477** – Appropriations  
**SB 1478** – Finance



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- SB 1486** – Appropriations
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- SB 1490** – Appropriations
- SB 1491** – Rules
- SB 1492** – Education
- SB 1493** – Veterans, Military Affairs, and Public Safety
- SB 1494** – Appropriations
- SB 1495** – Business and Labor
- SB 1496** – Judiciary
- SB 1497** – Rules
- SB 1498** – Rules
- SB 1499** – Rules
- SB 1500** – Finance
- SB 1501** – Appropriations
- SB 1502** – Appropriations
- SB 1503** – Appropriations
- SB 1504** – Finance
- SB 1505** – Transportation
- SB 1506** – Business and Labor
- SB 1507** – General Government
- SB 1508** – Finance
- SB 1509** – Judiciary
- SB 1510** – Finance
- SB 1511** – Judiciary
- SB 1512** – Human Resources
- SB 1513** – Rules
- SB 1514** – Human Resources
- SB 1515** – Rules
- SB 1516** – Finance
- SB 1517** – Business and Labor
- SB 1518** – Rules
- SB 1519** – Rules
- SB 1520** – Rules
- SB 1521** – Rules
- SB 1522** – Appropriations

**SB 1523** – Transportation  
**SB 1524** – Rules  
**SB 1525** – Tourism and Wildlife  
**SB 1526** – Veterans, Military Affairs, and Public Safety  
**SB 1527** – Finance  
**SB 1528** – Rules  
**SB 1529** – Business and Labor  
**SB 1530** – Rules  
**SB 1531** – Rules  
**SB 1532** – Rules  
**SB 1533** – Appropriations  
**SB 1534** – Education  
**SB 1535** – Tourism and Wildlife  
**SB 1536** – Transportation  
**SB 1537** – Aerospace and Technology  
**SB 1538** – Rules  
**SB 1539** – Appropriations  
**SB 1540** – Appropriations  
**SB 1541** – Appropriations  
**SB 1542** – Appropriations  
**SB 1543** – Finance  
**SB 1544** – Rules  
**SB 1545** – Rules  
**SB 1546** – Rules  
**SB 1547** – Appropriations  
**SB 1548** – Tourism and Wildlife  
**SB 1549** – Rules  
**SB 1550** – Judiciary  
**SB 1551** – Finance  
**SB 1552** – Judiciary  
**SB 1553** – Rules  
**SB 1554** – Appropriations  
**SB 1555** – Appropriations  
**SB 1556** – Finance  
**SB 1557** – Appropriations  
**SB 1558** – Business and Labor  
**SB 1559** – Rules  
**SB 1560** – Rules  
**SB 1561** – Business and Labor  
**SB 1562** – Rules  
**SB 1563** – Judiciary  
**SB 1564** – Rules  
**SB 1565** – Finance  
**SB 1566** – Rules

- SB 1567** – Judiciary
- SB 1568** – Human Resources
- SB 1569** – Appropriations
- SB 1570** – Appropriations
- SB 1571** – Business and Labor
- SB 1572** – Rules
- SB 1573** – Finance
- SB 1574** – Transportation
- SB 1575** – Rules
- SB 1576** – Finance
- SB 1577** – Human Resources
- SB 1578** – Judiciary
- SB 1579** – Rules
- SB 1580** – Appropriations
- SB 1581** – Rules
- SB 1582** – Human Resources
- SB 1583** – Rules
- SB 1584** – Judiciary
- SB 1585** – Judiciary
- SB 1586** – Rules
- SB 1587** – Judiciary
- SB 1588** – Judiciary
- SB 1589** – Appropriations
- SB 1590** – Judiciary
- SB 1591** – Human Resources
- SB 1592** – Judiciary
- SB 1593** – Rules
- SB 1594** – Rules
- SB 1595** – Appropriations
- SB 1596** – Appropriations
- SB 1597** – Judiciary
- SB 1598** – Judiciary
- SB 1599** – Appropriations
- SB 1600** – Judiciary
- SB 1601** – Appropriations
- SB 1602** – Judiciary
- SB 1603** – Rules
- SB 1604** – Human Resources
- SB 1605** – Rules
- SB 1606** – Rules
- SB 1607** – Appropriations
- SB 1608** – Rules
- SB 1609** – Human Resources
- SB 1610** – Appropriations

**SB 1611** – Human Resources  
**SB 1612** – Appropriations  
**SB 1613** – Rules  
**SB 1614** – Appropriations  
**SB 1615** – Appropriations  
**SB 1616** – Appropriations  
**SB 1617** – Appropriations  
**SB 1618** – Rules  
**SB 1619** – Rules  
**SB 1620** – Rules  
**SB 1621** – Rules  
**SB 1622** – Appropriations  
**SB 1623** – Rules  
**SB 1624** – Judiciary  
**SB 1625** – Judiciary  
**SB 1626** – Human Resources  
**SB 1627** – Education  
**SB 1628** – Human Resources  
**SJR 27** – Rules  
**SJR 28** – Education  
**SJR 29** – Finance  
**SJR 30** – Finance  
**SJR 31** – Finance  
**SJR 32** – Business and Labor  
**SJR 33** – Business and Labor  
**SJR 34** – Judiciary  
**SJR 35** – Finance  
**SJR 36** – Finance  
**SJR 37** – Appropriations  
**SJR 38** – Human Resources  
**SJR 39** – Finance  
**SJR 40** – Finance  
**SJR 41** – Energy, Environment and Communications  
**SJR 42** – Commerce  
**SJR 43** – Finance  
**SJR 44** – Finance  
**SJR 45** – Rules  
**SJR 46** – Human Resources  
**SJR 47** – Direct To Calendar  
**SJR 48** – Appropriations  
**SJR 49** – Finance  
**SJR 50** – Veterans, Military Affairs, and Public Safety  
**SJR 51** – Appropriations  
**SJR 52** – Business and Labor

**SJR 53** – Finance

**SJR 54** – Commerce

**SCR 35** – Direct to Calendar

Pursuant to the Fisher motion, the Senate adjourned at 9:50 a.m. to meet Wednesday, February 4, 2004, at 1:30 p.m.