

Senate Journal

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

Thirty-eighth Legislative Day, Tuesday, April 6, 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.

Vacancy: District 18.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Brent Parsons, First Baptist Church, Newcastle, the guest of Senator Lawler.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1843, 1882, 1889, 1890, 2125, 2143, 2145, 2208, 2361, 2421, 2451, 2527, 2673 and **2674** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 908, 1227 and **1271** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 48 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

HCR 1053 by Roan et al of the House and Gumm of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1053**, which was the order.

HCR 1053 was adopted upon motion of Senator Gumm and properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1876 by Langmacher of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1876** be advanced, which motion was declared adopted.

THIRD READING

HB 1876 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, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson and Williamson.--40.

Excused: Coffee, Fair, Helton, Reynolds, Smith, Taylor and Williams.--7.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 1876 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2714 by Toure of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 2714** be advanced, which motion was declared adopted.

THIRD READING

HB 2714 was read for the third time at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Fisher, Gumm, Harrison, Hobson, Horner, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Nichols, Price, Rabon, Robinson, Rozell, Shurden, Wilcoxson and Wilkerson.--27.

Nay: Aldridge, Branan, Brogdon, Dunlap, Ford, Johnson, Kerr, Laughlin, Myers, Pruitt, Riley, Snyder and Williamson.--13.

Excused: Coffee, Fair, Helton, Reynolds, Smith, Taylor and Williams.--7.

Vacancy: District 18.--1.

The bill passed.

HB 2714 was referred for engrossment.

GENERAL ORDER

HB 2218 by Maddux et al of the House and Shurden and Corn of the Senate was called up for consideration.

Senator Rabon asked to coauthor **HB 2218**, which was the order.

Senator Shurden moved that **HB 2218** be advanced, which motion was declared adopted.

THIRD READING

HB 2218 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Capps, Coates, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt,

Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson and Williamson.--39.

Nay: Cain and Monson.--2.

Excused: Coffee, Fair, Helton, Smith, Taylor and Williams.--6.

Vacancy: District 18.--1.

The bill passed.

HB 2218 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HB 2336 by Carey of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 2336** be advanced, which motion was declared adopted.

THIRD READING

HB 2336 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Coffee, Helton, Smith and Taylor.--4.

Vacancy: District 18.--1.

The bill passed.

HB 2336 was referred for engrossment.

GENERAL ORDER

HB 2367 by Jones of the House and Brogdon of the Senate was called up for consideration.

Senator Brogdon moved that **HB 2367** be advanced, which motion was declared adopted.

THIRD READING

HB 2367 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, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, 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, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Nay: Fair.--1.

Excused: Coffee, Smith and Taylor.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2367 was referred for engrossment.

GENERAL ORDER

HB 2249 by Case of the House and Riley of the Senate was called up for consideration.

Senator Riley moved that **HB 2249** be advanced, which motion was declared adopted.

THIRD READING

HB 2249 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, 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, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Smith and Taylor.--3.

Vacancy: District 18.--1.

The bill passed.

HB 2249 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1873 by Brannon of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 1873** be advanced, which motion was declared adopted.

THIRD READING

HB 1873 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Capps, Coates, 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, Snyder, Wilkerson, Williams and Williamson.--42.

Nay: Cain.--1.

Excused: Coffee, Smith, Taylor and Wilcoxson.--4.

Vacancy: District 18.--1.

The bill passed.

HB 1873 was referred for engrossment.

GENERAL ORDER

HB 2322 by Cox and Pettigrew of the House and Horner of the Senate was called up for consideration.

Senator Horner moved that **HB 2322** be advanced, which motion was declared adopted.

THIRD READING

HB 2322 was read for the third time at length.

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

Aye: Aldridge, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Robinson, Rozell, Shurden, Wilkerson and Williams.--30.

Nay: Branan, Brogdon, Fair, Ford, Johnson, Laughlin, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--13.

Excused: Coffee, Helton, Smith and Taylor.--4.

Vacancy: District 18.--1.

The bill passed.

HB 2322 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2124 by Pope of the House and Rabon et al of the Senate was called up for consideration.

Senator Rabon moved that **HB 2124** be advanced, which motion was declared adopted.

THIRD READING

HB 2124 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Cain and Dunlap.--2.

Excused: Coffee, Helton, Smith and Taylor.--4.

Vacancy: District 18.--1.

The bill passed.

HB 2124 was referred for engrossment.

GENERAL ORDER

HJR 1060 by Easley et al of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HJR 1060** be advanced, which motion was declared adopted.

THIRD READING

HJR 1060 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Coffee, Helton, Hobson, Smith and Taylor.--5.

Vacancy: District 18.--1.

The resolution passed.

HJR 1060 was referred for engrossment.

GENERAL ORDER

HB 2371 by Sweeden et al of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 2371** be advanced, which motion was declared adopted.

THIRD READING

HB 2371 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, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Coffee, Helton, Hobson, Smith and Taylor.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2371 was referred for engrossment.

GENERAL ORDER

HB 1133 by Eddins of the House and Rozell of the Senate was called up for consideration.

Senator Rozell moved that **HB 1133** be advanced, which motion was declared adopted.

THIRD READING

HB 1133 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, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance,

Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilkerson, Williams and Williamson.--39.

Nay: Dunlap, Laughlin and Wilcoxson.--3.

Excused: Coffee, Helton, Hobson, Smith and Taylor.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Laughlin served notice that the vote be reconsidered whereby **HB 1133** passed.

GENERAL ORDER

HB 2321 by Wilson and Davis of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 2321** be advanced, which motion was declared adopted.

THIRD READING

HB 2321 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Rabon, Robinson, Rozell, Shurden, Snyder, Wilkerson, Williams and Williamson.--33.

Nay: Aldridge, Brogdon, Dunlap, Kerr, Laughlin, Milacek, Pruitt, Reynolds and Wilcoxson.--9.

Excused: Coffee, Hobson, Riley, Smith and Taylor.--5.

Vacancy: District 18.--1.

The bill passed.

HB 2321 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising naming of House conferees as follows:

HB 2528-Vaughn, Askins, Braddock, Toure, Davis

GENERAL ORDER

HB 2108 by Leist et al of the House and Robinson and Williams of the Senate was called up for consideration.

Senator Robinson moved that **HB 2108** be advanced, which motion was declared adopted.

THIRD READING

HB 2108 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, Branan, Brogdon, Cain, Capps, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Wilcoxson, Wilkerson, Williams and Williamson.--37.

Nay: Coates, Dunlap, Johnson, Laughlin, Milacek, Nichols and Snyder.--7.

Excused: Coffee, Smith and Taylor.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2108 was referred for engrossment.

FIRST READING

The following was introduced and read the first time:

SR 49 – By Hobson.

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

Senator Fisher moved that the Senate recess until 1:00 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Rabon presiding.

Senator Rabon questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

GENERAL ORDER

HB 2278 by Morgan (Danny) of the House and Crutchfield of the Senate was called up for consideration.

Senator Gumm asked to coauthor **HB 2278**, which was the order.

Senator Crutchfield moved that **HB 2278** be advanced, which motion was declared adopted.

THIRD READING

HB 2278 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, Branan, Brogdon, 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, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Cain.--1.

Excused: Pruitt, Robinson, Snyder and Taylor.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2278 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

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

GENERAL ORDER

SR 49 by Hobson was called up for consideration.

All other members of the Senate, except Senator Helton, asked to coauthor **SR 49**, which was the order.

SR 49 was adopted upon motion of Senator Hobson and referred for enrollment.

SPECIAL RECOGNITION OF SENATOR SAM HELTON

Senator Helton was honored by the Oklahoma State Senate for his 13 years of service. His portrait was displayed as a tribute in the Senate Chamber for this legislative day.

President Pro Tempore Hobson addressed the Senate commending Senator Helton for his years of service to the citizens of Senate District 31 in the Oklahoma State Senate.

Senator Helton addressed the Senate and introduced his family. His guests in attendance were his parents, Joe and Vallene Helton; his wife, Pat; his daughter and her boyfriend, Kayla Helton and Larry Callahan; and his sisters, JoAnn Alford, Nancy Barton and Pam Fisher; and Chairman of the Comanche County Democratic Party, Doug Lowry. Senator Helton recognized his executive assistant, Loretta Jones.

INTRODUCTIONS

Senator Rabon introduced former Senator Howard Hendrick and Senator Helton introduced Assistant Adjutant General Brigadier General LaRita Aragon to the Senate.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Anglin, Harold F., Pryor, to the State Board of Career and Technology Education, to serve an initial term ending April 1, 2009, succeeding a new position. (Education Committee) Motion to confirm made by Senator Taylor.

Bower, Jerry S., Choctaw, to the State Fire Marshal Commission, to serve a five year term ending July 1, 2009, succeeding himself. (General Government Committee) Motion to confirm made by Senator Aldridge.

Cotten, Marshall Phil, Norman, to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission, to serve a seven term ending December 31, 2010, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Nichols.

Cotten, Marshall Phil, Norman, to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission, to serve an unexpired term ending December 31, 2003, succeeding Joseph K. Lester. (Judiciary Committee) Motion to confirm made by Senator Nichols.

Dark, Anthony, Broken Arrow, to the Environmental Quality Board, to serve a five year term ending January 31, 2009, succeeding Lee Paden. (Energy, Environment and Communications Committee) Motion to confirm made by Senator Pruitt.

Fleischaker, David S., Oklahoma City, as Cabinet Secretary of Energy, to serve at the pleasure of the Governor, succeeding a new position. (Energy, Environment and Communications Committee) Motion to confirm made by Senator Cain.

Johnson, Clinton E., Oklahoma City, to the Oklahoma State Council for Interstate Adult Offender Supervision, to serve an initial term ending June 30, 2005, succeeding Currie Ballard. (Judiciary Committee) Motion to confirm made by Senator Monson.

Logan, Ted, Midwest City, to the State Board of Corrections, to serve an unexpired term ending March 15, 2005, succeeding Randy Wright. (General Government Committee) Motion to confirm made by Senator Aldridge.

Lowrance, N. Ann, Shawnee, to the Crime Victims Compensation Board, to serve a four year term ending September 30, 2007, succeeding Richard Guse. (Judiciary Committee) Motion to confirm made by Senator Laster.

Noble, Russell, Ardmore, to the Oklahoma State Bureau of Investigation Commission, to serve a seven year term ending July 1, 2011, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Crutchfield.

Perkins, Joe R., Owasso, to the Alcoholic Beverage Laws Enforcement Commission, to serve a five year term ending June 23, 2009, succeeding himself. (Judiciary Committee) Motion to confirm made by Senator Brogdon.

Scott-Johnson, Rowena Eileen, Purcell, to the Oklahoma State Board of Examiners for Nursing Home Administrators, to serve a three year term ending October 1, 2007, succeeding herself. (Human Resources Committee) Motion to confirm made by Senator Hobson.

Scott-Johnson, Rowena Eileen, Purcell, to the Oklahoma State Board of Examiners for Nursing Home Administrators, to serve an unexpired term ending October 1, 2004,

succeeding Marian Matthews. (Human Resources Committee) Motion to confirm made by Senator Hobson.

Ward, Kevin, Yukon, as Commissioner of Public Safety, to serve at the pleasure of the Governor, succeeding Bob Ricks. (Judiciary Committee) Motion to confirm made by Senator Johnson.

Ward, Kevin, Yukon, as Cabinet Secretary of Safety and Security, to serve at the pleasure of the Governor, succeeding a new position. (Judiciary Committee) Motion to confirm made by Senator Johnson.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--43.

Excused: Coffee, Helton, Riley and Williamson.--4.

Vacancy: District 18.--1.

GENERAL ORDER

HB 2288 by Turner et al of the House and Gumm and Myers of the Senate was called up for consideration.

Senator Rabon asked to coauthor **HB 2288**, which was the order.

Senator Gumm moved that **HB 2288** be advanced, which motion was declared adopted.

THIRD READING

HB 2288 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and

Williamson.--39.

Nay: Aldridge, Brogdon, Dunlap, Fair, Ford, Riley and Snyder.--7.

Excused: Littlefield.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2288 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1059**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 2106, 2294, 2308, 2327, 2417, 2419, 2506, 2550, 2608 and 2666**.

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

Advising fourth reading of and returning Enrolled **SBs 908, 1227 and 1271**.

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

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

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

SB 1134 - coauthored by Askins, Braddock, Covey, Deutschendorf, Gilbert, Miller (Ray), Staggs of the House

SB 1160 - coauthored by Kirby, Dorman of the House

SB 1226

SB 1447 - coauthored by Nance, Peters, Balkman, Peterson (Ron), Cargill of the House

House amendments were read on the above-numbered bills.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Lawler asked unanimous consent to suspend Rule 5-4 and refer **SCR 43** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 43 by Hobson and Nichols of the Senate and Nations of the House was called up for consideration.

Senator Lawler and all other members of the Senate asked to coauthor **SCR 43**, which was the order.

SCR 43 was adopted upon motion of Senator Lawler and referred for engrossment.

GENERAL ORDER

HB 1756 by Hefner and Adkins of the House and Rozell and Williams of the Senate was called up for consideration.

Senator Rozell moved that **HB 1756** be advanced, which motion was declared adopted.

THIRD READING

HB 1756 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, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Helton, Morgan and Snyder.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 1756 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HB 2252 by O'Neal of the House and Smith of the Senate was called up for consideration.

Senator Smith moved that **HB 2252** be advanced, which motion was declared adopted.

THIRD READING

HB 2252 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, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Littlefield and Morgan.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2252 was referred for engrossment.

GENERAL ORDER

HB 2253 by O'Neal of the House and Smith of the Senate was called up for consideration.

Senator Smith moved that **HB 2253** be advanced, which motion was declared adopted.

THIRD READING

HB 2253 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, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Helton, Hobson, Littlefield and Morgan.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Smith served notice that the vote be reconsidered whereby **HB 2253** passed.

INTRODUCTION

Senator Kerr introduced his son, Roger Kerr, to the Senate.

GENERAL ORDER

HB 2182 by Armes of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 2182** be advanced, which motion was declared adopted.

THIRD READING

HB 2182 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, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Helton, Morgan, Robinson and Williams.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2182 was properly signed and ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCRs 1065** and **1067**.

HCR 1065 – By Pettigrew, Eddins, Roberts, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Littlefield and Snyder of the Senate.

A Concurrent Resolution praising the life and career of Fern Leona Holland; extending condolences and sympathy to her family on her death; making a permanent record in the Journals of the Oklahoma House of Representatives and Oklahoma Senate; and directing distribution.

HCR 1067 – By Hilliard, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Crutchfield of the Senate.

A Concurrent Resolution honoring Cassie John Jackson on her outstanding achievements and wishing her future success; and directing distribution.

The above-numbered measures were read the first time.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Littlefield asked unanimous consent to suspend Rule 5-4 and refer **HCR 1065** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1065 by Pettigrew et al of the House and Littlefield and Snyder of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1065**, which was the order.

HCR 1065 was adopted upon motion of Senator Littlefield and properly signed and ordered returned to the Honorable House.

HCR 1065 was read at length as follows:

HCR 1065 – By Pettigrew, Eddins, Roberts, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O’Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Littlefield and Snyder of the Senate.

A Concurrent Resolution praising the life and career of Fern Leona Holland; extending condolences and sympathy to her family on her death; making a permanent record in the Journals of the Oklahoma House of Representatives and Oklahoma Senate; and directing distribution.

WHEREAS, on March 9, 2004, near the small town of Hillah, south of Baghdad, Fern Leona Holland, a great humanitarian and a woman of courage and honor, lost her life while working to establish human rights and democracy in Iraq; and

WHEREAS, prior to her untimely death, Fern Leona Holland, the 33-year-old native Oklahoman from Miami, said: “I love the work and if I die, know that I’m doing precisely what I want to be doing – working to organize and educate human rights activists and women’s groups (in Iraq)”; and

WHEREAS, Fern Leona Holland, who was awarded the Defense of Freedom Medal in recognition of the ultimate sacrifice made, assisted in writing the women’s rights provisions for Iraq’s interim constitution; and

WHEREAS, Fern Leona Holland was the first civilian American woman working with the Coalition Provisional Authority in Iraq to be brutally killed under fire; and

WHEREAS, it was stated by family members of Fern Leona Holland: “She was a lover of democracy. She was a humanitarian. She believed our greatest chance for democracy (in Iraq) was through people who were most oppressed”; and

WHEREAS, Fern Leona Holland will be remembered by her family, friends and colleagues as a gifted, spirited and courageous woman whose many accomplishments included: Salutatorian at Miami High School; 1992 graduate of the University of Oklahoma in psychology; member of the Delta Gamma sorority at the University of Oklahoma; 1996 graduate of the University of Tulsa College of Law, ultimately working with two prestigious law firms in Tulsa, Oklahoma and Washington, D.C.; member of the Cherokee Nation and honored in a recent resolution which stated she “died as a warrior”; Peace Corps volunteer in Namibia, West Africa; American Refugee Committee worker in Guinea, Liberia, and Sierra Leone, investigating sexual exploitation of women and children; and U.S. Agency for International Development official working alongside the Coalition Provisional Authority in Iraq; and

WHEREAS, Fern Leona Holland was quietly laid to rest at the Bluejacket Cemetery near the graves of her parents with family members, friends and colleagues by her graveside remembering the poignant words spoken about her by the Reverend Marlin Lavanhar at the All Souls Unitarian Church, who said: “This was an American girl from Oklahoma who transcended nationality, race, creed and class to forge a bond of faith, and a bond of possibilities with those men, women and children whose lives appear to be so different from our own”; and

WHEREAS, it is fitting and proper to remember the name of Fern Leona Holland, a courageous and outstanding woman, and an Oklahoman, who gave her life for the commitment she had to human rights and democracy, two precious gifts held so dear by all Americans and Oklahomans.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 49TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature on behalf of the people of the State of Oklahoma praises the life and career of Fern Leona Holland.

THAT the Oklahoma Legislature extends heartfelt condolences and sympathy to the entire family of the brave and heroic Fern Leona Holland.

THAT a copy of this resolution be spread upon the pages of the Journals of the Oklahoma House of Representatives and the Oklahoma Senate as a permanent record of praises and condolences expressed herein.

THAT copies of this resolution be distributed to her sisters, Viola Holland and Mary Ann Dunn, Oklahoma City; to her brothers, James Holland, Overland Park, Kansas, and Joe Holland, Cleveland, Oklahoma; to nieces Courtney and Emilee Holland; and to nephews Zachary and Stephen Holland and Logan Dunn; to each member of the Oklahoma Congressional Delegation; and to Martha Burk, Chair of the National Council of Women’s Organizations.

GENERAL ORDER

HB 2230 by Morgan (Danny) and Carey of the House and Rozell of the Senate was called up for consideration.

Senator Rozell moved that **HB 2230** be advanced, which motion was declared adopted.

THIRD READING

HB 2230 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, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Brogdon, Dunlap, Laughlin and Pruitt.--4.

Excused: Littlefield.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

HB 2230 was properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to **SB 1389** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 2363 by Cargill et al of the House and Laster of the Senate was called up for consideration.

Senator Lawler asked to coauthor **HB 2363**, which was the order.

Senator Laster moved that **HB 2363** be advanced, which motion was declared adopted.

THIRD READING

HB 2363 was read for the third time at length.

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

Aye: 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, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Littlefield.--1.

Vacancy: District 18.--1.

The bill passed.

HB 2363 was referred for engrossment.

GENERAL ORDER

HB 2472 by Braddock of the House and Helton and Aldridge of the Senate was called up for consideration.

Senator Helton moved that **HB 2472** be advanced, which motion was declared adopted.

THIRD READING

HB 2472 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Hobson, Littlefield and Morgan.--3.

Vacancy: District 18.--1.

The bill passed.

HB 2472 was properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to **SB 1461** were rejected upon motion of Senator Capps, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 2335 by Staggs of the House and Rabon of the Senate was called up for consideration.

Senator Rabon asked that **HB 2335** be laid over for this legislative day, which was the order.

HB 2335 remains on General Order.

GENERAL ORDER

HB 2637 by Steele of the House and Laster of the Senate was called up for consideration.

Senator Laster moved that **HB 2637** be advanced, which motion was declared adopted.

THIRD READING

HB 2637 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Reynolds.--1.

Excused: Fisher, Helton, Hobson and Morgan.--4.

Vacancy: District 18.--1.

The bill passed.

HB 2637 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising naming of House conferees as follows:

HB 2643 – Staggs, Ferguson, Bengé, Roberts, Brannon

Advising passage of and returning the following Engrossed bill:

SB 7 - coauthored by Staggs, Tyler, Dank, Greenwood of the House

The above-numbered measure was referred for enrollment.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORT

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

HB 2005 - coauthored by Adair, Armes, Askins, Balkman, Blackwell, Boren, Braddock, Calvey, Cox, DeWitt, Hamilton, Harrison, Hefner, Jones, Lindley, Miller (Ray), Nations, Piatt, Roan, Steele, Walker of the House

Conference committee report was read on the above-numbered bill.

Senator Capps moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 7, 2004, at 10:00 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 50 – By Dunlap.

A Resolution honoring former Oklahoma State Senator Denzil Garrison; praising his civility; and directing distribution.

**BILL RELEASED
TIME EXPIRED TO RECONSIDER**

HB 1891 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising his approval April 6, 2004, of Enrolled **SBs 1190** and **1537**.

Pursuant to the Capps motion, the Senate adjourned at 3:10 p.m. to meet Wednesday, April 7, 2004, at 10:00 a.m.