

Senate Journal

Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma Forty-first Legislative Day, Monday, April 12, 2004

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, 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.—48.

Senator Rozell declared a quorum present.

The prayer was offered by Father Luke Back, St. Paul's Cathedral, Oklahoma City, the guest of Senator Cain.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1823, 1860, 1904, 2195, 2213, 2247, 2300, 2365, 2391, 2457 and **2477** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 1100, 1167, 1259, 1342 and **1578** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 49 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 50 and **52** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

President Pro Tempore Hobson presiding.

SCs NAMED

Upon motion of Senator Fisher, Senate conferees were appointed as follows:

HB 2451 – Helton, Harrison, Coates

PENDING CONSIDERATION OF HAS

HAs to SB 1311 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

COMMUNICATION

The following Communication from the State Election Board was read:

April 12, 2004

The Honorable Cal Hobson
President Pro Tempore of the Senate
State Capitol
Oklahoma City, Oklahoma 73105

Dear Senator Hobson:

This is to certify that pursuant to the provisions of 26 O.S. 2001, §12-109, the State Election Board on April 9, 2004, issued a Certification of Election of the Special General Election held on April 6, 2004, to Mary Easley, the nominee of the Democratic Party, for the office of State Senator, District 18.

Sincerely,

/s/Michael Clingman
State Election Board

OATH OF OFFICE

The Official Oath of Office, as required by the Constitution, was administered by Vice Chief Justice Marian Opala of the Oklahoma State Supreme Court to Senator Mary Easley.

Senator Easley introduced her family, her husband, Truman; her sons, Mike and Kevin; her daughter and son-in-law, Lisa and Steve Gage; and her grandson, Tristan Gage. Senator Easley introduced her guests, Don Winkle, Richard Gray, Vernon Sullivan, Jim King and Sam Homan.

Senator Rabon presiding.

FIRST READING

The following was introduced and read the first time:

SR 53 – By Hobson

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

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Hobson asked unanimous consent to suspend Rule 5-4 and refer **SR 53** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 53 by Hobson was called up for consideration.

All other members of the Senate, except Senator Robinson, asked to coauthor **SR 53**, which was the order.

SR 53 was adopted upon motion of Senator Hobson and referred for enrollment.

SPECIAL RECOGNITION OF SENATOR BEN ROBINSON

Senator Robinson was honored by the Oklahoma State Senate for his 16 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 Robinson for his years of service to the citizens of Senate District 9 in the Oklahoma State Senate.

Senator Robinson addressed the Senate and introduced his family. His guests in attendance were his mother, Juanita Robinson-Scott; his aunt, Coleta Bryant; his wife, Marcia; his daughter, Chanda; his son and daughter-in-law; Bret and Kim; and his granddaughters, Emily, Kaley and Molly. Senator Robinson also recognized his executive assistant, Peggy White, for her dedication and hard work.

INTRODUCTION

Senator Lawler introduced her husband, former Senator Larry Lawler, to the Senate.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1870, 2369** and **2402**.

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 2662**.

Advising passage of and returning the following Engrossed bills:

SB 1399 - coauthored by Braddock, Harrison, Nance of the House

SB 1488 - coauthored by Adkins of the House

The above-numbered measures were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HCR 1070**.

HCR 1070 – By Nations, Dank, Eddins, Ericson, Gilbert, Greenwood, Lindley, McClain, McIntyre, Nance, Peters, Pettigrew and Steele of the House and Hobson and Coffee of the Senate.

A Concurrent Resolution commending Howard H. Hendrick for his leadership and excellence in public service in Oklahoma; congratulating Howard H. Hendrick for winning a prestigious 2004 National Public Service Award; making a permanent record in the Journals of the Oklahoma House of Representatives and Oklahoma Senate; and directing distribution.

The above-numbered measure was read the first time.

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

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

SB 862 - coauthored by Adkins, Balkman, Blackwell, Calvey, Claunch, Ericson, Lamons, Nance, Peterson (Ron) of the House

SB 900 - coauthored by Nance of the House

SB 902

SB 1105

SB 1216

SB 1411

SB 1471

SB 1547

SB 1554 - coauthored by Sullivan, Lindley, Pettigrew, Phillips, Miller of the House

SB 1574 - coauthored by Miller (Ray), Pope, McCarter, Pettigrew, Roan, Walker, Adkins of the House

House amendments were read on the above-numbered bills.

Senator Fisher moved that the Senate recess until 3:00 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Rozell presiding.

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

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 49**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 1100, 1167, 1259, 1342 and 1578**.

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

GENERAL ORDER

HB 2723 by Pettigrew of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 2723** be advanced, which motion was declared adopted.

THIRD READING

HB 2723 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, Morgan, Myers, Nichols, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Price and Reynolds.--4.

The bill and emergency passed.

HB 2723 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 1400 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 1830 by Leist of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved that **HB 1830** be advanced, which motion was declared adopted.

THIRD READING

HB 1830 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, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--41.

Nay: Branan and Fair.--2.

Excused: Easley, Littlefield, Price, Robinson and Williams.--5.

The bill and emergency passed.

HB 1830 was referred for engrossment.

GENERAL ORDER

HB 2243 by Cargill of the House and Aldridge of the Senate was called up for consideration.

Senator Fisher moved to amend **HB 2243**, Page 1, by striking the title, which amendment was declared adopted.

Senator Aldridge moved that **HB 2243** be advanced, which motion was declared adopted.

THIRD READING

HB 2243 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, Coffee, Corn, Dunlap, Fair, Gumm, Helton, Johnson, Kerr, Laster, Laughlin, Leftwich, Maddox, Myers, Nichols, Pruitt, Reynolds, Riley, Robinson, Wilcoxson, Wilkerson and Williamson.--26.

Nay: Cain, Crutchfield, Fisher, Ford, Harrison, Horner, Lawler, Lerblance, Milacek, Monson, Morgan, Rabon, Rozell, Shurden, Smith, Snyder, Taylor and Williams.--18.

Excused: Easley, Hobson, Littlefield and Price.--4.

The bill passed.

HB 2243 was referred for engrossment.

GENERAL ORDER

HB 2680 by Carey and Dorman of the House and Kerr and Rozell of the Senate was called up for consideration.

Senator Kerr moved that **HB 2680** be advanced, which motion was declared adopted.

THIRD READING

HB 2680 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Rabon, Robinson, Rozell, Shurden, Snyder, Taylor, Wilkerson and Williams.--26.

Nay: Aldridge, Branan, Brogdon, Coffee, Dunlap, Fair, Ford, Johnson, Laughlin, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Smith, Wilcoxson and Williamson.--19.

Excused: Coates, Easley and Littlefield.--3.

The bill passed and emergency failed.

HB 2680 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 1435

SB 1558 - coauthored by Adkins of the House

The above-numbered measures were referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to **SB 1554** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

Senator Gumm presiding.

GENERAL ORDER

HB 2375 by Gilbert and McClain of the House and Cain of the Senate was called up for consideration.

Senator Cain moved that **HB 2375** be advanced, which motion was declared adopted.

THIRD READING

HB 2375 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Brogdon and Snyder.--2.

Excused: Easley, Helton, Littlefield and Robinson.--4.

The bill and emergency passed.

HB 2375 was referred for engrossment.

GENERAL ORDER

HB 2697 by Ferguson of the House and Lawler of the Senate was called up for consideration.

Senator Lawler moved that **HB 2697** be advanced, which motion was declared adopted.

THIRD READING

HB 2697 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, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich,

Lerblance, Maddox, Monson, Morgan, Nichols, Price, Rabon, Reynolds, Rozell, Shurden, Smith, Taylor, Wilkerson and Williams.--34.

Nay: Coffee, Fair, Johnson, Milacek, Myers, Pruitt, Riley, Snyder, Wilcoxson and Williamson.--10.

Excused: Dunlap, Easley, Littlefield and Robinson.--4.

The bill passed.

Senator Dunlap desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 35; Nay: 10; Excused: 3.

The emergency passed.

HB 2697 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1695 by Tyler of the House and Leftwich (Debbe) of the Senate was called up for consideration.

Senator Leftwich moved that **HB 1695** be advanced, which motion was declared adopted.

THIRD READING

HB 1695 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--34.

Nay: Aldridge, Brogdon, Coffee, Dunlap, Ford, Laughlin, Nichols, Pruitt, Reynolds and Riley.--10.

Excused: Easley, Littlefield, Robinson and Snyder.--4.

The bill and emergency passed.

HB 1695 was referred for engrossment.

GENERAL ORDER

HB 2127 by Lindley of the House and Lerblance of the Senate was called up for consideration.

Senator Lerblance moved that **HB 2127** be advanced, which motion was declared adopted.

THIRD READING

HB 2127 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, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--42.

Nay: Fair, Pruitt and Wilcoxson.--3.

Excused: Easley, Littlefield and Robinson.--3.

The bill passed.

HB 2127 was referred for engrossment.

GENERAL ORDER

HB 2351 by Bengé et al of the House and Maddox of the Senate was called up for consideration.

Senator Maddox moved that **HB 2351** be advanced, which motion was declared adopted.

THIRD READING

HB 2351 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, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Littlefield and Robinson.--3.

The bill and emergency passed.

HB 2351 was properly signed and ordered returned to the Honorable House.

Senator Rabon presiding.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 1503** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: Monson, Rabon, Riley.

GENERAL ORDER

HB 2600 by Hilliard and Wells of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 2600** be advanced, which motion was declared adopted.

THIRD READING

HB 2600 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, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Littlefield and Robinson.--3.

The bill passed.

HB 2600 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Riley asked unanimous consent to suspend Rule 5-4 and refer **SCR 36** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 36 by Riley of the Senate and Carey of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 36**, which was the order.

SCR 36 was adopted upon motion of Senator Riley and referred for engrossment.

GENERAL ORDER

HB 2102 by Carey et al of the House and Riley et al of the Senate was called up for consideration.

Senator Riley asked that **HB 2102** be laid over temporarily, which was the order

HB 2102 remains on General Order.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 1234

The above-numbered measure was referred for enrollment.

GENERAL ORDER

HB 2330 by Tyler of the House and Lerblance of the Senate was called up for consideration.

Senator Snyder moved to amend **HB 2330**, Page 1, by striking the title, which amendment was declared adopted.

Senator Lerblance moved that **HB 2330** be advanced, which motion was declared adopted.

THIRD READING

HB 2330 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, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Easley, Littlefield, Robinson, Snyder and Williams.--5.

The bill and emergency passed.

HB 2330 was referred for engrossment.

GENERAL ORDER

HB 2102 by Carey et al of the House and Riley et al of the Senate was called up for further consideration.

Senator Riley moved to amend **HB 2102**, Page 3, Lines 6 through 8, by deleting all language after the word "baby" on Line 6 and before the first comma on Line 8, and by amending the title to conform, which amendment was declared adopted.

Senator Riley moved that **HB 2102** be advanced, which motion was declared adopted.

THIRD READING

HB 2102 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, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Robinson and Snyder.--4.

The bill and emergency passed.

HB 2102 was referred for engrossment.

GENERAL ORDER

HB 1821 by Winchester of the House and Smith of the Senate was called up for consideration.

Senator Williamson moved to amend **HB 1821**, Page 1, Line 25, by inserting after the period the language "Except that, this state, any of its agencies, or any court of this state shall not recognize an adoption by more than one individual of the same sex from any other state or foreign jurisdiction."; and Page 4, Line 13 ½ by inserting a new Section 2 to read as follows:

"SECTION 2. **SEVERABILITY CLAUSE.** If any provision of this Act or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.", and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--40.

Nay: Cain, Horner, Monson, Rozell and Williams.--5.

Excused: Easley, Littlefield and Robinson.--3.

Senator Smith moved that **HB 1821** be advanced, which motion was declared adopted.

THIRD READING

HB 1821 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, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Price and Robinson.--4.

The bill and emergency passed.

HB 1821 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HCR 1056 by Boren et al of the House and Coates and Gumm of the Senate was called up for consideration.

HCR 1056 was adopted upon motion of Senator Coates and referred for engrossment.

GENERAL ORDER

HB 2682 by Hefner et al of the House and Kerr of the Senate was called up for consideration.

Senator Kerr moved that **HB 2682** be advanced, which motion was declared adopted.

THIRD READING

HB 2682 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, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--33.

Nay: Aldridge, Branan, Brogdon, Coffee, Ford, Johnson, Laughlin, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--12.

Excused: Easley, Littlefield and Robinson.--3.

The bill passed.

HB 2682 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 899 were concurred in upon motion of Senator Morgan.

SB 899, as amended by the Honorable House, was read 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, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Milacek and Robinson.--4.

The bill and emergency passed.

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

GENERAL ORDER

HB 1872 by Graves of the House and Smith of the Senate was called up for consideration.

Senator Smith moved that **HB 1872** be advanced, which motion was declared adopted.

THIRD READING

HB 1872 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, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Milacek and Robinson.--4.

The bill passed.

HB 1872 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2287 by Cox et al of the House and Leftwich (Debbe) and Lawler of the Senate was called up for consideration.

Senator Leftwich moved to amend **HB 2287**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Leftwich moved that **HB 2287** be advanced, which motion was declared adopted.

THIRD READING

HB 2287 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, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Robinson and Shurden.--4.

The bill passed.

HB 2287 was referred for engrossment.

GENERAL ORDER

HB 2383 by Harrison of the House and Lerblance of the Senate was called up for consideration.

Senator Lerblance moved that **HB 2383** be advanced, which motion was declared adopted.

THIRD READING

HB 2383 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, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Littlefield, Robinson and Shurden.--4.

The bill passed.

HB 2383 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

HB 1437
HB 1853
HB 1866
HB 1874
HB 1875
HB 1891
HB 2274
HB 2335
HB 2637

Advising passage of and returning the following Engrossed resolution:

SCR 44 - coauthored by all other House members

The above-numbered measure was referred for enrollment.

GENERAL ORDER

HB 2166 by Young and Nance of the House and Wilcoxson of the Senate was called up for consideration.

Senator Wilcoxson moved to amend **HB 2166**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2166** to the engrossed version of the bill.

Senator Wilcoxson moved that **HB 2166** be advanced, which motion was declared adopted.

THIRD READING

HB 2166 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, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--44.

Excused: Easley, Littlefield, Robinson and Williamson.--4.

The bill passed.

HB 2166 was properly signed and ordered returned to the Honorable House.

Senator Rozell presiding.

GENERAL ORDER

HB 2110 by Kirby and Cox of the House and Wilkerson of the Senate was called up for consideration.

Senator Gumm asked to coauthor **HB 2110**, which was the order.

Senator Wilkerson moved to amend **HB 2110**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Gumm moved to amend **HB 2110**, Page 3, Line 11, by striking the words and figures “thirty (30)” and inserting in lieu thereof the words and figures “five (5)”; Page 3, Line 13, by striking the words and figures “fourteen (14)” and inserting in lieu thereof the words and figures “five (5)”; Page 3, Lines 13 and 14, by striking the following language: “or an aggregate period exceeding thirty (30) days within a calendar year”; Page 3, Line 20, by striking the words and figures “seven (7)” and inserting in lieu thereof the words and figures “five (5)”; Page 3, Line 21, by striking the words and figures “fourteen (14)” and inserting in lieu thereof the words and figures “five (5)”; Page 3, Lines 22 and 23, by striking the following language “or an aggregate period exceeding thirty (30) days within a calendar year”; Page 4, Line 2, by striking the words and figures “three (3)” and inserting in lieu thereof the words and figures “two (2)”; and Page 7, Line 3 ½, by adding a new subsection E to read as follows:

“E. Any person who resides in another state and who has been convicted of an offense or received a deferred judgment for an offense in this state, or in another jurisdiction, which offense if committed or attempted in this state would have been punishable as one or more of the offenses listed in Section 582 of this title, and who is the spouse of a person living in this state shall be registered as follows:

1. With the Department of Corrections when the person enters and intends to be in the state for any purpose for five (5) days or longer or an aggregate period of five (5) days or longer in a calendar year. Such registration is required within two (2) days after entering the state; and

2. With the local law enforcement authority having jurisdiction in the area where the person intends to reside or to stay within this state for two (2) days or longer. The registration is required with local law enforcement within two (2) days after entering the jurisdiction of the law enforcement authority.”, which amendment was declared adopted.

Senator Wilkerson moved that **HB 2110** be advanced, which motion was declared adopted.

THIRD READING

HB 2110 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, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Milacek and Robinson.--3.

The bill and emergency passed.

HB 2110 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HB 2265 by Paulk and Nance of the House and Smith of the Senate was called up for consideration.

Senator Laughlin moved to amend **HB 2265**, Page 34, Line 19 ½, by inserting a new subparagraph b to read as follows:

“ b. the vehicle needs to travel on a public street or highway in order to cross a railroad track. In that event, the all-terrain vehicle may travel for not more that three hundred (300) feet on a public street or highway to cross a railroad track;” and Page 35, Line 3, by deleting after the word “vehicles” and before the word “may” all language; and by relettering subsequent subparagraphs and amending the title to conform, which amendment was declared adopted.

Senator Smith moved that **HB 2265** be advanced, which motion was declared adopted.

THIRD READING

HB 2265 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, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Milacek and Robinson.--3.

The bill passed.

HB 2265 was referred for engrossment.

GENERAL ORDER

HB 2639 by Steele and Adkins of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2639** be advanced, which motion was declared adopted.

THIRD READING

HB 2639 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, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Milacek and Robinson.--3.

The bill passed.

HB 2639 was referred for engrossment.

GENERAL ORDER

HB 2280 by Paulk and Nance of the House and Wilkerson and Fair of the Senate was called up for consideration.

Senator Wilkerson moved to amend **HB 2280**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Wilkerson moved that **HB 2280** be advanced, which motion was declared adopted.

THIRD READING

HB 2280 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Easley, Ford, Milacek, Pruitt, Robinson and Snyder.--6.

The bill and emergency passed.

HB 2280 was referred for engrossment.

GENERAL ORDER

HB 2496 by Nance of the House and Smith of the Senate was called up for consideration.

Senator Smith moved to amend **HB 2496**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Smith moved that **HB 2496** be advanced, which motion was declared adopted.

THIRD READING

HB 2496 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Easley, Ford, Milacek, Pruitt and Robinson.--5.

The bill and emergency passed.

HB 2496 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Shurden moved to reconsider the vote whereby **HB 2319** and the emergency passed, which motion was declared adopted upon roll call 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, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Milacek and Pruitt.--3.

THIRD READING

Senator Shurden moved to reconsider the vote whereby **HB 2319** was advanced, which motion was declared adopted.

GENERAL ORDER

HB 2319 by Wilson of the House and Shurden of the Senate was called up for further consideration.

Senator Shurden asked that **HB 2319** be laid over for this legislative day, which was the order.

HB 2319 remains on General Order.

EXECUTIVE NOMINATIONS

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

Ackerman, Ann, Oklahoma City, as a member of the Science and Technology Council
- Aerospace and Technology

Adwan, Teresa B., Tulsa, as a member of the Board of Regents of the University of
Science and Arts of Oklahoma - Education

Bailey, Michael Lynn, Durant, as a member of the Board of Regents of Eastern
Oklahoma State College - Education

Belzer, Ph.D., John Alfred, Shawnee, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Human Resources

Fernandes, D.O., John, Tulsa, as a member of the Science and Technology Council - Aerospace and Technology

Frick, John Bartolette, Oklahoma City, as a member of the Science and Technology Council - Aerospace and Technology

Krenger, Michael C., Oklahoma City, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy, Environment and Communications

VanMeter, Martin McWhorter, Durant, as a member of the Oklahoma Real Estate Commission - Business and Labor

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 13, 2004, at 8:45 a.m., which motion prevailed.

**BILL RELEASED
TIME EXPIRED TO RECONSIDER**

HB 1133 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising his approval April 12, 2004, of Enrolled **SBs 908, 1227** and **1271**.

Pursuant to the Fisher motion, the Senate adjourned at 5:20 p.m. to meet Tuesday, April 13, 2004, at 8:45 a.m.

JOURNAL CORRECTION

Page 1062, Line 4 ½, by inserting:

Advising passage of and returning the following Engrossed bill:

SB 1259 - coauthored by Dank, Calvey of the House

The above-numbered measure was referred for enrollment.