

Senate Journal

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

Forty-seventh Legislative Day, Wednesday, April 21, 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 Reverend Lynn E. Brack, First United Methodist Church, Weatherford, the guest of Senator Kerr.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCRs 60 and 61 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

HBs 1571, 2164, 2259, 2271, 2416, 2542, 2549, 2577, 2612, 2630, 2632, 2691 and 2718 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 1381, 1397, 1411 and 1543 and **SJR 47** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCRs 54 and 57 were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 56 and 57 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**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 2321 - coauthored by Boren, Brannon, Morgan (Danny), Turner, Walker of the House, and Leftwich of the Senate

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

MESSAGE FROM THE HOUSE

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

HB 1742
HB 1823
HB 2134
HB 2287
HB 2332
HB 2336
HB 2379
HB 2470
HB 2472
HB 2554
HB 2680
HJR 1063

GENERAL ORDER

HB 2187 by Carey of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2187** be advanced, which motion was declared adopted.

THIRD READING

HB 2187 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, Easley, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Nay: Johnson, Laughlin, Nichols and Pruitt.--4.

Excused: Fair and Williams.--2.

The bill passed.

HB 2187 was referred for engrossment.

INTRODUCTION

Senator Branan introduced his wife, Connell, to the Senate.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Coffee asked unanimous consent to suspend Rule 5-4 and refer **HCR 1070** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1070 by Nations et al of the House and Hobson and Coffee of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1070**, which was the order.

HCR 1070 was adopted upon motion of Senator Coffee and properly signed and ordered returned to the Honorable House and read at length as follows:

HCR 1070 – By Nations, Dank, Eddins, Ericson, Gilbert, Greenwood, Lindley, McClain, McIntyre, Nance, Peters, Pettigrew and Steele of the House and Hobson, Coffee, Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, 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 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.

WHEREAS, Oklahoma citizens give great value to leadership and excellence in public service; and

WHEREAS, Howard H. Hendrick, Director of the Department of Human Services and Cabinet Secretary for Human Services, is a great example of these virtues; and

WHEREAS, it has been said that in order to be a leader one must be both a speaker of words and a doer of deeds; and

WHEREAS, Howard H. Hendrick, former Oklahoma State Senator and Republican Minority Floor Leader, exemplifies the qualities of being a leader by having authored in the Senate numerous bills impacting the areas of health and human services, early childhood development, education, and retirement laws; and

WHEREAS, on March 22, 2004, in Washington, D.C., the American Society for Public Administration and the National Academy of Public Administration announced that Howard H. Hendrick was the recipient of a prestigious 2004 National Public Service Award; and

WHEREAS, the National Public Service Awards honor individuals across the nation who make outstanding contributions to the public at all levels of government; and

WHEREAS, Howard H. Hendrick is one of Oklahoma's outstanding public servants and is highly deserving of this premier award for his excellence in public service; and

WHEREAS, it is fitting and proper to honor Howard H. Hendrick in this state for the outstanding contributions he has made to all 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 commends Howard H. Hendrick for his leadership and excellence in public service in Oklahoma.

THAT the Oklahoma Legislature congratulates former Senator Howard H. Hendrick for winning a prestigious 2004 National Public Service Award for his accomplishments and dedication to public service.

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

THAT a copy of this resolution be distributed to Howard H. Hendrick, Director of the Department of Human Services and Cabinet Secretary for Human Services; to each Commissioner for the Department of Human Services; to Rosslyn S. Kleeman, Chair of the Awards Selection Committee; and to the Honorable Brad Henry, Governor of the State of Oklahoma, who recently commented about Howard H. Hendrick, saying: "I admire the way he leads by example and how he takes on the toughest challenges of the day and works tirelessly to succeed in solving them. His focus is on service to others above self. He is a man of vision."

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2321** was adopted upon motion of Senator Corn.

HB 2321, as amended in conference, was read at length.

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

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

Nay: Branan, Cain, Dunlap, Fair, Myers and Nichols.--6.

Excused: Monson and Williams.--2.

The bill passed.

Senator Nichols desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 41; Nay: 5; Excused: 2.

The emergency passed.

HB 2321, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Rabon presiding.

MOTION TO RECONSIDER VOTE

Senator Coffee moved to reconsider the vote whereby **HB 2474** failed, which motion was declared adopted upon roll call as follows:

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

Excused: Laughlin, Monson, Morgan and Williams.--4.

THIRD READING

HB 2474 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, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson and Wilkerson.--40.

Nay: Aldridge, Brogdon and Williamson.--3.

Excused: Ford, Laughlin, Monson, Morgan and Williams.--5.

The bill and emergency passed.

HB 2474 was referred for engrossment.

GENERAL ORDER

HJR 1068 by Leist et al of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved that **HJR 1068** be advanced, which motion was declared adopted.

THIRD READING

HJR 1068 was read for the third time at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Leftwich, Lerblance, Littlefield, Maddox, Rabon, Robinson, Rozell, Shurden, Smith, Taylor and Wilkerson.--27.

Nay: Aldridge, Branan, Brogdon, Coffee, Dunlap, Johnson, Lawler, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--17.

Excused: Laughlin, Monson, Morgan and Williams.--4.

The resolution passed.

HJR 1068 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SJR 54 were concurred in upon motion of Senator Gumm.

SJR 54, as amended by the Honorable House, was read at length.

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

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

Excused: Laughlin, Morgan and Rozell.--3.

The resolution passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1460 were concurred in upon motion of Senator Leftwich.

SB 1460, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Dunlap, Laughlin, Morgan, Price and Rozell.--5.

The bill and emergency passed.

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

GENERAL ORDER

HB 2624 by Askins et al of the House and Lawler et al of the Senate was called up for consideration.

Senator Lawler moved to amend **HB 2624**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Lawler moved that **HB 2624** be advanced, which motion was declared adopted.

THIRD READING

HB 2624 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Ford, Kerr, Laughlin and Morgan.--4.

The bill and emergency passed.

HB 2624 was referred for engrossment.

GENERAL ORDER

HB 2432 by Miller (Doug) et al of the House and Nichols of the Senate was called up for consideration.

Senator Nichols moved that **HB 2432** be advanced, which motion was declared adopted.

THIRD READING

HB 2432 was read for the third time at length.

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

Aye: Aldridge, Brogdon, Cain, Capps, Coates, Coffee, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Branan, Corn, Ford, Kerr, Laughlin, Maddox and Morgan.--7.

The bill passed.

HB 2432 was referred for engrossment.

GENERAL ORDER

HB 2159 by Pettigrew et al of the House and Milacek of the Senate was called up for consideration.

Senator Milacek moved that **HB 2159** be advanced, which motion was declared adopted.

THIRD READING

HB 2159 was read for the third time at length.

Senator Milacek asked the **HB 2159** be laid over temporarily, which was the order.

HB 2159 remains on Third Reading.

MOTION TO RECONSIDER VOTE

Senator Helton moved to reconsider the vote whereby **HB 2541** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Leftwich, Littlefield, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Lerblance and Price.--2.

Excused: Ford, Kerr, Laughlin, Lawler, Maddox and Morgan.--6.

THIRD READING

HB 2541 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, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Laster, Lawler, Leftwich, Littlefield, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.-39.

Nay: Lerblance.--1.

Excused: Branam, Ford, Harrison, Kerr, Laughlin, Maddox, Morgan and Price.--8.

The bill and emergency passed.

HB 2541 was referred for engrossment.

GENERAL ORDER

HB 1439 by Brannon and Toure of the House and Rozell of the Senate was called up for consideration.

Senator Rozell moved that **HB 1439** be advanced, which motion was declared adopted.

THIRD READING

HB 1439 was read for the third time at length.

Senator Rozell asked that **HB 1439** be laid over temporarily, which was the order.

HB 1439 remains on Third Reading.

PENDING CONSIDERATION OF HAS

HAs to **SBs 865** and **1254** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

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 Dunlap presiding.

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

FIRST READING

The following was introduced and read the first time:

SR 58 – By Ford, Smith and Pruitt.

A Resolution commending the Tulsa Union High School Boys Basketball team for winning the 2004 Class 6A State Boys Basketball Championship; praising their perseverance; and directing distribution.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Pruitt asked unanimous consent to suspend Rule 5-4 and refer **SR 58** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 58 by Ford, Smith and Pruitt was called up for consideration.

All other members of the Senate asked to coauthor **SR 58**, which was the order.

SR 58 was adopted upon motion of Senator Pruitt and referred for enrollment.

DEDICATION

Senator Ford presented the painting “The Buffalo Skinner’s Cart”. Senator Ford addressed the Senate and introduced the artist and his wife, Gordon and Grace Snidow. Mr. Snidow addressed the Senate.

Senator Ford presented the painting to the Senate on behalf of the Harold C. Stuart Foundation of Tulsa, Oklahoma, a charitable foundation.

SCs NAMED

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

SB 1556 – Crutchfield, Rabon, Helton, Coates

THIRD READING

HB 1439 was called up for further consideration.

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

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Gumm, Hobson, Horner, Kerr, Lerblance, Littlefield, Monson, Robinson, Rozell, Shurden and Smith.--16.

Nay: Aldridge, Branan, Brogdon, Coates, Dunlap, Easley, Fair, Ford, Harrison, Helton, Johnson, Laster, Lawler, Leftwich, Maddox, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--27.

Excused: Coffee, Laughlin, Milacek, Morgan and Rabon.--5.

The bill failed.

HB 1439 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1018, 1577, 2205** and **2568**.

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

**UNANIMOUS CONSENT REQUEST
MOTION TO RECONSIDER VOTES**

Senator Fisher asked unanimous consent, which was granted to suspend the provisions of Rule 12-23B and that all motions to reconsider votes on Third Reading of House bills and joint resolutions served this week be disposed of before the close of business on Thursday, April 22, 2004.

PENDING CONSIDERATION OF HAS

HAs to SB 1410 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

THIRD READING

HB 2159 was called up for further consideration.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Pruitt, Rabon, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--36.

Nay: Aldridge, Branan, Brogdon, Lawler, Myers, Nichols, Reynolds, Riley and Snyder.--9.

Excused: Coffee, Ford and Laughlin.--3.

The bill passed.

HB 2159 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

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

GENERAL ORDER

HCR 1072 by Hefner et al of the House and Helton of the Senate was called up for consideration.

Senator Gumm and all other members of the Senate asked to coauthor **HCR 1072**, which was the order.

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

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on the following bills was ordered granted and Senate conferees to be named later:

HB 1742
HB 1823
HB 2134
HB 2287
HB 2332
HB 2336
HB 2379
HB 2470
HB 2472
HB 2554
HB 2680
HJR 1063

GENERAL ORDER

HB 2141 by Hastings of the House and Smith of the Senate was called up for consideration.

Senator Smith moved to amend **HB 2141**, Page 1, Line 11 through Page 2, Line 4, by deleting Section 1 and inserting a new Section 1 to read as follows:

“SECTION 1. REPEALER 36 O.S. 2001, Section 1612, as amended by Section 24, Chapter 307, O.S.L. 2002 (36 O.S. Supp. 2003, Section 1612), is hereby repealed.”, which amendment was declared adopted.

Senator Smith moved to amend **HB 2141**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Smith moved that **HB 2141** be advanced, which motion was declared adopted.

THIRD READING

HB 2141 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, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler,

Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Coffee, Fair, Ford, Laughlin and Milacek.--5.

The bill passed.

HB 2141 was referred for engrossment.

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

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

SB 816 - coauthored by Mass, Ingmire, Smithson, Lindley, Nance, Roan of the House
SB 892
SB 905
SB 956
SB 958
SB 960
SB 968
SB 972
SB 973
SB 974
SB 975
SB 976
SB 977
SB 979
SB 981
SB 983
SB 984
SB 985
SB 986
SB 987
SB 988
SB 990
SB 994
SB 997
SB 999
SB 1000
SB 1001
SB 1002
SB 1003
SB 1004

SB 1005
SB 1006
SB 1007
SB 1008
SB 1009
SB 1010
SB 1011
SB 1012
SB 1013
SB 1014
SB 1016
SB 1018
SB 1020
SB 1023
SB 1024
SB 1025
SB 1026
SB 1027
SB 1028
SB 1030
SB 1032
SB 1033
SB 1034
SB 1035
SB 1036
SB 1037
SB 1038
SB 1039
SB 1040
SB 1041
SB 1042
SB 1043
SB 1044
SB 1045
SB 1046
SB 1047
SB 1048
SB 1049
SB 1050
SB 1051
SB 1052
SB 1054
SB 1055
SB 1060
SB 1061
SB 1063

SB 1066

SB 1067

SB 1090

SB 1114 - coauthored by Greenwood of the House

SB 1143 - coauthored by Smithson of the House

SB 1158 - coauthored by Adkins of the House

SB 1164 - coauthored by Nance, Ingmire of the House

SB 1172 - coauthored by Peters, Boren, Brannon, Ellis, Lamons, Balkman, Dorman,
Nance of the House

SB 1253 - coauthored by Adkins, Smithson of the House

SB 1258 - coauthored by Adkins of the House

SB 1265

SB 1319 - coauthored by Pope of the House

SB 1325 - coauthored by Nance of the House

SB 1345 - coauthored by Smithson, Nance of the House

SB 1412 - coauthored by Nance of the House

SB 1413 - coauthored by Piatt, Balkman of the House

SB 1422 - coauthored by Smithson, Nance of the House

SB 1430 - coauthored by Nance of the House

SB 1434 - coauthored by Ferguson, Nance of the House

SB 1478 - coauthored by Liotta, Adkins of the House

SB 1561 - coauthored by Kirby, Adkins, Morgan (Fred), Smithson, Calvey, Peters of
the House

SB 1592

House amendments were read on the above-numbered bills.

MOTION

Senator Fisher asked unanimous consent, which was granted, to rescind the rejection of the **HAs** to **SB 1236**.

SB 1236 was placed on the Calendar under pending consideration of **HAs**.

GENERAL ORDER

HB 2606 by Peterson (Ron) of the House and Pruitt of the Senate was called up for consideration.

Senator Pruitt moved to amend **HB 2606**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2606** to the engrossed version of the bill.

Senator Pruitt moved that **HB 2606** be advanced, which motion was declared adopted.

THIRD READING

HB 2606 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, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Pruitt, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--35.

Nay: Branan, Brogdon, Easley, Fair, Lawler, Myers, Nichols, Rabon, Reynolds and Snyder.--10.

Excused: Coffee, Helton and Laughlin.--3.

The bill passed.

HB 2606 was properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to **SBs 1164** and **1490** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

Senator Rozell presiding.

GENERAL ORDER

HB 2429 by Miller (Doug) and Nance of the House was called up for consideration.

Senator Nichols asked to be removed and Senator Aldridge asked to be named principal Senator author on **HB 2429**, and retain Senator Nichols as coauthor, which was the order.

Senator Aldridge moved to amend **HB 2429**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Monson moved to amend the floor substitute to **HB 2429**, Page 1, by striking the title, which amendment was declared adopted.

Senator Gumm moved to amend the floor substitute to **HB 2429**, Page 37, Line 29, by inserting after the period and before the word “The” the following language:

“Motor license agents shall have the option of stocking an inventory of numbered Future Farmers of America License Plates, as well as stocking applications for personalized Future Farmers of America License Plates. In addition to the amounts authorized to be retired by motor license agents pursuant to Section 1141.1 of this title, motor license agents shall retain an additional Three Dollars (\$3.00) for each original Future Farmers of America License Plate issued and for each application submitted by mail that carries the agent’s code and for which a Future Farmers of America License Plate is issued. The three-dollar (\$3.00) fee to be retained by the motor license agent pursuant to this paragraph shall not be included in the maximum sum that may be retained by motor license agents as compensation pursuant to the provisions of Section 1143 of this title.”, which amendment was declared adopted.

Senator Aldridge moved that **HB 2429** be advanced, which motion was declared adopted.

THIRD READING

HB 2429 was read for the third time at length.

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

Aye: Aldridge, Branan, Cain, Capps, Coates, Corn, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson and Williams.--33.

Nay: Brogdon, Crutchfield, Dunlap, Fair, Johnson, Lawler, Milacek, Riley, Wilcoxson and Williamson.--10.

Excused: Coffee, Easley, Ford, Helton and Laughlin.--5.

The bill passed.

HB 2429 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HB 1784 by Erwin et al of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved to amend **HB 1784**, Page 1, Line 24 through Page 5, Line 3, by deleting Sections 2, 3, 4, 5, 6, 7 and 8 and inserting in lieu thereof new Sections 2, 3 and 4 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1692.1a of Title 21, unless there is created a duplication in numbering, reads as follows:

A. On the effective date of this act, all provisions of State Question No. 687, Initiative Petition No. 365, shall be suspended for a period of one hundred eighty (180) days in every county in which a majority of the voters who voted in the election on State Question No. 687 affirmatively voted against the ban on cockfighting. If during the one-hundred-eighty-day period the county commissioners by resolution, or the people of such county by initiative petition, do not request by petition a county election to suspend all provisions of State Question No. 687, Initiative Petition No. 365, such provisions of law pursuant to State Question No. 687, Initiative Petition No. 365, prohibiting cockfighting shall be in full force and effect until the county shall by majority vote of its people suspend the provisions of State Question No. 687, Initiative Petition No. 365.

B. The county commissioners of each county are hereby authorized to call an election:

1. Upon a resolution of the commissioners to suspend all provisions of State Question No. 687, Initiative Petition No. 365 in their county; or
2. Upon the filing of a petition with the county election board containing not less than ten percent (10%) of the qualified voters within the county petitioning that the county suspend all provisions of State Question No. 687, Initiative Petition No. 365.

C. Nothing in this section shall be construed to limit the authority of the county commissioners or the people at any time after the effective date of this act or following the one-hundred-eighty-day grace period from petitioning for a county election to suspend in such county all provisions of State Question 687, Initiative Petition No. 365, prohibiting cockfighting.

SECTION 3. The Ballot Title for the proposed act shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would provide for county option of the ban on cockfighting.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 4. The President Pro Tempore of the Senate shall, immediately after the passage of this order for legislative referendum, prepare and file one copy of this order for legislative referendum in accordance with Section 3 of Article V of the Oklahoma Constitution, including the Ballot Title set forth in SECTION 11 hereof, with the Secretary of State and one copy with the Attorney General.”; by renumbering subsequent section; Page 5, Line 6, by deleting after the word “SECTION” the numeral “8” and inserting in lieu thereof the numeral “3”; and Page 1, by amending the title by deleting all language after the semicolon on Line 11 through the first semicolon on Line 15 and inserting in lieu thereof the language “suspending provision of State Question 687, Initiative Petition No. 365, which relates to cockfighting for certain period of time for certain purpose; authorizing county commissioners to call an election for certain purpose; construing certain provisions.

Senator Fisher asked that **HB 1784** be laid over for this legislative day, which was the order.

HB 1784 remains on General Order pending consideration of the Shurden amendment.

GENERAL ORDER

HB 2223 by Piatt of the House and Pruitt of the Senate was called up for consideration.

Senator Pruitt moved to amend **HB 2223**, Page 2, Lines 7 and 8, by deleting the words and numeral “Five Thousand Dollars (\$5,000.00) and inserting in lieu thereof the words and numeral “Twenty Thousand Dollars (\$20,000.00); and Page 4, Line 4 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 58 O.S. 2001, Section 393, is amended to read as follows:

Section 393. A. At any time ten (10) or more days after the date of death of a decedent, any person indebted to the decedent or having possession of real property, tangible personal property or an instrument evidencing a debt, obligation, stock, chose in action, or stock brand belonging to the decedent shall make payment of the indebtedness, shall execute and deliver documentation necessary to transfer real property, or shall deliver the tangible personal property or an instrument evidencing a debt, obligation, stock, chose in action, or stock brand to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that:

1. The fair market value of property located in this state owned by the decedent and subject to disposition by will or intestate succession at the time of the decedent's death, less liens and encumbrances, does not exceed ~~Ten Thousand Dollars (\$10,000.00)~~ Twenty Thousand Dollars (\$20,000.00);

2. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;
 3. Each claiming successor is entitled to payment or delivery of the property in the respective proportions set forth in the affidavit; and
 4. All taxes and debts of the estate have been paid or otherwise provided for or are barred by limitations.
- B. A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection A of this section.
- C. The public official having cognizance over the registered title of any real or personal property of the decedent shall change the registered ownership from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection A of this section.”, and by renumbering subsequent sections and amending the title to conform.

Senator Pruitt asked that **HB 2223** be laid over temporarily, which was the order.

HB 2223 remains on General Order pending consideration of the Pruitt amendment.

MOTION TO RECONSIDER VOTE

Senator Robinson moved to reconsider the vote whereby **HB 1867** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Nichols, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--29.

Nay: Aldridge, Branan, Brogdon, Coffee, Johnson, Milacek, Myers, Price, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--15.

Excused: Ford, Helton, Laughlin and Morgan.--4.

THIRD READING

HB 1867 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, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Leftwich, Lerblance, Littlefield, Monson, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--25.

Nay: Aldridge, Brogdon, Coates, Coffee, Dunlap, Johnson, Lawler, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.-19.

Excused: Ford, Helton, Laughlin and Morgan.--4.

The bill passed and the emergency failed.

HB 1867 was referred for engrossment.

EXECUTIVE NOMINATIONS

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

Carson, Joel L., Oklahoma City, to the Board of Mental Health and Substance Abuse Services, to serve a seven year term ending December 31, 2010, succeeding Sue Buck. (Human Resources Committee) Motion to confirm made by Senator Coffee.

Eppler, Carmen, Noble, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2007, succeeding herself. (Human Resources Committee) Motion to confirm made by Senator Hobson.

Jackson, Charles F., Tulsa, to the Board of Juvenile Affairs, to serve an unexpired term ending March 15, 2005, succeeding Jim Helm. (Human Resources Committee) Motion to confirm made by Senator Williamson.

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

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

Excused: Ford, Laughlin, Morgan, Rozell and Snyder.--5.

Senator Dunlap presiding.

GENERAL ORDER

HB 2488 by Liotta of the House and Brogdon of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 2488**, Page 2, Line 20 ½, by inserting a subsection B to read as follows:

“B. The provisions of this section shall not apply to a health benefit plan membership identification card issued or renewed prior to January 1, 2005. After January 1, 2005, the provisions of this section shall be applicable to all health benefit plan membership cards upon issuance or renewal.” and by relettering subsequent subsection and amending the title to conform, which amendment was declared adopted.

Senator Brogdon moved that **HB 2488** be advanced, which motion was declared adopted.

THIRD READING

HB 2488 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, 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: Ford, Laughlin, Morgan and Snyder.--4.

The bill passed.

HB 2488 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 54** and **57**.

The above-numbered enrolled measures were transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 1381, 1397, 1411** and **1543** and **SJR 47**.

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

Advising passage of and transmitting for consideration Engrossed **HCR 1075**.

HCR 1075 – By Lamons, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, DeWitt, Deutschendorf, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Oneal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smith (Hopper), 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 Williams of the Senate.

A Concurrent Resolution congratulating the Oklahoma State University Center for Health Sciences and College of Osteopathic Medicine for again being named one of the best medical schools in the nation; and directing distribution.

The above-numbered measure was read the first time.

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

*

The Senate reconvened with Senator Gumm presiding.

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

PENDING CONSIDERATION OF HAS

HAs to SBs 860, 1155, 1394, 1480, 1569 and 1589 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 2559 by Nations and Langmacher of the House and Milacek and Capps of the Senate was called up for consideration.

Senator Milacek moved that **HB 2559** be advanced, which motion was declared adopted.

THIRD READING

HB 2559 was read for the third time at length.

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

Aye: Aldridge, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lerblance, Littlefield, Maddox, Milacek, Monson, Price, Rabon, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--34.

Nay: Branan, Easley, Gumm, Lawler, Leftwich, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--11.

Excused: Ford, Laughlin and Morgan.--3.

The bill passed.

HB 2559 was referred for engrossment.

GENERAL ORDER

HB 1668 by Vaughn of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved to amend **HB 1668**, Page 1, by restoring the title, which amendment failed of adoption upon roll call as follows:

Aye: Aldridge, Coffee, Fair, Harrison, Horner, Kerr, Price and Williams.--8.

Nay: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fisher, Ford, Gumm, Helton, Hobson, Johnson, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--38.

Excused: Laughlin and Morgan.--2.

Senator Coffee moved that **HB 1668** be advanced, which motion was declared adopted.

THIRD READING

HB 1668 was read for the third time at length.

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

Aye: Aldridge, Coffee, Fair, Harrison, Kerr, Laster, Littlefield, Price, Riley, Robinson, Shurden, Wilcoxson and Williams.--13.

Nay: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Lawler, Leftwich, Lerblance, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Rozell, Smith, Snyder, Taylor, Wilkerson and Williamson.--32.

Excused: Laughlin, Maddox and Morgan.--3.

The bill failed.

GENERAL ORDER

HB 1832 by Paulk and Nance of the House and Helton of the Senate, considered on Page 1048, was called up for further consideration.

Senator Pruitt moved to amend **HB 1832**, Page 2, Line 6, by inserting after the word "title" and before the period the words ", provided however, that penalties contained for violations of any ordinance enacted pursuant to the provisions of this subparagraph shall not exceed the penalties established in the Oklahoma Self-Defense Act", which amendment was declared adopted.

Senator Helton moved that **HB 1832** be advanced, which motion was declared adopted.

THIRD READING

HB 1832 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Nay: Snyder.--1.

Excused: Laughlin and Morgan.--2.

The bill passed.

HB 1832 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Monson moved to reconsider the vote whereby **HB 2613** failed, which motion failed of adoption upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Monson, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--23.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Ford, Johnson, Littlefield, Maddox, Milacek, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--21.

Excused: Laughlin, Morgan, Price and Smith.--4.

GENERAL ORDER

HB 2223 by Piatt of the House and Pruitt of the Senate was called up for further consideration.

Senator Pruitt pressed the adoption of his previous amendment, which amendment was declared adopted.

Senator Pruitt moved that **HB 2223** be advanced, which motion was declared adopted.

THIRD READING

HB 2223 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williamson.--41.

Nay: Laster, Monson, Taylor and Williams.--4.

Excused: Laughlin, Morgan and Price.--3.

The bill passed.

HB 2223 was referred for engrossment.

GENERAL ORDER

HB 2140 by Hastings of the House and Smith of the Senate, considered on Page 1234, was called up for further consideration.

Senator Smith moved that **HB 2140** be advanced, which motion was declared adopted.

THIRD READING

HB 2140 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, Easley, Fair, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Nay: Fisher, Laster, Monson, Robinson and Snyder.--5.

Excused: Ford, Laughlin, Morgan and Price.--4.

The bill passed.

HB 2140 was referred for engrossment.

GENERAL ORDER

HB 2026 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Capps moved to amend **HB 2026**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Capps moved that **HB 2026** be advanced, which motion was declared adopted.

THIRD READING

HB 2026 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Ford, Laughlin, Morgan and Price.--4.

The bill and emergency passed.

HB 2026 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to **SBs 905** and **1318** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 2051 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Kerr moved to amend **HB 2051**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Kerr moved that **HB 2051** be advanced, which motion was declared adopted.

THIRD READING

HB 2051 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols,

Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Coffee, Ford, Laughlin, Morgan and Price.--5.

The bill passed.

Senator Coffee desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44; Excused: 4.

The emergency passed.

HB 2051 was referred for engrossment.

GENERAL ORDER

HB 2053 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Kerr moved to amend **HB 2053**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Kerr moved that **HB 2053** be advanced, which motion was declared adopted.

THIRD READING

HB 2053 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, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Aldridge, Laughlin, Morgan and Price.--4.

The bill and emergency passed.

HB 2053 was referred for engrossment.

GENERAL ORDER

HB 2056 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Littlefield moved to amend **HB 2056**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Littlefield moved that **HB 2056** be advanced, which motion was declared adopted.

THIRD READING

HB 2056 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, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Aldridge, Ford, Laughlin, Morgan and Price.--5.

The bill and emergency passed.

HB 2056 was referred for engrossment.

GENERAL ORDER

HB 2062 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Littlefield moved to amend **HB 2062**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Littlefield moved that **HB 2062** be advanced, which motion was declared adopted.

THIRD READING

HB 2062 was read for the third time at length.

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

Aye: Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson and Williams.--38.

Nay: Branan, Dunlap, Wilcoxson and Williamson.--4.

Excused: Aldridge, Ford, Laughlin, Morgan, Price and Reynolds.--6.

The bill and emergency passed.

HB 2062 was referred for engrossment.

GENERAL ORDER

HB 2066 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Littlefield moved to amend **HB 2066**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Littlefield moved that **HB 2066** be advanced, which motion was declared adopted.

THIRD READING

HB 2066 was read for the third time at length.

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

Aye: Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilkerson and Williams.--37.

Nay: Branan, Dunlap, Pruitt, Snyder, Wilcoxson and Williamson.--6.

Excused: Aldridge, Laughlin, Morgan, Price and Reynolds.--5.

The bill passed.

Senator Riley desired to vote Nay on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36; Nay: 7; Excused: 5.

The emergency passed.

HB 2066 was referred for engrossment.

GENERAL ORDER

HB 2042 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Robinson moved to amend **HB 2042**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Robinson moved that **HB 2042** be advanced, which motion was declared adopted.

THIRD READING

HB 2042 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson and Williams.--41.

Nay: Branan, Snyder and Williamson.--3.

Excused: Laughlin, Morgan, Price and Reynolds.--4.

The bill and emergency passed.

HB 2042 was referred for engrossment.

GENERAL ORDER

HB 2044 by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Robinson moved to amend **HB 2044**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Robinson moved that **HB 2044** be advanced, which motion was declared adopted.

THIRD READING

HB 2044 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Milacek, Monson, Myers, Nichols, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Branan and Snyder.--2.

Excused: Laughlin, Maddox, Morgan, Price, Reynolds and Smith.--6.

The bill and emergency passed.

HB 2044 was referred for engrossment.

EXECUTIVE NOMINATIONS

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

Sauer, Karl F., M.D., McAlester, as a member of the Oklahoma Professional Boxing Commission - Business and Labor

Spencer, David Paul, Tulsa, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy, Environment and Communications

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, April 22, 2004, at 9:30 a.m., which motion prevailed.

MESSAGE FROM THE GOVERNOR

Advising his approval April 21, 2004, of Enrolled **SBs 1312, 1374, 1382, 1401, 1429, 1552 and 1625.**

Pursuant to the Fisher motion, the Senate adjourned at 4:25 p.m. to meet Thursday, April 22, 2004, at 9:30 a.m.