

Senate Journal

**Second Regular Session of the Forty-ninth Legislature
of the State of Oklahoma
Fifty-second Legislative Day, Thursday, April 29, 2004**

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, 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, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.—45.

Excused: Cain, Monson and Taylor.—3.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Cliff Briscoe, Living Word Church, Shawnee, the guest of Senator Laster.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 816, 978, 980, 982, 1067, 1071, 1106, 1109, 1110, 1174, 1236, 1256, 1347, 1511 and **1561** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 47 and **64** were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGE FROM THE HOUSE

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

HB 1981
HB 1987
HB 1988
HBs 1990 through 2002
HB 2004
HB 2010
HB 2012
HB 2014
HB 2016
HB 2018
HB 2020
HB 2026
HB 2030
HB 2036
HB 2038
HB 2048
HB 2054
HB 2060
HB 2064
HB 2070
HB 2072
HB 2074

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on **HBs 1981, 1987, 1988, 1990 through 2002, 2004, 2010, 2012, 2014, 2016, 2018, 2020, 2030, 2036, 2038, 2048, 2054, 2060, 2064, 2070, 2072 and 2074** was ordered granted and bills referred to GCCA.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1832, 1843, 1896, 1965, 2023, 2025, 2028, 2032, 2034, 2041, 2042, 2044, 2077, 2079, 2081, 2083, 2087, 2089, 2194, 2252, 2451 and 2627.**

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

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Williamson asked unanimous consent to suspend Rule 5-4 and refer **SR 65** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 65 by Hobson was called up for consideration.

All other members of the Senate, except Senator Smith, asked to coauthor **SR 65**, which was the order.

SR 65 was adopted upon motion of Senator Williamson and referred for enrollment.

SPECIAL RECOGNITION OF SENATOR JERRY SMITH

Senator Smith was honored by the Oklahoma State Senate for his 24 years of service. His portrait was displayed as a tribute in the Senate Chamber for this legislative day.

Senator Williamson addressed the Senate commending Senator Smith for his contributions to the Oklahoma Court System and the Republican Party. He also commended Senator Smith for his years of service to the citizens of Senate District 39 in the Oklahoma State Senate. In addition, remarks were given by President Pro Tempore Hobson and Senators Ford, Coffee, Snyder, Shurden, Dunlap, Wilkerson, Pruitt, Riley, Robinson, Williams and Fisher.

Senator Smith addressed the Senate and introduced his family. His guests in attendance were his wife, Sally Howe Smith and their son, Tucker. Senator Smith recognized his past and present executive assistants, Patsy Epps and Barbara Sanders, for their dedication and hard work.

MESSAGES FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1078**.

HCR 1078 – By Ingmire, Wells, Adair, Adkins, Armes, Askins, Balkman, Bengé, 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, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport,

O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Morgan of the Senate.

A Concurrent Resolution recognizing and commending the contributions of Dr. Deke Johnson to the advancement of community education; congratulating Dr. Deke Johnson for his induction into the prestigious Community Education Hall of Fame; and directing distribution.

The above-numbered measure was read the first time.

Advising passage of and returning the following Engrossed bill:

SCR 47 - coauthored by all other House members

The above-numbered measure was referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 816, 978, 980, 982, 1067, 1071, 1106, 1109, 1110, 1174, 1236, 1256, 1347, 1511 and 1561.**

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

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

HB 1587
HB 1756
HB 2085
HB 2305
HB 2341
HB 2382
HB 2416
HB 2551
HB 2556
HB 2598

Advising adding of House conferees as follows:

HB 2274 - Braddock, Phillips, Erwin

Advising naming of House conferees as follows:

HB 2440 - Ellis, Blackburn, Smithson, Wilson, Balkman, Langmacher, Wilt, Piatt

HB 2541 - Lamons, Wells, Morgan (Danny), Adkins, Peters, Rice, Perry, Sweeden

HB 2542 - Carey, Sweeden, Dank, Stanley, Kirby, Newport, Tibbs

HB 2660 - Adair, Pope, Nance, Rice, Maddux, Roberts

HB 2664 - Adair, Roberts, Maddux, Ferguson, Braddock

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

SB 1172 - Smithson, Peters, Balkman, Nance, Mitchell, Bonny, Askins, Braddock

SB 1252 - Adair, Roberts, Maddux, Askins, Ferguson, Pettigrew, Hutchison

SB 1410 - Smithson, Ericson, Nance, Roan, Newport, Hastings, Mass, Lamons, Braddock

Advising concurrence in **SAs** to and passage of Engrossed **HBs 1838, 2046, 2051, 2053, 2056, 2058, 2062, 2066, 2068, 2474, 2549, 2624** and **2724**.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

HB 1694

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

PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE

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

HB 1670 – Williamson, Smith, Cain, Monson, Laster

PENDING CONSIDERATION OF HAS

HAs to SBs 727, 1114, 1185, 1216, 1232, 1280, 1291, 1296, 1317, 1370, 1413, 1420, 1447, 1448, 1486, 1525, 1527, 1539 and 1560 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**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 1571
HB 2006
HB 2102
HB 2132
HB 2140
HB 2141
HB 2187
HB 2198
HB 2223
HB 2226
HB 2243
HB 2282
HB 2291
HB 2363
HB 2365
HB 2462
HB 2542
HB 2548
HB 2574
HB 2660
HB 2664
HB 2667
HB 2690
HB 2691
HB 2693
HJR 1039
HJR 1044**

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

SB 903 – Remove GCCA and Add Crutchfield, Price, Helton, Gumm, Wilcoxson, Johnson, Laughlin and Rabon.

PENDING CONSIDERATION OF HAS

HAs to SBs 892, 901, 1120, 1121, 1122, 1212, 1328 and 1622 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees appointed as follows:
GCCA

SCs NAMED

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

SB 1114 – GCCA
SB 1146 – GCCA
SB 1155 – GCCA
SB 1158 – GCCA
SB 1164 – GCCA
SB 1207 – GCCA
SB 1232 – GCCA
SB 1254 – GCCA
SB 1270 – GCCA
SB 1272 – GCCA
SB 1299 – GCCA
SB 1300 – GCCA
SB 1318 – GCCA
SB 1319 – GCCA
SB 1325 – GCCA
SB 1332 – GCCA
SB 1394 – GCCA
SB 1406 – GCCA
SB 1420 – GCCA
SB 1447 – GCCA
SB 1471 – GCCA
SB 1478 – GCCA
SB 1486 – GCCA
SB 1490 – GCCA
SB 1494 – GCCA
SB 1542 – GCCA
SB 1551 – GCCA

SB 1554 – GCCA

SB 1569 – GCCA

SB 1589 – GCCA

SB 1614 – GCCA

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 3, 2004, at 1:30 p.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SCR 67 – By Morgan of the Senate and Ingmire and Wells of the House.

A Concurrent Resolution authorizing the Oklahoma Agricultural and Mechanical Colleges, acting on behalf of Oklahoma State University, to issue certain revenue bonds pursuant to Sections 4001 through 4017 of Title 70 of the Oklahoma Statutes; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 10:50 a.m. to meet Monday, May 3, 2004, at 1:30 p.m.

JOURNAL CORRECTION

Page 1089, 10th Line from the bottom: Delete "**1056**,"

Page 1089, 9th Line from the bottom: Insert after "**2723**" the words "**and HCR 1056**"