

# Senate Journal

## Second Regular Session of the Forty-ninth Legislature of the State of Oklahoma Fifty-third Legislative Day, Monday, May 3, 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, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Excused: Leftwich.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Doug McClure, First Baptist Church, Hugo, the guest of Senator Rabon.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 47** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 65** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

### MESSAGES FROM THE HOUSE

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

**SB 921** - Blackburn, McCarter, Brannon, Calvey, Deutchendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**SB 923** - Blackburn, McCarter, Brannon, Calvey, Deutchendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**SB 925** - Blackburn, McCarter, Brannon, Calvey, Deutchendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**SB 927** - Blackburn, McCarter, Brannon, Calvey, Deutchendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**SB 929** - Blackburn, McCarter, Brannon, Calvey, Deutchendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**SB 931** - Blackburn, McCarter, Brannon, Calvey, Deutchendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**SB 935** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**SB 954** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**SB 962** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**SB 964** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**SB 989** - Eddins, Gilbert, Ericson, Greenwood, McClain, McIntyre Pettigrew, Steele, Adair, Hilliard

**SB 1017** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**SB 1019** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**SB 1021** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**SB 1031** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**SB 1053** - Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

**SB 1057** - Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

**SB 1059** - Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

**SB 1065** - Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

**SB 1531** - Adair, Toure, Davis, Askins, Hastings

Advising naming of House conferees as follows:

**HB 2010** - Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**HB 2012** - Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**HB 2014** - Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**HB 2016** - Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**HB 2018** - Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**HB 2020** - Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard

**HB 2026** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**HB 2030** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**HB 2036** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**HB 2038** - Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O'Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

**HB 2048** - Eddins, Gilbert, Ericson, Greenwood, McClain, McIntyre, Pettigrew, Steele, Adair, Hilliard

**HB 2054** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**HB 2060** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**HB 2064** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**HB 2070** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**HB 2072** - Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

**HB 2074** - Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

Advising conference granted on Engrossed **SB 369** and naming House conferees as follows: Stanley, Greenwood, Adkins, Braddock, Cox, Eddins, Lindley, McIntyre, Morgan (Fred), Paulk, Piatt, Smithson, Staggs, Vaughn, Winchester, Wright

#### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1162** were called up for consideration.

Senator Lerblance asked that **SB 1162** be laid over temporarily, which was the order.

**SB 1162** remains on pending consideration of **HAs**.

#### **SCs NAMED**

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

**SB 472** – Kerr, Horner, Taylor, Coates, Myers, Lerblance

**SB 905** – GCCA

**SB 1090** – Gumm, Smith, Lerblance, Laster, Laughlin

**SB 1112** – Corn, Fisher, Rozell, Williams, Milacek, Riley, Coates

**SB 1128** – Dunlap, Williams, Rozell

**SB 1134** – Corn, Fisher, Morgan, Williamson

**SB 1135** – Corn, Capps, Rozell, Myers, Laughlin

**SB 1142** – Corn, Fisher, Morgan, Williamson

**SB 1143** – GCCA

**SB 1144** – Corn, Fisher, Morgan, Williamson

**SB 1145** – Corn, Fisher, Morgan, Williamson

**SB 1165** – Laster, Corn, Fisher, Morgan, Williamson

**SB 1203** – Helton, Corn, Fisher, Morgan, Williamson

- SB 1216** – Laughlin, Price, Harrison  
**SB 1226** – Coffee, Corn, Fisher, Morgan, Williamson  
**SB 1233** – Crutchfield, Price, Laughlin, Coates, Littlefield  
**SB 1261** – Corn, Fisher, Morgan, Williamson  
**SB 1291** – Smith, Morgan, Laster, Cain, Laughlin  
**SB 1296** – Helton, Morgan, Laster, Pruitt, Coffee  
**SB 1311** – Gumm, Helton, Crutchfield, Laughlin, Myers  
**SB 1340** – Laster, Smith, Cain, Lerblance, Williamson  
**SB 1345** – Corn, Fisher, Morgan, Williamson  
**SB 1413** – GCCA  
**SB 1448** – Pruitt, Monson, Littlefield, Helton, Rabon, Crutchfield, Coffee, Aldridge  
**SB 1461** – Williamson, Brogdon, Smith, Laughlin, Lerblance, Helton, Leftwich  
(Debbe), Corn, Rozell  
**SB 1484** – GCCA  
**SB 1504** – Monson, Littlefield, Helton, Rabon, Crutchfield, Coffee, Pruitt, Aldridge  
**HB 2006** – GCCA  
**HB 2101** – Helton, Horner, Leftwich (Debbe), Shurden, Crutchfield, Coffee, Coates, Snyder  
**HB 2164** – Monson, Gumm, Robinson, Rabon, Laughlin, Coffee, Taylor  
**HB 2243** – GCCA  
**HB 2250** – GCCA  
**HB 2265** – Smith, Williamson, Brogdon, Laughlin, Lerblance, Helton, Leftwich  
(Debbe), Corn, Rozell  
**HB 2291** – Gumm, Monson, Rabon, Robinson, Laughlin, Coffee, Taylor  
**HB 2299** – GCCA  
**HB 2367** – Brogdon, Williamson, Smith, Laughlin, Lerblance, Helton, Leftwich  
(Debbe), Corn, Rozell  
**HB 2429** – Aldridge, Monson, Littlefield, Helton, Rabon, Crutchfield, Pruitt  
**HB 2559** – GCCA  
**HB 2632** – GCCA  
**HB 2637** – Laster, Williamson, Brogdon, Smith, Laughlin, Lerblance, Helton, Leftwich (Debbe), Corn  
**HB 2660** – GCCA  
**HB 2674** – Leftwich (Debbe), Lerblance, Branan

## **CHANGE IN CONFEREES**

Advising changing of Senate conferees as follows:

- SB 874** – add Rabon  
**HB 2661** – add Morgan

**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 appointed as follows:

**HB 2026** – GCCA

**HB 2382** – GCCA

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1160** failed of adoption upon motion of Senator Helton upon division of the question.

**SB 1160** reverts back to pending consideration of **HAs**.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HAs 1838, 2046, 2051, 2053, 2056, 2058, 2062, 2066, 2068, 2474, 2549, 2624** and **2724**.

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

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1547** were concurred in upon motion of Senator Wilcoxson.

**SB 1547**, as amended by the Honorable House, was read 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, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Excused: Leftwich.--1.

The bill passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1402** were concurred in upon motion of Senator Robinson.

**SB 1402**, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Helton and Leftwich.--2.

The bill and emergency passed.

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

**SIGNING RESCINDED**

Senator Coffee asked unanimous consent, which was granted, to rescind the signing of **HB 2205**.

**SENATE RULES SUSPENDED**

Senator Coffee asked unanimous consent, which was granted, that the Senate suspend Senate Rule 16-1B for further consideration of **HB 2205**.

**MOTION TO RECONSIDER VOTE**

Senator Coffee moved to reconsider the vote whereby **HB 2205** passed on fourth reading, 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, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan,

Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Helton and Leftwich.--2.

### **THIRD READING**

Senator Coffee moved to reconsider the vote whereby **HB 2205** was advanced, which motion was declared adopted.

**HB 2205** was placed on General Order.

### **SENATE RULE SUSPENDED**

Senator Fisher asked unanimous consent, which was granted, that the Senate suspend Senate Rule 16-1B(8) as it pertains to **SB 1162**.

### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 1162** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 877** were concurred in upon motion of Senator Corn.

**SB 877**, as amended by the Honorable House, was read 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Dunlap and Leftwich.--2.

The bill passed.

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



**MOTION TO RECONSIDER VOTE**

Senator Robinson moved to reconsider the vote whereby **SB 1263** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--39.

Nay: Brogdon, Coffee, Fair, Ford, Laughlin, Pruitt, Riley and Williamson.--8.

Excused: Leftwich.--1.

**FOURTH READING**

**SB 1263**, 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, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--38.

Nay: Branan, Brogdon, Coffee, Fair, Ford, Johnson, Laughlin, Pruitt and Williamson.--9.

Excused: Leftwich.--1.

The bill and emergency passed.

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

**UNANIMOUS CONSENT REQUEST  
WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **HCRs 1060** and **1062** be stricken from the Calendar.

**PENDING CONSIDERATION OF HAs**

**HAs to SB 1136** were concurred in upon motion of Senator Corn.

**SB 1136**, as amended by the Honorable House, was read 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, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Excused: Leftwich.--1.

The bill passed.

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

**REJECTION OF HAs RESCINDED**

Senator Fisher asked unanimous consent, which was granted, that the Senate rescind the rejection of the **HAs** on **SB 1622**.

**SB 1622** was placed on pending consideration of **HAs**.

**PENDING CONSIDERATION OF HAs**

**HAs to SB 1140** were concurred in upon motion of Senator Corn.

**SB 1140**, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Excused: Leftwich.--1.

The bill and emergency passed.

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

**Senator Gumm presiding.**

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1357** were concurred in upon motion of Senator Lerblance.

**SB 1357**, as amended by the Honorable House, was read at length.

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

Aye: Capps, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Lerblance, Littlefield, Monson, Morgan, Price, Rabon, Robinson, Rozell, Smith, Taylor and Williams.--24.

Nay: Aldridge, Branan, Brogdon, Cain, Coates, Coffee, Dunlap, Fair, Ford, Johnson, Laughlin, Maddox, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Shurden, Snyder, Wilcoxson, Wilkerson and Williamson.--23.

Excused: Leftwich.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Lerblance served notice that the vote be reconsidered whereby **SB 1357** failed.

**MESSAGES FROM THE HOUSE**

Advising concurrence in **SAs** to and passage of Engrossed **HBs 2159, 2270, 2271, 2303, 2385** and **2445**.

Advising the signing of and returning Enrolled **SCR 47**.

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

Advising passage of and returning the following Engrossed bill:

**SCR 60** - coauthored by Pruitt of the Senate and Wright, Liotta of the House

The above-numbered measure was referred for enrollment.

**MESSAGE FROM THE HOUSE  
CONFERENCE COMMITTEE REPORT**

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

**HB 2552**

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1168** were concurred in upon motion of Senator Lawler.

**SB 1168**, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Leftwich and Milacek.--2.

The bill and emergency passed.

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

**PENDING CONSIDERATION OF HAS**

**HAs to SB 1466** were concurred in upon motion of Senator Corn.

**SB 1466**, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Excused: Leftwich.--1.

The bill and emergency passed.

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

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Williams asked unanimous consent to suspend Rule 5-4 and refer **HCR 1075** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**HCR 1075** by Lamons et al of the House and Williams of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1075**, which was the order.

**HCR 1075** was adopted upon motion of Senator Williams and properly signed and ordered returned to the Honorable House.

### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1617** were concurred in upon motion of Senator Corn.

**SB 1617**, 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, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Riley, Robinson, Rozell,

Shurden, Smith, Snyder, Taylor, Wilkerson and Williams.--37.

Nay: Branan, Brogdon, Coffee, Milacek, Myers, Nichols, Pruitt, Reynolds, Wilcoxson and Williamson.--10.

Excused: Leftwich.--1.

The bill and emergency passed.

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

### **PENDING CONSIDERATION OF CCR**

The **3RD CCR** on **SB 649** was adopted upon motion of Senator Johnson.

**SB 649**, as amended in conference, 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Excused: Leftwich.--1.

The bill and emergency passed.

**SB 649**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **MESSAGES FROM THE HOUSE**

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

**SB 998** - Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiett, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

**SB 1068** - Askins, Toure, Boren, Benge, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

Advising naming of House conferees as follows:

**HB 2085** - Askins, Toure, Boren, Benge, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

## **EXECUTIVE NOMINATIONS**

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

Berline, Byron, Guthrie, as a member of the Oklahoma Music Hall of Fame Board - Tourism and Wildlife

Davis, Jim, Holdenville, as a member of the Oklahoma Used Motor Vehicle and Parts Commission - Business and Labor

Derieg, Williard Dean, Cordell, as a member of the War Veterans Commission of Oklahoma - Veterans, Military Affairs and Public Safety

Fennell, Patricia Breilh, Edmond, as a member of the Oklahoma Human Rights Commission - Human Resources

Kalies, Kurt Eric, McLoud, as a member of the Board of Examiners for Speech-Language Pathology and Audiology - Human Resources

Lodes, Bebe Sue, Sulphur, as a member of the Board of Trustees for the Ardmore Higher Education Program - Education

Petty, Donald Scott, Stillwater, as a member of the Oklahoma Music Hall of Fame Board - Tourism and Wildlife

Rethard, Loretta J., Moore, as a member of the War Veterans Commission of Oklahoma - Veterans, Military Affairs and Public Safety

Russ, Todd D., Burns Flat, as a member of the Oklahoma Space Industry Development Authority - Aerospace and Technology

Vance, John T., Edmond, as a member of the Oklahoma Used Motor Vehicle and Parts Commission - Business and Labor

Westheimer, Wanda O., Ardmore, as a member of the Oklahoma Arts Council - Tourism and Wildlife

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, May 4, 2004, at 10:00 a.m., which motion prevailed.

**FIRST READING**

The following were introduced and read the first time:

**SCR 68** – By Rabon of the Senate and Carey of the House.

A Concurrent Resolution memorializing Congress to review the actions of the federal Office of the Comptroller of the Currency regarding rules preempting state consumer protection laws as they apply to certain banks, their subsidiaries and agents; and directing distribution.

**SCR 69** – By Price of the Senate and Covey of the House.

A Concurrent Resolution commending the life of Henry Jo Von Tungeln; praising his contributions to agriculture; extending condolences; and directing distribution.

**MESSAGE FROM THE GOVERNOR**

Advising his approval May 3, 2004, of Enrolled **SBs 869, 889, 1095, 1107, 1108, 1111, 1246, 1253, 1522 and 1598.**

Pursuant to the Fisher motion, the Senate adjourned at 3:00 p.m. to meet Tuesday, May 4, 2004, at 10:00 a.m.

**JOURNAL CORRECTIONS**

Page 871, 2<sup>nd</sup> Line from the bottom, insert the following:

**EXECUTIVE NOMINATIONS**

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

Garrett, Nicholas D., Lawton, as a member of the Crime Victims Compensation Board  
– Judiciary

Geurkink, Ann Buchanan, Duncan, as a member of the Oklahoma Department of Libraries Board - General Government

Harwood, Joe, Afton, as a member of the Oklahoma Tourism and Recreation Commission - Tourism and Wildlife



Page 1209, 5<sup>th</sup> Line from the top insert the following:

**EXECUTIVE NOMINATIONS**

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

Atwood, Mary L., Shawnee, as a member of the Organ Donor Education and Awareness Program Advisory Council - Human Resources

Barnes, Charles H., Choctaw, as a member of the Oklahoma Real Estate Commission - Business and Labor

Barnett, Billie T., Tulsa, as a member of the Oklahoma Arts Council - Tourism and Wildlife

Dudley, Stephen, Edmond, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Human Resources

Glinski, D.O., Edward D., Oklahoma City, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Human Resources

Ingle, Ron L., Dover, as a member of the Organ Donor Education and Awareness Program Advisory Council - Human Resources

Pratt, Harvey, Guthrie, as a member of the Oklahoma Arts Council - Tourism and Wildlife

Schlezingler, Ira, Oklahoma City, as a member of the Oklahoma Arts Council - Tourism and Wildlife