

Senate Journal

First Regular Session of the Fiftieth Legislature of the State of Oklahoma

Nineteenth Legislative Day, Tuesday, March 8, 2005

The Senate was called to order by Senator Rabon.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Capps and Monson.—2.

Senator Rabon declared a quorum present.

The prayer was offered by Reverend Yo Yo Collins, Trinity Ministries, Yosandi Co., Inc., Salina, the guest of Senator Easley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 36, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 215, 218, 220, 221, 223, 224, 225, 226, 227, 229, 230, 231, 234, 235, 236, 237, 291, 329, 354, 363, 470, 473, 540, 604, 624, 636, 714, 757 and 799 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MOTION TO RECONSIDER VOTE

Senator Corn moved to reconsider the vote whereby **SB 603** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Bass, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Kerr, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.--25.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Crain, Ford, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Reynolds, Riley, Wilcoxson and Williamson.--19.

Excused: Capps, Hobson, Monson and Pruitt.--4.

THIRD READING

Senator Corn moved to reconsider the vote whereby **SB 603** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 603 by Corn of the Senate and McCarter of the House was called up for further consideration.

Senator Corn asked that **SB 603** be laid over for this legislative day, which was the order.

SB 603 remains on General Order.

GENERAL ORDER

SB 7 by Capps and Kerr of the Senate and Walker of the House was called up for consideration.

Senator Kerr moved that **SB 7** be advanced, which motion was declared adopted.

THIRD READING

SB 7 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Pruitt.--3.

The bill passed.

SB 7 was referred for engrossment.

GENERAL ORDER

SB 478 by Crain of the Senate and Peters and Cooksey of the House was called up for consideration.

Representative Cooksey asked to be removed as coauthor on **SB 478**, which was the order.

Senator Crain moved that **SB 478** be advanced, which motion was declared adopted.

THIRD READING

SB 478 was read for the third time at length.

Senator Crain asked that **SB 478** be laid over temporarily, which was the order.

SB 478 remains on Third Reading.

GENERAL ORDER

SB 692 by Laster of the Senate and Morgan (Fred) of the House was called up for consideration.

Senator Laster moved that **SB 692** be advanced, which motion was declared adopted.

THIRD READING

SB 692 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill passed.

SB 692 was referred for engrossment.

GENERAL ORDER

SB 599 by Gumm of the Senate and Armes of the House was called up for consideration.

Senator Gumm moved that **SB 599** be advanced, which motion was declared adopted.

THIRD READING

SB 599 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Brogdon, Laughlin and Nichols.--3.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 599 was referred for engrossment.

GENERAL ORDER

SB 25 by Paddack of the Senate and Askins of the House was called up for consideration.

Senator Paddack moved that **SB 25** be advanced, which motion was declared adopted.

THIRD READING

SB 25 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 25 was referred for engrossment.

GENERAL ORDER

SB 611 by Williamson of the Senate and Wright of the House was called up for consideration.

Senator Williamson moved that **SB 611** be advanced, which motion was declared adopted.

THIRD READING

SB 611 was read for the third time at length.

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

Aye: Adelson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Taylor, Wilcoxson, Williamson and Wilson.--36.

Nay: Aldridge, Anderson, Fisher, Garrison, Gumm, Lawler, Lerblance, Riley, Shurden and Wyrick.--10.

Excused: Capps and Monson.--2.

The bill passed.

SB 611 was referred for engrossment.

GENERAL ORDER

SB 54 by Lerblance of the Senate and Walker of the House was called up for consideration.

Senator Lerblance moved that **SB 54** be advanced, which motion was declared adopted.

THIRD READING

SB 54 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Hobson and Monson.--3.

The bill and emergency passed.

SB 54 was referred for engrossment.

Senator Taylor presiding.

GENERAL ORDER

SB 779 by Laster of the Senate and Morgan (Fred) of the House was called up for consideration.

Senator Laster moved that **SB 779** be advanced, which motion was declared adopted.

THIRD READING

SB 779 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill passed.

SB 779 was referred for engrossment.

GENERAL ORDER

SB 356 by Wyrick et al of the Senate and Glenn of the House was called up for consideration.

Senator Wyrick moved that **SB 356** be advanced, which motion was declared adopted.

THIRD READING

SB 356 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 356 was referred for engrossment.

GENERAL ORDER

SB 852 by Eason McIntyre of the Senate and Wright of the House was called up for consideration.

Senator Eason McIntyre moved to amend **SB 852**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Eason McIntyre moved that **SB 852** be advanced, which motion was declared adopted.

THIRD READING

SB 852 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 852 was referred for engrossment.

GENERAL ORDER

SB 498 by Pruitt and Rabon of the Senate and Miller (Doug) of the House was called up for consideration.

Senators Riley, Mazzei, Reynolds, Ford, Nichols, Lamb, Jolley and Wilcoxson asked to coauthor **SB 498**, which was the order.

Senator Pruitt moved that **SB 498** be advanced, which motion was declared adopted.

THIRD READING

SB 498 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler,

Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 498 was referred for engrossment.

GENERAL ORDER

SB 265 by Cain of the Senate and Winchester of the House was called up for consideration.

Representative Trebilcock asked to coauthor **SB 265**, which was the order.

Senator Coffee moved to amend **SB 265**, Page 3, Line 15, by deleting after the word “effective” and before the period and language “January 1, 2006” and inserting in lieu thereof the language “July 1, 2007”.

Senator Cain moved to amend the Coffee amendment to **SB 265**, by deleting the numeral “2007” and inserting in lieu thereof the numeral “2006”, which amendment failed of adoption upon roll call as follows:

Aye: Adelson, Cain, Corn, Crutchfield, Eason McIntyre, Fisher, Harrison, Hobson, Laster, Lawler, Leftwich, Morgan, Rabon, Wilcoxson, Wilson and Wyrick.--16.

Nay: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Crain, Easley, Ford, Garrison, Gumm, Johnson, Jolley, Justice, Kerr, Lamb, Laughlin, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Taylor and Williamson.--30.

Excused: Capps and Monson.--2.

Senator Coffee pressed the adoption of his amendment to **SB 265**, which amendment was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Garrison, Johnson, Jolley, Justice, Kerr, Lamb, Laughlin, Lerblance, Mazzei, Myers, Nichols, Paddack, Riley, Shurden, Taylor and Williamson.--29.

Nay: Adelson, Cain, Easley, Fisher, Gumm, Harrison, Hobson, Laster, Lawler, Leftwich, Morgan, Pruitt, Rabon, Reynolds, Wilcoxson, Wilson and Wyrick.--17.

Excused: Capps and Monson.--2.

Senator Cain moved that **SB 265** be advanced, which motion was declared adopted.

THIRD READING

SB 265 was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Jolley, Justice, Kerr, Lamb, Laster, Lawler, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon, Reynolds, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--35.

Nay: Aldridge, Brogdon, Easley, Ford, Johnson, Laughlin, Mazzei, Myers, Pruitt, Riley and Shurden.--11.

Excused: Capps and Monson.--2.

The bill passed.

SB 265 was referred for engrossment.

GENERAL ORDER

SB 982 by Morgan et al of the Senate and Staggs of the House was called up for consideration.

Senator Mazzei asked to coauthor **SB 982**, which was the order.

Senator Morgan moved that **SB 982** be advanced, which motion was declared adopted.

THIRD READING

SB 982 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds,

Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 982 was referred for engrossment.

GENERAL ORDER

SB 666 by Rabon of the Senate and Balkman of the House was called up for consideration.

Senator Rabon moved to amend **SB 666**, Page 1, by striking the title, which amendment was declared adopted.

Senator Rabon moved to amend **SB 666**, Page 2, Line 9, by deleting after the word “exceed” and before the comma the language “Five Hundred Dollars (\$500.00)” and inserting in lieu thereof the language “Three Hundred Dollars (\$300.00)”, which amendment was declared adopted.

Senator Rabon moved that **SB 666** be advanced, which motion was declared adopted.

THIRD READING

SB 666 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Eason McIntyre, Morgan and Shurden.--3.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 666 was referred for engrossment.

Senator Rabon presiding.

GENERAL ORDER

SB 421 by Taylor of the Senate and Eddins et al of the House was called up for consideration.

Senator Taylor moved that **SB 421** be advanced, which motion was declared adopted.

THIRD READING

SB 421 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Coffee and Monson.--3.

The bill and emergency passed.

SB 421 was referred for engrossment.

GENERAL ORDER

SB 312 by Cain of the Senate and Winchester of the House was called up for consideration.

Representative Trebilcock asked to coauthor **SB 312**, which was the order.

Senator Cain moved that **SB 312** be advanced, which motion was declared adopted.

THIRD READING

SB 312 was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--41.

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

Excused: Capps, Monson and Taylor.--3.

The bill passed.

SB 312 was referred for engrossment.

GENERAL ORDER

SB 326 by Paddack of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved that **SB 326** be advanced, which motion was declared adopted.

THIRD READING

SB 326 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Taylor.--3.

The bill passed.

SB 326 was referred for engrossment.

GENERAL ORDER

SB 715 by Lamb of the Senate and Ingmire of the House was called up for consideration.

Senator Lamb moved to amend **SB 715**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Lamb moved that **SB 715** be advanced, which motion was declared adopted.

THIRD READING

SB 715 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 715 was referred for engrossment.

GENERAL ORDER

SB 802 by Leftwich of the Senate and Armes of the House was called up for consideration.

Senator Leftwich moved that **SB 802** be advanced, which motion was declared adopted.

THIRD READING

SB 802 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 802 was referred for engrossment.

GENERAL ORDER

SB 805 by Leftwich of the Senate and Roan of the House was called up for consideration.

Senator Rabon asked to coauthor **SB 805**, which was the order.

Senator Leftwich moved that **SB 805** be advanced, which motion was declared adopted.

THIRD READING

SB 805 was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Wilson and Wyrick.--39.

Nay: Branan, Brogdon, Laughlin, Pruitt and Williamson.--5.

Excused: Aldridge, Capps, Monson and Taylor.--4.

The bill and emergency passed.

SB 805 was referred for engrossment.

GENERAL ORDER

SB 826 by Leftwich of the Senate and Ingmire of the House was called up for consideration.

Senator Leftwich moved that **SB 826** be advanced, which motion was declared adopted.

THIRD READING

SB 826 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 826 was referred for engrossment.

GENERAL ORDER

SB 242 by Capps and Shurden of the Senate and Morgan (Danny) of the House was called up for consideration.

Senator Shurden moved that **SB 242** be advanced, which motion was declared adopted.

THIRD READING

SB 242 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 242 was referred for engrossment.

GENERAL ORDER

SB 531 by Pruitt and Gumm of the Senate and Wilt of the House was called up for consideration.

Senators Ford, Brogdon, Jolley, Lamb, Mazzei, Reynolds, Justice, Myers, Branam, Garrison, Lawler, Easley, Crutchfield, Anderson, Johnson, Coates and Riley asked to coauthor **SB 531**, which was the order.

Senator Pruitt moved to amend **SB 531**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Pruitt moved that **SB 531** be advanced, which motion was declared adopted.

THIRD READING

SB 531 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branam, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 531 was referred for engrossment.

Senator Fisher moved that the Senate recess until 1:15 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Paddack presiding.

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

GENERAL ORDER

SB 11 by Wilcoxson of the Senate and Terrill of the House was called up for consideration.

Senator Wilcoxson moved that **SB 11** be advanced, which motion was declared adopted.

THIRD READING

SB 11 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Cain, Coffee, Crain, Ford, Hobson, Johnson, Jolley, Justice, Laughlin, Myers, Nichols, Pruitt, Reynolds, Riley, Shurden, Taylor, Wilcoxson and Williamson.--24.

Nay: Bass, Coates, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Kerr, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Paddack, Rabon, Wilson and Wyrick.--21.

Excused: Capps, Easley and Monson.--3.

The bill failed.

Pursuant to Rule 12-23, Senator Wilcoxson served notice that the vote be reconsidered whereby **SB 11** failed.

Senator Gumm presiding.

GENERAL ORDER

SB 271 by Lawler and Rabon of the Senate and Askins of the House was called up for consideration.

Senator Lawler moved to amend **SB 271**, Page 2, Line 6, by deleting Section 2 and renumbering subsequent section, which amendment was declared adopted.

Senator Lawler moved that **SB 271** be advanced, which motion was declared adopted.

THIRD READING

SB 271 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 271 was referred for engrossment.

GENERAL ORDER

SB 725 by Aldridge and Gumm of the Senate and Roan of the House was called up for consideration.

Senator Crutchfield asked to coauthor **SB 725**, which was the order.

Senator Aldridge moved to amend **SB 725**, Page 5, Line 5, by restoring the stricken words, "twenty or fewer" and deleting the new language "less than fifty"; Page 6, Line 1, after the word "shall" by deleting the word "not"; Page 6, Lines 1 and 2, after the word "or" by deleting the words "dispatcher on-site"; and Page 6, Line 2, before the word "and" by inserting the words "one jailer", and by amending the title to conform, which amendment was declared adopted.

Senator Aldridge moved that **SB 725** be advanced, which motion was declared adopted.

THIRD READING

SB 725 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich,

Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 725 was referred for engrossment.

GENERAL ORDER

SB 315 by Leftwich of the Senate and Terrill of the House was called up for consideration.

Senator Leftwich moved to amend **SB 315**, Page 2, Line 4, by restoring the stricken language and deleting the new language "Employees", which amendment was declared adopted.

Senator Leftwich moved that **SB 315** be advanced, which motion was declared adopted.

THIRD READING

SB 315 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 315 was referred for engrossment.

GENERAL ORDER

SB 474 by Rabon of the Senate and Pruett of the House was called up for consideration.

Senator Rabon moved to amend **SB 474**, Page 1, by striking the title, which amendment was declared adopted.

Senator Williamson moved to amend **SB 474**, Page 1, Line 25, by inserting after the word “diameter” and before the period the words “from the wilderness area”, which amendment was declared adopted.

Senator Rabon moved that **SB 474** be advanced, which motion was declared adopted.

THIRD READING

SB 474 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddock, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 474 was referred for engrossment.

GENERAL ORDER

SB 572 by Williamson and Gumm of the Senate and Peters of the House was called up for consideration.

Senator Leftwich moved to amend **SB 572**, Page 2, Line 16, through Page 3, Line 10, by deleting paragraph 2 and inserting in lieu thereof:

“2. “Diabetes care providers” means a certified school nurse employed by a public school district, or a registered nurse employed by a local health department or other agency that may include, but not be limited to, home health providers, hospitals, and nursing facilities, or any registered nurse contracted by a public school district to provide nursing services required pursuant to this act.” and Page 6, Lines 10 through 14, by deleting all of subsection D and relettering subsequent subsections, which amendment failed of adoption upon roll call as follows:

Aye: Bass, Cain, Corn, Crutchfield, Eason McIntyre, Garrison, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--19.

Nay: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Fisher, Ford, Gumm, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--25.

Excused: Capps, Easley, Monson and Taylor.--4.

Senator Williamson moved that **SB 572** be advanced, which motion was declared adopted.

THIRD READING

SB 572 was read for the third time at length.

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

Aye: Adelson, Aldridge, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddack, Rabon, Reynolds, Shurden, Taylor, Williamson, Wilson and Wyrick.--39.

Nay: Anderson, Brogdon, Myers, Pruitt, Riley and Wilcoxson.--6.

Excused: Capps, Easley and Monson.--3.

The bill passed.

Senators Anderson and Myers desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 41; Nay: 4; Excused: 3.

The emergency passed.

SB 572 was referred for engrossment.

GENERAL ORDER

SB 159 by Morgan and Crutchfield of the Senate and Bengé and Newport of the House was called up for consideration.

Senator Rabon moved to amend **SB 159**, 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 Rabon moved that **SB 159** be advanced, which motion was declared adopted.

THIRD READING

SB 159 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 159 was referred for engrossment.

GENERAL ORDER

SB 219 by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senator Cain moved to amend **SB 219**, 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 Cain moved that **SB 219** be advanced, which motion was declared adopted.

THIRD READING

SB 219 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison,

Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 219 was referred for engrossment.

GENERAL ORDER

SB 187 by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senator Corn moved to amend **SB 187**, 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 Corn moved that **SB 187** be advanced, which motion was declared adopted.

THIRD READING

SB 187 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 187 was referred for engrossment.

GENERAL ORDER

SB 216 by Morgan and Crutchfield of the Senate and Benge and Newport of the House was called up for consideration.

Senator Crutchfield moved to amend **SB 216**, 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 Crutchfield moved that **SB 216** be advanced, which motion was declared adopted.

THIRD READING

SB 216 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Easley and Monson.--3.

The bill and emergency passed.

SB 216 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1312, 1313, 1408, 1532, 1656, 1668, 1774, 1816, 1860, 1903, 1923, 1986** and **1998**.

HB 1067 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Oklahoma Department of Emergency Management – appropriation – effective date – emergency)

HB 1068 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Ethics Commission – appropriation – effective date – emergency)

HB 1069 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Ethics Commission – appropriation – effective date – emergency)

HB 1070 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Merit Protection Commission - appropriation - effective date – emergency)

HB 1071 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Merit Protection Commission – appropriation - effective date – emergency)

HB 1072 – By Bengé, Newport and Wesselhoft of the House and Morgan and Crutchfield of the Senate.

(Military Department of the State of Oklahoma – appropriation – effective date – emergency)

HB 1073 – By Bengé, Newport and Wesselhoft of the House and Morgan and Crutchfield of the Senate.

(Military Department of the State of Oklahoma – appropriation – effective date – emergency)

HB 1074 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Office of Personnel Management – appropriation – effective date – emergency)

HB 1075 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Office of Personnel Management – appropriation – effective date – emergency)

HB 1076 – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

(Oklahoma Tax Commission – appropriation – budgeting – effective date – emergency)

HB 1312 – By McCarter, Adkins, Calvey, Dank, Dorman, Nance, Terrill, Braddock, Brannon, Brown, Covey, Deutschendorf, Gilbert, Glenn, Hilliard, Hyman, Kiesel, Miller (Ray), Nations, Roan, Rousselot, Shelton, Sherrer, Smithson, Sweeden, Wesselhoft and Winchester of the House and Bass of the Senate.

(revenue and taxation – amending 68 O.S., Section 1357 – general sales tax - disabled veterans – effective date – emergency)

HB 1313 – By McCarter of the House and Barrington of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Section 2801, as amended by Section 1, Chapter 21, O.S.L. 2004 and 2813 (36 O.S. Supp. 2004, Section 2801), which relate to farmers' mutual fire insurance associations; modifying requirements for formation of association; expanding scope of Insurance Code applicable to associations; and providing an effective date.

HB 1408 – By Rousselot, Dorman and Nance of the House and Easley of the Senate.
(revenue and taxation - amending 68 O.S., Sections 2817 and 2817.2 - valuation and assessment of property - effective date)

HB 1532 – By DePue of the House and Aldridge of the Senate.
(revenue and taxation - Sexually Explicit Business and Escort Service Tax Act - amending 68 O.S., Section 2358 - effective date)

HB 1656 – By Morgan (Danny), Kiesel and Nations of the House and Coates of the Senate.

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Section 521, as last amended by Section 1, Chapter 72, O.S.L. 2004 (37 O.S. Supp. 2004, Section 521), which relates to acts authorized by licenses issued pursuant to the Oklahoma Alcoholic Beverage Control Act; modifying restrictions on containers for beverages sold by package stores; and providing an effective date.

HB 1668 – By Cooksey and Braddock of the House and Lerblance of the Senate.

An Act relating to public buildings and public works; amending 61 O.S. 2001, Section 207.2, as amended by Section 30, Chapter 294, O.S.L. 2002 (61 O.S. Supp. 2004, Section 207.2), which relates to the Public Building Construction and Planning Act; adding an exemption to the act; and providing an effective date.

HB 1774 – By Hastings of the House and Lerblance of the Senate.

An Act relating to amusements and sports; amending 3A O.S. 2001, Sections 605, as amended by Section 1, Chapter 184, O.S.L. 2004, 616 and 617, as last amended by Section 2, Chapter 184, O.S.L. 2004 (3A O.S. Supp. 2004, Sections 605 and 617), which relate to the Oklahoma Professional Boxing Licensing Act; modifying method of establishing the salary of the administrator; modifying amount of money that can be retained in the Professional Boxing Licensing Revolving Fund; requiring remittance of certain assessment; transferring responsibility for fee collection; repealing 3A O.S. 2001, Section 621, which relates to closed-circuit telecast permits; and providing an effective date.

HB 1816 – By Armes and Duncan of the House and Barrington of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 10.3, as amended by Section 1, Chapter 371, O.S.L. 2003 (74 O.S. Supp. 2004, Section 10.3), which relates to creating a cabinet system; adding certain requirement for certain appointment; and providing an effective date.

HB 1860 – By Blackwell of the House and Wilson and Laughlin of the Senate.

An Act relating to the Oklahoma Open Meeting Act; amending 25 O.S. 2001, Section 307.1, as last amended by Section 14, Chapter 5, O.S.L. 2004 (25 O.S. Supp. 2004, Section 307.1), which relates to teleconferences and videoconferences; expanding authorization for use of videoconferences; adding procedures for conducting videoconferences; and providing an effective date.

HB 1903 – By Hastings of the House and Adelson of the Senate.

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Section 521, as last amended by Section 1, Chapter 72, O.S.L. 2004 (37 O.S. Supp. 2004, Section 521), which relates to licenses authorized by the Oklahoma Alcoholic Beverage Control Act; modifying certain license; changing name of license from charitable auction license to charitable auction or wine event license; modifying acts authorized by the license; modifying authorized manner of receipt of wine; expanding period for license; specifying authorization for charitable auctions; modifying registration and tax requirements; and providing an effective date.

HB 1923 – By Dorman of the House and Cain of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 3, which relates to paternity; clarifying certain term; prohibiting termination of parental rights under certain circumstances; amending 10 O.S. 2001, Section 90.4, which relates to children born out of wedlock; providing that a father present certain evidence prior to hearing; and providing an effective date.

HB 1986 – By Ingmire, Hilliard and Sherrer of the House and Lerblance of the Senate.

An Act relating to contracts; enacting the Gift Certificate and Gift Card Disclosure Act; providing definitions; prohibiting the sale of certain gift certificates or gift cards; providing exceptions; allowing multiple contributors for a gift certificate or gift card under certain circumstances; specifying applicability to certain gift certificates or cards; declaring value of gift certificates or gift cards held in trust by issuer; requiring gift certificates or gift cards be honored for value regardless of issuer bankruptcy; providing certain limitations of the Gift Certificate and Gift Card Disclosure Act; prohibiting waiver; providing penalty for violations; providing for codification; and providing an effective date.

HB 1998 – By Denney of the House and Anderson of the Senate.

An Act relating to trusts; amending Sections 2, 3, 7 and 8, Chapter 509, O.S.L. 2004 (31 O.S. Supp. 2004, Sections 11, 12, 16 and 17), which relate to the Family Wealth Preservation Trust Act; modifying definitions; allowing for exemption of incremental growth of corpus of trust; providing for computation of fair market value of certain assets; providing for computation of asset encumbered by debt; protecting rights of creditor of certain assets in trust; providing limitations on exemption of assets of trust; providing for preemption; allowing for application of certain rules if proceeding converted to voluntary bankruptcy; repealing Section 6, Chapter 509, O.S.L. 2004 (31 O.S. Supp. 2004, Section 15), which relates to the Family Wealth Prevention Trust Act; providing an effective date; and declaring an emergency.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 509 by Morgan of the Senate and Benge of the House was called up for consideration.

Senator Morgan moved that **SB 509** be advanced, which motion was declared adopted.

THIRD READING

SB 509 was read for the third time at length.

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

Aye: Adelson, Barrington, Bass, Branan, Cain, Coates, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Jolley, Justice, Kerr, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--37.

Nay: Aldridge, Anderson, Brogdon, Johnson, Lamb, Laughlin and Reynolds.--7.

Excused: Capps, Coffee, Easley and Monson.--4.

The bill passed.

SB 509 was referred for engrossment.

THIRD READING

Senator Crain moved to reconsider the vote whereby **SB 478** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 478 by Crain of the Senate and Peters of the House was called up for further consideration.

Senator Crain moved to amend **SB 478**, Page 1, Lines 14 through 16, by restoring all stricken language after the stricken word "sheriff" on Line 14 through Line 16; Page 1, Line 14, by inserting after the stricken word "sheriff" the words "Any county officer"; Page 1, Line 16, by deleting all new language; and by amending the title to conform, which amendment was declared adopted.

Senator Crain asked that **SB 478** be laid over for this legislative day, which was the order.

SB 478 remains on General Order.

GENERAL ORDER

SB 927 by Wilcoxson of the Senate and Peterson (Pam) of the House , previously considered on Page 438, was called up for further consideration.

Senator Wilcoxson moved that **SB 927** be advanced, which motion was declared adopted.

THIRD READING

SB 927 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Williamson.--3.

The bill passed.

SB 927 was referred for engrossment.

GENERAL ORDER

SB 733 by Lawler of the Senate and Terrill of the House was called up for consideration.

Senator Lawler moved that **SB 733** be advanced, which motion was declared adopted.

THIRD READING

SB 733 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds,

Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill and emergency passed.

SB 733 was referred for engrossment.

GENERAL ORDER

SB 309 by Lerblance of the Senate and Mass of the House was called up for consideration.

Senator Lerblance moved that **SB 309** be advanced, which motion was declared adopted.

THIRD READING

SB 309 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Capps, Monson and Morgan.--3.

The bill and emergency passed.

SB 309 was referred for engrossment.

GENERAL ORDER

SB 430 by Anderson of the Senate and Walker of the House was called up for consideration.

Senator Anderson moved to amend **SB 430**, Page 1, by striking the title, which amendment was declared adopted.

Senator Anderson moved to amend **SB 430**, Page 1, Lines 22 through 24 and Page 4, Lines 8 through 10, by restoring the stricken language after the word “be” and deleting the new language, which amendment was declared adopted.

Senator Coates moved to amend **SB 430**, Page 2, Line 15, by deleting after the word “on” and before the word “posts” the words “trees or”, which amendment was declared adopted.

Senator Anderson moved that **SB 430** be advanced, which motion was declared adopted.

THIRD READING

SB 430 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laughlin, Lawler, Mazzei, Myers, Paddack, Pruitt, Reynolds, Wilcoxson and Williamson.--26.

Nay: Bass, Cain, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Laster, Leftwich, Lerblance, Morgan, Nichols, Rabon, Riley, Shurden, Taylor, Wilson and Wyrick.--20.

Excused: Capps and Monson.--2.

The bill passed.

Senators Laster, Cain, Nichols, Morgan, Fisher and Lerblance desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 14; Excused: 2.

The emergency passed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 430** passed.

GENERAL ORDER

SB 17 by Corn and Gumm of the Senate and Shelton and Smithson of the House was called up for consideration.

Senators Leftwich, Barrington, Lamb and Lawler asked to coauthor **SB 17**, which was the order.

Senator Riley moved to amend **SB 17**, Page 28, Lines 15 and 16, by deleting all language after the period on Line 15 through the numeral “(\$1,500.00)” on Line 16 and inserting in lieu thereof the language “In taxable years beginning after December 31, 2005 the first Three Thousand Dollars (\$3,000.00)”, which amendment was declared adopted.

Senator Barrington moved to amend **SB 17**, Page 28, Line 15, by inserting after the word “year” and before the word “the” the following: “beginning before January 1, 2006,”; and Page 28, Line 19 by inserting after the period and before the word “Whenever” the following: “In any taxable year beginning after December 31, 2005, all income received by any individual as salary or compensation for active duty service, other than retirement benefits, as a member of any component of the Armed Forces of the United States or as a member of the National Guard shall be deducted from taxable income.”, which amendment was declared adopted.

Senator Corn moved to amend **SB 17**, Page 42, Line 18, by inserting after the comma and before the word “a” the words “or the surviving spouse of such individual,”; and Page 52, Line 15, by inserting after the word “service” and before the period “.” the words “, or the surviving spouse of such individual”, which amendment was declared adopted.

Senator Corn moved that **SB 17** be advanced, which motion was declared adopted.

THIRD READING

SB 17 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Capps and Monson.--2.

The bill passed.

SB 17 was referred for engrossment.

GENERAL ORDER

SB 839 by Pruitt of the Senate and Jett of the House was called up for consideration.

Senator Pruitt moved that **SB 839** be advanced, which motion was declared adopted.

THIRD READING

SB 839 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Lawler.--1.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 839 was referred for engrossment.

GENERAL ORDER

SJR 23 by Corn of the Senate and Smithson of the House , previously considered on Page 620, was called up for further consideration.

Senator Corn moved that **SJR 23** be advanced, which motion was declared adopted.

THIRD READING

SJR 23 was read for the third time at length.

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

Aye: Bass, Cain, Coates, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Laster, Leftwich, Lerblance, Morgan, Paddack, Shurden, Wilson and Wyrick.--19.

Nay: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Coffee, Crain, Easley, Ford, Johnson, Jolley, Justice, Kerr, Lamb, Laughlin, Lawler, Mazzei, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Wilcoxson and Williamson.--26.

Excused: Capps, Monson and Taylor.--3.

The resolution failed.

Pursuant to Rule 12-23, Senator Corn served notice that the vote be reconsidered whereby **SJR 23** failed.

GENERAL ORDER

SB 651 by Shurden of the Senate and Liebmann of the House was called up for consideration.

Senator Shurden moved that **SB 651** be advanced, which motion was declared adopted.

THIRD READING

SB 651 was read for the third time at length.

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

Aye: Adelson, Bass, Branan, Cain, Coates, Corn, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Kerr, Laster, Leftwich, Lerblance, Morgan, Paddack, Rabon, Riley, Shurden, Wilson and Wyrick.--25.

Nay: Aldridge, Anderson, Barrington, Brogdon, Coffee, Crain, Easley, Johnson, Jolley, Justice, Lamb, Laughlin, Lawler, Mazzei, Myers, Nichols, Pruitt, Reynolds, Wilcoxson and Williamson.--20.

Excused: Capps, Monson and Taylor.--3.

The bill passed.

Pursuant to Rule 12-23, Senator Anderson served notice that the vote be reconsidered whereby **SB 651** passed.

GENERAL ORDER

SB 582 by Johnson of the Senate and Roggow of the House was called up for consideration.

Senator Johnson moved to amend **SB 582**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Johnson moved that **SB 582** be advanced, which motion was declared adopted.

THIRD READING

SB 582 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Brogdon.--1.

Excused: Capps, Monson and Taylor.--3.

The bill and emergency passed.

SB 582 was referred for engrossment.

GENERAL ORDER

SB 614 by Reynolds of the Senate and Calvey of the House was called up for consideration.

Senator Reynolds moved that **SB 614** be advanced, which motion was declared adopted.

THIRD READING

SB 614 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Harrison, Hobson, Jolley, Justice, Laster, Laughlin, Lawler, Leftwich, Morgan, Myers, Nichols, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.--33.

Nay: Corn, Fisher, Gumm, Johnson, Kerr, Lamb, Lerblance, Mazzei, Paddack, Pruitt and Rabon.--11.

Excused: Capps, Monson, Shurden and Taylor.--4.

The bill passed.

SB 614 was referred for engrossment.

Senator Adelson presiding.

GENERAL ORDER

SB 516 by Branan of the Senate and Nance of the House was called up for consideration.

Senator Branan moved that **SB 516** be advanced, which motion was declared adopted.

THIRD READING

SB 516 was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Branan, Cain, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Jolley, Laster, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Williamson, Wilson and Wyrick.--33.

Nay: Aldridge, Bass, Brogdon, Crutchfield, Johnson, Justice, Kerr, Lamb, Laughlin, Lawler, Pruitt and Wilcoxson.--12.

Excused: Capps, Monson and Taylor.--3.

The bill passed.

SB 516 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Shurden moved to reconsider the vote whereby **SB 558** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, Barrington, Bass, Cain, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Jolley, Justice, Kerr,

Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Nichols, Paddack, Pruitt, Rabon, Riley, Shurden, Williamson, Wilson and Wyrick.--36.

Nay: Aldridge, Branan, Brogdon, Coates, Easley, Johnson, Myers, Reynolds and Wilcoxson.--9.

Excused: Capps, Monson and Taylor.--3.

THIRD READING

Senator Shurden moved to reconsider the vote whereby **SB 558** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 558 by Shurden of the Senate and Liotta of the House was called up for further consideration.

Senator Shurden asked unanimous consent, which was granted, that **SB 558** be returned to the Appropriations Committee.

EXECUTIVE NOMINATIONS

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

Bower, Michael W., Choctaw, as a member of the Oklahoma Professional Boxing Commission – Business and Labor

Corwine, Aarone, Midwest City, as a member of the Board of Regents for Rose State College – Education

Fite, Edward H., Tahlequah, as a member of the Oklahoma Water Resources Board – Energy and Environment

Marshall, John H., Oklahoma City, as a member of the State Board for Property and Casualty Rates – Business and Labor

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 9, 2005, at 10:30 a.m., which motion prevailed.

SECOND READING

The following was read for the second time and referred as indicated:

HB 2060 – Direct To Calendar

Pursuant to the Fisher motion, the Senate adjourned at 3:40 p.m. to meet Wednesday, March 9, 2005, at 10:30 a.m.