

# Senate Journal

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

**Twentieth Legislative Day, Wednesday, March 9, 2005**

The Senate was called to order by Senator Corn.

Roll Call:

Present: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, 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, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Adelson and Taylor.—2.

Senator Corn 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 7, 17, 25, 54, 159, 187, 216, 219, 242, 265, 271, 309, 312, 315, 326, 356, 421, 474, 498, 509, 516, 531, 572, 582, 599, 611, 614, 666, 692, 715, 725, 733, 779, 802, 805, 826, 839, 852, 927 and 982** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**HB 2060** by Morgan (Fred) of the House and Laster of the Senate was called up for consideration.

Senator Laster moved that **HB 2060** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2060** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Adelson, Capps, Gumm, Kerr, Rabon and Taylor.--6.

The bill and emergency passed.

**HB 2060** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**SB 1001** by Coates of the Senate and Liebmann of the House was called up for consideration.

Senator Coates moved to amend **SB 1001**, 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 Coates moved to amend the floor substitute to **SB 1001**, Page 5, Line 10, by deleting after the word "withheld" and before the word "shall" the word "thereafter" and by amending the title to conform, which amendment was declared adopted.

Senator Coates moved that **SB 1001** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1001** was read for the third time at length.

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

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

Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill passed.

**SB 1001** was referred for engrossment.

### **GENERAL ORDER**

**SB 478** by Crain of the Senate and Peters of the House, previously considered on Page 665, was called up for further consideration.

Senator Crain moved to amend his previous amendment, adopted on Page 665, to **SB 478**, by deleting the word "officer" and inserting the words "sheriff, treasurer or assessor", in order that the first sentence of Section 527 of Title 19 of the Oklahoma Statutes would read "~~The sheriff~~ Any county sheriff, treasurer or assessor in a county having a population of at least four hundred fifty thousand (450,000) persons according to the latest Federal Decennial Census shall have the authority to employ a general counsel . . .", and by amending the title to conform, which amendment was declared adopted.

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.

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

Aye: Anderson, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Eason McIntyre, Fisher, Ford, Harrison, Hobson, Johnson, Jolley, Kerr, Lamb, Laster, Laughlin, Lerblance, Mazzei, Monson, Morgan, Myers, Pruitt, Riley, Williamson and Wyrick.--29.

Nay: Aldridge, Barrington, Crutchfield, Easley, Garrison, Justice, Lawler, Leftwich, Nichols, Paddack, Reynolds, Shurden, Wilcoxson and Wilson.--14.

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill passed.

**SB 478** was referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **SB 306** be stricken from the Calendar.

**GENERAL ORDER**

**SB 946** by Monson of the Senate and Peterson (Ron) of the House was called up for consideration.

Senator Monson moved to amend **SB 946**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Monson moved that **SB 946** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 946** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill passed.

**SB 946** was referred for engrossment.

**GENERAL ORDER**

**SB 50** by Johnson of the Senate and Steele and McMullen of the House was called up for consideration.

Senator Johnson moved that **SB 50** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 50** was read for the third time at length.

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

Aye: Aldridge, Anderson, Branan, Brogdon, Cain, Coffee, Crain, Easley, Ford, Johnson, Jolley, Lamb, Laster, Laughlin, Mazzei, Morgan, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--22.

Nay: Barrington, Bass, Coates, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Harrison, Hobson, Justice, Kerr, Lawler, Leftwich, Lerblance, Monson, Myers, Paddack, Shurden, Wilson and Wyrick.--21.

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill failed.

Pursuant to Rule 12-23, Senator Johnson served notice that the vote be reconsidered whereby **SB 50** failed.

**GENERAL ORDER**

**SB 28** by Wyrick of the Senate and Nance of the House was called up for consideration.

Senator Wyrick moved that **SB 28** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 28** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill and emergency passed.

**SB 28** was referred for engrossment.

### **GENERAL ORDER**

**SB 890** by Cain of the Senate and Eddins of the House was called up for consideration.

Senator Cain moved to amend **SB 890**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Cain moved that **SB 890** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 890** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill and emergency passed.

**SB 890** was referred for engrossment.

### **GENERAL ORDER**

**SB 53** by Capps and Coffee of the Senate and Piatt of the House was called up for consideration.

Senator Coffee moved that **SB 53** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 53** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill and emergency passed.

**SB 53** was referred for engrossment.

### **GENERAL ORDER**

**SB 337** by Kerr of the Senate and DeWitt of the House was called up for consideration.

Senator Kerr moved that **SB 337** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 337** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill passed.

**SB 337** was referred for engrossment.

### **GENERAL ORDER**

**SB 270** by Lawler of the Senate and DeWitt of the House was called up for consideration.

Senator Lawler moved to amend **SB 270**, Page 1, Line 10 through Page 2, Line 2, by deleting Section 1 and by renumbering subsequent sections, which amendment was declared adopted.

Senator Lawler moved that **SB 270** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 270** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm, Rabon and Taylor.--5.

The bill passed.

**SB 270** was referred for engrossment.

### **INTRODUCTION**

Senator Lerblance introduced his sister, Karen Beare, to the Senate.

### **GENERAL ORDER**

**SB 668** by Monson and Riley of the Senate and Staggs of the House was called up for consideration.

Representative Wilt asked to coauthor **SB 668**, which was the order.

Senator Monson moved to amend **SB 668**, Page 9, Lines 18 and 19, by restoring the stricken language after the word "attending" on Line 18 and before the word "programs" on Line 19, which amendment was declared adopted.

Senator Monson moved to amend **SB 668**, Page 44, Line 9, by striking after the first word "the" and before the word "year" the word "ensuing" and inserting in lieu thereof the words "current audit", which amendment was declared adopted.

Senator Monson moved that **SB 668** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 668** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm and Taylor.--4.

The bill and emergency passed.

**SB 668** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Wilcoxson moved to reconsider the vote whereby **SB 11** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Anderson, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Easley, Eason McIntyre, Ford, Harrison, Hobson, Johnson, Jolley, Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson and Williamson.--35.

Nay: Barrington, Bass, Crutchfield, Fisher, Garrison, Kerr, Lamb, Wilson and Wyrick.-9.

Excused: Adelson, Capps, Gumm and Taylor.--4.

### **THIRD READING**

Senator Wilcoxson moved to reconsider the vote whereby **SB 11** was advanced, which motion was declared adopted.

**GENERAL ORDER**

**SB 11** by Wilcoxson of the Senate and Terrill of the House was called up for further 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 and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Branan, Brogdon, Cain, Coates, Coffee, Crain, Easley, Eason McIntyre, Ford, Hobson, Johnson, Jolley, Justice, Laughlin, Lawler, Leftwich, Monson, Myers, Nichols, Pruitt, Reynolds, Riley, Shurden, Wilcoxson and Williamson.--27.

Nay: Barrington, Bass, Corn, Crutchfield, Fisher, Garrison, Harrison, Kerr, Lamb, Laster, Lerblance, Mazzei, Morgan, Paddock, Rabon, Wilson and Wyrick.--17.

Excused: Adelson, Capps, Gumm and Taylor.--4.

The bill passed and the emergency failed.

**SB 11** was referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **SB 34** be stricken from the Calendar.

**GENERAL ORDER**

**SB 412** by Anderson of the Senate and Armes of the House was called up for consideration.

Senator Anderson moved to amend **SB 412**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Anderson moved to amend **SB 412**, Page 4, Line 2, by deleting after the word “deliver” and before the word “or” the word “, ship”; Page 10, Line 8, by deleting before the word “of” the words “dispensed only on prescription” and inserting in lieu thereof the words “supplied to the client on the order”; Page 10, Line 8, by deleting after the word “of” and before the word “licensed” the word “a” and inserting in lieu thereof the words “an Oklahoma”; Page 10, Line 9, by deleting all language after the word “when” and before the word “-client” and inserting in lieu thereof the words “a valid veterinarian”; Page 10, Lines 10 through 12, by making all language a new paragraph “1.”; Page 10, Line 11, by adding after the word “certified” and before the word “prior” the following language “by a pharmacist”; and Page 10, Line 12½, by adding new paragraphs 2 through 4 to read as follows:

“2. It shall be a violation of state law for an owner or their authorized agent to acquire or use any prescription drug other than according to the label and/or outside of a valid veterinarian-client –patient relationship (VCPR);

3. It shall be a violation of state law for a wholesaler or distributor to sell a prescription labeled drug to an owner or their authorized agent without a valid VCPR in place; and

4. Compliance of this act as it relates to veterinary prescription labeled drugs shall be done in accordance with and pursuant to rules that shall be promulgated by the Oklahoma State Board of Veterinary Medical Examiners and in consultation with the State Veterinarian in accordance with state law.”, which amendment was declared adopted.

Senator Anderson moved that **SB 412** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 412** was read for the third time at length.

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

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

Excused: Adelson, Capps, Gumm and Taylor.--4.

The bill passed.

**SB 412** was referred for engrossment.

**GENERAL ORDER**

**SB 700** by Monson and Riley of the Senate and Staggs of the House was called up for consideration.

Senator Monson moved to amend **SB 700**, Page 1, Lines 15 through 17, by striking all language beginning with the word "Upon" on Line 15 through the word "the" on Line 17 and inserting in lieu thereof the language, "If in the course of an investigation it is discovered that a"; Page 1, Line 17, by striking after the word "person" and before the word "is" the word "arrested" and inserting in lieu thereof the language, "charged in an information or indictment with a felony or violent misdemeanor"; Page 1, Line 19, by deleting all language after the word "or" and before the first word "an"; Page 1, Lines 20 through 21, by striking all language beginning with the word "and" on Line 20 through the comma on Line 21, which amendment was declared adopted.

Senator Monson moved that **SB 700** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 700** was read for the third time at length.

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

Aye: Aldridge, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Harrison, Hobson, Johnson, Jolley, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Wilcoxson and Wyrick.--38.

Nay: Anderson, Fisher, Justice, Shurden, Williamson and Wilson.--6.

Excused: Adelson, Capps, Gumm and Taylor.--4.

The bill and emergency passed.

**SB 700** was referred for engrossment.

Senator Fisher moved that the Senate recess until 2:00 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Corn presiding.

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

### **GENERAL ORDER**

**SB 683** by Lawler of the Senate and Staggs of the House was called up for consideration.

Senator Lawler moved to amend **SB 683**, Page 7, Line 12, by deleting after the number three and period “3.” the word “The” and inserting in lieu thereof the following language “Except as otherwise provided in this paragraph, the”; Page 7, Line 16, by inserting after the word “shall” and before the word “pay”, the following language “reserve for each fiscal year ten percent (10%) of the amount of funds reserved for state-level activities as authorized in Section 611 of Part B of the reauthorization of the Individuals with Disabilities Education Act (Public Law No. 108-446) to”; and Page 7, Line 17, by deleting after the word “placement” the word “unless” and inserting a period “.” and the following language “If sufficient funds are not available as provided in this paragraph, the school district shall pay the remaining cost of the student’s residential placement. If”, which amendment was declared adopted.

Senator Lawler moved that **SB 683** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 683** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Harrison, Hobson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Williamson, Wilson and Wyrick.--40.

Excused: Adelson, Coffee, Gumm, Johnson, Monson, Morgan, Taylor and Wilcoxson.-  
-8.

The bill and emergency passed.

**SB 683** was referred for engrossment.

**GENERAL ORDER**

**SB 518** by Wilcoxson of the Senate and Balkman of the House was called up for consideration.

Senator Wilcoxson moved that **SB 518** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 518** was read for the third time at length.

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

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

Excused: Adelson, Gumm, Monson, Morgan and Taylor.--5.

The bill passed.

**SB 518** was referred for engrossment.

**GENERAL ORDER**

**SB 901** by Paddack of the Senate and Hilliard of the House was called up for consideration.

Senator Paddack moved that **SB 901** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 901** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 901** was referred for engrossment.

### **GENERAL ORDER**

**SB 759** by Laughlin of the Senate and Blackwell of the House was called up for consideration.

Senator Laughlin moved that **SB 759** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 759** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 759** was referred for engrossment.

### **GENERAL ORDER**

**SB 987** by Cain of the Senate and Peters of the House was called up for consideration.

Senator Cain moved that **SB 987** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 987** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 987** was referred for engrossment.

**GENERAL ORDER**

**SB 504** by Crain and Easley of the Senate and Balkman of the House was called up for consideration.

Senator Crain moved that **SB 504** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 504** was read for the third time at length.

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

Aye: Aldridge, Anderson, Bass, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Harrison, Hobson, Jolley, Kerr, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Rabon, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--33.

Nay: Barrington, Branan, Brogdon, Coffee, Johnson, Justice, Lamb, Laughlin, Nichols, Pruitt and Reynolds.--11.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 504** was referred for engrossment.

**GENERAL ORDER**

**SB 311** by Lerblance of the Senate and Billy of the House was called up for consideration.

Senator Lawler asked to coauthor **SB 311**, which was the order.

Senator Lerblance moved that **SB 311** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 311** was read for the third time at length.

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

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

Nay: Johnson, Pruitt and Williamson.--3.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 311** was referred for engrossment.

**GENERAL ORDER**

**SJR 14** by Coates and Johnson of the Senate and Morgan (Danny) of the House was called up for consideration.

Representative Turner asked to coauthor **SJR 14**, which was the order.

Senator Coates moved that **SJR 14** be advanced, which motion was declared adopted.

**THIRD READING**

**SJR 14** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.--43.

Nay: Brogdon.--1.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The resolution passed.

**SJR 14** was referred for engrossment and read at length as follows:

**SJR 14** By Coates and Johnson of the Senate and Morgan (Danny) and Turner of the House

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 3 of Article XXVIII of the Oklahoma Constitution; making language gender neutral; modifying requirement for sales of certain wine to licensed wholesale distributors; providing for written and electronic orders for certain wine for delivery or shipping to consumers; providing ballot title; and directing filing.

**BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 50TH OKLAHOMA LEGISLATURE:**

**SECTION 1.** The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 3 of Article XXVIII of the Constitution of the State of Oklahoma to read as follows:

Section 3. The Legislature shall enact laws providing for the strict regulation, control, licensing, and taxation of the manufacture, sale, distribution, possession, and transportation of alcoholic beverages, consistent with the provisions of this Amendment. Provided, that any manufacturer, or subsidiary of any manufacturer who markets ~~his~~ a product solely through a subsidiary or subsidiaries, a distiller, rectifier, bottler, winemaker, brewer, or importer of alcoholic beverages, bottled or made in a foreign country, either within or without this state, shall be required to sell such brands or kinds of alcoholic beverages to every licensed wholesale distributor who desires to purchase the same, on the same price basis and without discrimination, and shall further be required to sell such beverages only to those distributors licensed as wholesale distributors. Winemakers either

within or without this state ~~shall be required to~~ may sell wine they produce to ~~every~~ any licensed wholesale distributor who desires to purchase the wine, but winemakers shall not be required to sell the wine they produce only to licensed wholesale distributors.

Winemakers may sell wine produced at the winery to consumers on the premises of the winery and receive orders for wine produced at the winery, in both written and electronic form, for delivery or shipping to consumers. Oklahoma winemakers may sell and ship the wine they produce at wineries in this state directly to retail package stores and restaurants in this state. As used in this section, "restaurant" means an establishment that is licensed to sell alcoholic beverages by the individual drink for on-premises consumption and where food is prepared and sold for immediate consumption on the premises. All laws passed by the Legislature under the authority of the Article shall be consistent with this provision.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_

State Question No. \_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 3 of Article 28 of the State Constitution. Currently, winemakers are required to sell wine they produce to every licensed wholesale distributor who wants to buy the wine. This measure would change that requirement. It would allow winemakers to sell wine they produce to any wholesale distributor. Presently, winemakers may only sell wine produced at the winery to consumers on the premises of the winery. This measure would allow winemakers to receive orders for wine to be delivered or shipped to consumers. The orders may be in written or electronic form.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

**GENERAL ORDER**

**SB 569** by Wilcoxson of the Senate and Dank of the House was called up for consideration.

Senator Wilcoxson moved to amend **SB 569**, Page 1, Line 21, by inserting after the period the language “A child’s parent or guardian shall have the right to notify the State Department of Education that they do not want the child to be provided a permanent student identification number, and upon such notification, the Department shall withdraw such number from the child’s record.”, which amendment was declared adopted.

Senator Wilcoxson moved that **SB 569** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 569** was read for the third time at length.

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

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

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

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 569** was referred for engrossment.

### **GENERAL ORDER**

**SB 246** by Capps and Coffee of the Senate and Piatt of the House was called up for consideration.

Senator Coffee moved that **SB 246** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 246** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 246** was referred for engrossment.

### **GENERAL ORDER**

**SB 529** by Eason McIntyre of the Senate and Benge of the House was called up for consideration.

Senator Eason McIntyre moved that **SB 529** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 529** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 529** was referred for engrossment.

### **GENERAL ORDER**

**SB 644** by Reynolds of the Senate and Roan of the House was called up for consideration.

Senator Reynolds moved to amend **SB 644**, Page 1, Lines 16 and 17, by deleting after the stricken numeral “(\$100.00)” the language “Two Hundred Fifty Dollars (\$250.00)” and inserting in lieu thereof the language “Five Hundred Dollars (\$500.00)”; and Page 1, by restoring the title, which amendment was declared adopted.

Senator Reynolds moved that **SB 644** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 644** was read for the third time at length.

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

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

Nay: Lawler and Riley.--2.

Excused: Adelson, Gumm, Monson, Morgan and Taylor.--5.

The bill passed.

**SB 644** was referred for engrossment.

### **GENERAL ORDER**

**SB 324** by Nichols of the Senate and Nance of the House was called up for consideration.

Senator Nichols moved that **SB 324** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 324** was read for the third time at length.

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

Aye: Aldridge, Barrington, Bass, Cain, Capps, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Justice, Kerr, Laster, Nichols, Pruitt, Rabon,

Shurden, Williamson and Wilson.--22.

Nay: Anderson, Branan, Brogdon, Coates, Ford, Harrison, Hobson, Johnson, Jolley, Lamb, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Reynolds, Riley, Wilcoxson and Wyrick.--22.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill failed.

Pursuant to Rule 12-23, Senator Nichols served notice that the vote be reconsidered whereby **SB 324** failed.

### MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1004, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1178, 1179, 1181, 1185, 1188, 1482, 1500, 1510, 1516, 1518, 1540** and **2015**.

**HB 1004** – By Case, Banz, Cooksey, Dank, Smaligo and Terrill of the House and Coffee and Jolley of the Senate.

An Act relating to cities and towns; repealing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Chapter 62, O.S.L. 2004 (11 O.S. Supp. 2004, Sections 51-200, 51-201, 51-202, 51-203, 51-204, 51-205, 51-206, 51-207, 51-208, 51-209, 51-210, 51-211, 51-212, 51-213, 51-214, 51-215, 51-216, 51-217, 51-218, 51-219 and 51-220), which relate to the Oklahoma Municipal Employee Collective Bargaining Act.

**HB 1077** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

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

**HB 1078** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Department of Transportation – appropriations – effective date – emergency )

**HB 1079** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Department of Transportation – appropriations – effective date – emergency )

**HB 1080** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Office of the State Treasurer – appropriations – effective date – emergency )

**HB 1081** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Office of the State Treasurer – appropriations - effective date – emergency )

**HB 1082** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( State Department of Health – appropriation – effective date – emergency )

**HB 1083** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( State Department of Health – appropriation – effective date – emergency )

**HB 1084** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Department of Mental Health and Substance Abuse Services - appropriation - effective date – emergency )

**HB 1085** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Department of Mental Health and Substance Abuse Services – appropriation – effective date – emergency )

**HB 1086** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

( Oklahoma Department of Veterans Affairs – appropriation - effective date – emergency )

**HB 1178** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

An Act relating to career and technology education; making an appropriation; stating purpose; amending Section 4, Chapter 475, O.S.L. 2004, which relates to budget limits; increasing budget limits; and declaring an emergency.

**HB 1179** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

An Act relating to supplemental funding of the Oklahoma Indigent Defense System; making an appropriation to the Oklahoma Indigent Defense System; stating purpose; and declaring an emergency.

**HB 1181** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

An Act relating to supplemental funding of the Department of Corrections; making an appropriation to the Department of Corrections; stating purpose; and declaring an emergency.

**HB 1185** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

An Act relating to the Oklahoma State Regents for Higher Education; amending Section 3, Chapter 476, O.S.L. 2004, which relates to expenditure limits from the Oklahoma Tuition Scholarship Revolving Fund; increasing expenditure limits; making an appropriation exempt from certain agency category and budget limits; and declaring an emergency.

**HB 1188** – By Bengé and Newport of the House and Morgan and Crutchfield of the Senate.

An Act relating to the Oklahoma Tax Commission; making an appropriation; stating purpose; making appropriation exempt from certain agency category and budget limits; and providing an emergency.

**HB 1482** – By Banz, Carey and Nance of the House and Bass, Aldridge and Barrington of the Senate.

An Act relating to state government; creating the War on Terror Memorial Design Committee; providing purpose; providing for membership; requiring meetings to be subject to certain laws; providing for reimbursement; providing duties of the Committee; providing for codification; and providing an effective date.

**HB 1500** – By Balkman of the House and Nichols of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Sections 840-1.6, 840-1.9, 840-2.27C, as last amended by Section 1, Chapter 277, O.S.L. 2004, 840-4.17, as last amended by Section 12, Chapter 312, O.S.L. 2004, 840-5.1, 840-5.5, as last amended by Section 28, Chapter 418, O.S.L. 2004 and 840-6.5, as amended by Section 5, Chapter 353, O.S.L. 2003 (74 O.S. Supp. 2004, Sections 840-2.27C, 840-4.17, 840-5.5 and 840-6.5), which relate to the Oklahoma Personnel Act; updating citations; modifying powers and duties of the Oklahoma Merit Protection Commission; deleting obsolete language; clarifying language; requiring reduction-in-force implementation plan to be submitted to certain entities; requiring Administrator of the Office of Personnel Management to conduct certain audits to determine compliance with certain provisions; providing procedures in cases of noncompliance; requiring Office of Personnel Management to promulgate certain rules; requiring Office of Personnel Management to establish certain system; requiring certain notice in demotion action; creating Task Force for the Study of Classified and Unclassified Positions in State Government; providing for membership, purpose, duties, recommendations, organization, meetings, votes, travel reimbursement, staffing and report of Task Force; defining terms; subjecting Task Force to certain provisions of law; specifying certain duties of Office of Personnel Management; amending Section 1, Chapter 376, O.S.L. 2003 (68 O.S. Supp. 2004, Section 238.2), which relates to state employee compliance with state income tax laws; modifying contents of certain statement; modifying procedure related to certain disciplinary actions; providing for noncodification; providing an effective date; and declaring an emergency.

**HB 1510** – By Worthen, Wilt, Adkins and Calvey of the House and Paddock of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 858-302, as amended by Section 2, Chapter 142, O.S.L. 2004, and 858-303 (59 O.S. Supp. 2004, Section 858-302), which relate to the Oklahoma Real Estate License Code; modifying number of hours required of certain instruction; and providing an effective date.

**HB 1516** – By Morrisette of the House and Bass of the Senate.

An Act relating to civil procedure; amending 12 O.S. 2001, Section 1194, which relates to garnishments; providing for personal liability for certain persons under certain circumstances; and providing an effective date.

**HB 1518** – By Piatt of the House and Coffee of the Senate.

An Act relating to property; amending 60 O.S. 2001, Section 31, which relates to the rule against perpetuities; modifying allowable period of suspension of alienation; amending 60 O.S. 2001, Section 175.47, as amended by Section 6, Chapter 217, O.S.L. 2003 (60 O.S. Supp. 2004, Section 175.47), which relates to the rule against perpetuities in the Oklahoma Trust Act; modifying allowable period of suspension of alienation; modifying exceptions; and providing an effective date.

**HB 1540** – By Peterson (Ron) of the House and Pruitt of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 27-104, as amended by Section 2, Chapter 173, O.S.L. 2004 (11 O.S. Supp. 2004, Section 27-104), which relates to courts; deleting authorization for a governing body to appoint the mayor as a judge; clarifying judicial requirements for conducting certain trials; amending Section 2, Chapter 148, O.S.L. 2004 (22 O.S. Supp. 2004, Section 1108.2), which relates to the State and Municipal Traffic Bail Bond Procedure Act; deleting reference to municipal court for personal recognizance bond procedures; deleting certain court findings and action taken on offender; deleting certain court appearance options for an offender; amending 59 O.S. 2001, Section 1316, as amended by Section 1, Chapter 550, O.S.L. 2004 (59 O.S. Supp. 2004, Section 1316), which relates to bail bondsman; allowing a certain fee to apply to a security deposit filed with a court clerk; clarifying the type of fee to be deposited in certain fund; repealing 11 O.S. 2001, Section 27-129, as amended by Section 5, Chapter 173, O.S.L. 2004 (11 O.S. Supp. 2004, Section 27-129), which relates to municipal courts; and providing an effective date.

**HB 2015** – By Newport, Adkins, Bengé, Coody, Dank, DePue, Duncan, Harrison, Jackson, McPeak, Nance, Peters, Reynolds, Sullivan, Terrill and Wesselhoft of the House and Pruitt of the Senate.

An Act relating to public buildings; providing legislative findings; authorizing the posting of the Ten Commandments in any public buildings of the state and political subdivision of the state; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

**GENERAL ORDER**

**SB 574** by Lerblance of the Senate and Walker of the House was called up for consideration.

Senator Lerblance moved that **SB 574** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 574** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill passed.

**SB 574** was referred for engrossment.

**GENERAL ORDER**

**SB 902** by Capps and Coffee of the Senate and Piatt of the House was called up for consideration.

Senator Coffee moved that **SB 902** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 902** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill passed.

**SB 902** was referred for engrossment.

### **GENERAL ORDER**

**SB 830** by Leftwich of the Senate and Morrissette of the House was called up for consideration.

Senator Leftwich moved that **SB 830** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 830** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 830** was referred for engrossment.

### **GENERAL ORDER**

**SB 663** by Nichols of the Senate and Balkman of the House was called up for consideration.

Senator Nichols moved that **SB 663** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 663** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill and emergency passed.

**SB 663** was referred for engrossment.

**GENERAL ORDER**

**SB 1009** by Reynolds of the Senate and Peters of the House was called up for consideration.

Senator Reynolds moved that **SB 1009** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1009** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill passed.

**SB 1009** was referred for engrossment.

**INTRODUCTION**

Senator Crutchfield introduced his daughter, Candice Crutchfield, to the Senate.

**UNANIMOUS CONSENT REQUEST  
WITHDRAWN FROM CALENDAR**

Senator Fisher asked unanimous consent, which was granted, that **SB 44** be stricken from the Calendar.

**MOTION TO RECONSIDER VOTE**

Senator Shurden moved to reconsider the vote whereby **SB 685** passed, which motion failed of adoption upon roll call as follows:

Aye: Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon and Shurden.--20.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.--24.

Excused: Adelson, Gumm, Monson and Taylor.--4.

**SB 685** was referred for engrossment.

**Senator Rabon presiding.**

**GENERAL ORDER**

**SB 559** by Shurden of the Senate and Liotta of the House was called up for consideration.

Senator Coates moved to amend **SB 559**, Page 25, Lines 1 and 12, by deleting the words and figures "One Hundred Thousand Dollars (\$100,000.00)" and inserting in lieu thereof "Fifty Thousand Dollars (\$50,000.00)"; and Page 27, Lines 6 and 7, by deleting the words and figures "One Hundred and Twenty-five Thousand Dollars (\$125,000.00)" and inserting in lieu thereof "Seventy Thousand Dollars (\$70,000.00)", which amendment was declared adopted.

Senator Shurden moved that **SB 559** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 559** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, 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.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill passed.

**SB 559** was referred for engrossment.

**GENERAL ORDER**

**SB 573** by Coffee of the Senate and Peters of the House was called up for consideration.

Senators Mazzei and Branan asked to coauthor **SB 573**, which was the order.

Senator Coffee moved to amend **SB 573**, Page 3, Line 7, by inserting after the number "3." and before the first word "Oklahoma" the letter "a."; Page 3, Lines 7 through 10, by striking after the word "bank" on Line 7 and before the semi-colon on Line 10, all language, and inserting in lieu thereof the following language:

"means a bank, savings association or credit union which both (i) takes deposits insured by the Federal Deposit Insurance Corporation or the National Credit Union Association, and (ii) has a place of business in Oklahoma, which shall be a physical location;

b. "Oklahoma-based trust company" means a trust company chartered under the laws of this state or nationally chartered and having a place of business in Oklahoma, which shall be a physical location", which amendment was declared adopted.

Senator Coffee moved that **SB 573** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 573** was read for the third time at length.

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

Aye: Aldridge, Anderson, Barrington, Branan, Brogdon, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, 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.--41.

Nay: Bass, Cain and Garrison.--3.

Excused: Adelson, Gumm, Monson and Taylor.--4.

The bill passed.

**SB 573** was referred for engrossment.

## **EXECUTIVE NOMINATIONS**

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

Baker, Allan R., Edmond, as a member of the Committee of Home Inspector Examiners - Business and Labor

Charlton, George R., Jr., Tulsa, as a member of the Oklahoma Lottery Commission - Finance

Christie, Arthur L., Oklahoma City, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Resources

Curtis, Robert W., Tulsa, as a member of the Air Quality Advisory Council - Energy and Environment

DeFehr, Joel A., Oklahoma City, as a member of the Organ Donor Education and Awareness Program Advisory Council - Health and Human Resources

Fisher, Bruce T., Oklahoma City, as a member of the Board of Mental Health and Substance Abuse Services - Health and Human Resources

Fisher, Bruce T., Oklahoma City, as a member of the Board of Mental Health and Substance Abuse Services - Health and Human Resources

Hodge, Dan Allen, Perry, as a member of the Oklahoma Professional Boxing Commission - Business and Labor

Holland, Robert B., Jr., Edmond, as a member of the Council of Bond Oversight - Finance

Howard, Anthony L., El Reno, as a member of the Board of Examiners for Speech-Language Pathology and Audiology - Health and Human Resources

Irby, Constance L. Butler, Edmond, as a member of the Oklahoma Tax Commission – Finance

Johnston, Jerry E., Braman, as a member of the Environmental Quality Board - Energy and Environment

Lepak, Jane, Oklahoma City, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Resources

Martin, Gary "Mike", Muskogee, as a member of the Oklahoma Music Hall of Fame Board - Tourism and Wildlife

Orbison, James C., Tulsa, as a member of the Oklahoma Lottery Commission – Finance

Patten, Patty Gail, Edmond, as a member of the Oklahoma Board of Licensed Alcohol and Drug Counselors - Health and Human Resources

Riley, Tom, Stillwater, as a member of the Oklahoma Lottery Commission - Finance

Rodolph, Don L., Clinton, as a member of the Oklahoma Space Industry Development Authority - Aerospace, Communications and Technology

Smith, Donald Mitchell, Wellston, as a member of the Air Quality Advisory Council - Energy and Environment

Smith, Donald Mitchell, Wellston, as a member of the Air Quality Advisory Council - Energy and Environment

Williams, H.C. "Will", Owasso, as a member of the State Board of Career and Technology Education - Education

Winkle, Jerry "Jay", Jr., Piedmont, as a member of the Committee of Home Inspector Examiners - Business and Labor

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 10, 2005, at 9:00 a.m., which motion prevailed.

**SECOND READING**

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

**HB 1038** – Direct To Calendar  
**HB 1039** – Direct To Calendar  
**HB 1040** – Direct To Calendar  
**HB 1041** – Direct To Calendar  
**HB 1042** – Direct To Calendar  
**HB 1043** – Direct To Calendar  
**HB 1044** – Direct To Calendar  
**HB 1045** – Direct To Calendar  
**HB 1046** – Direct To Calendar  
**HB 1047** – Direct To Calendar  
**HB 1048** – Direct To Calendar  
**HB 1049** – Direct To Calendar  
**HB 1050** – Direct To Calendar  
**HB 1051** – Direct To Calendar  
**HB 1052** – Direct To Calendar  
**HB 1053** – Direct To Calendar  
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**HB 1075** – Direct To Calendar  
**HB 1076** – Direct To Calendar  
**HB 1232** – Appropriations

**HB 1240** – Tourism and Wildlife  
**HB 1257** – Judiciary  
**HB 1258** – Health and Human Resources  
**HB 1277** – Judiciary  
**HB 1284** – Judiciary  
**HB 1290** – Appropriations  
**HB 1312** – Finance  
**HB 1313** – Business and Labor  
**HB 1316** – Appropriations  
**HB 1329** – Appropriations  
**HB 1386** – Energy and Environment  
**HB 1401** – Appropriations  
**HB 1403** – Appropriations  
**HB 1408** – Finance  
**HB 1434** – General Government  
**HB 1453** – Health and Human Resources  
**HB 1461** – Public Safety and Homeland Security  
**HB 1471** – Agriculture and Rural Development  
**HB 1532** – Appropriations  
**HB 1543** – Health and Human Resources  
**HB 1611** – Appropriations  
**HB 1625** – Finance  
**HB 1634** – General Government  
**HB 1656** – Business and Labor  
**HB 1668** – Energy and Environment  
**HB 1698** – Judiciary  
**HB 1710** – Finance  
**HB 1754** – General Government  
**HB 1760** – Education  
**HB 1774** – Appropriations  
**HB 1810** – Finance  
**HB 1816** – Veterans and Military Affairs  
**HB 1860** – Judiciary  
**HB 1903** – Business and Labor  
**HB 1913** – Energy and Environment  
**HB 1923** – Judiciary  
**HB 1926** – General Government  
**HB 1986** – Business and Labor  
**HB 1993** – Public Safety and Homeland Security  
**HB 1998** – Judiciary

**FIRST READING**

The following were introduced and read the first time:

**SR 10** – By Wilcoxson.

A Resolution welcoming the Mustang Special Olympics Basketball Team to the Oklahoma State Capitol; congratulating them for winning the State Championship; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 3:20 p.m. to meet Thursday, March 10, 2005, at 9:00 a.m.