

# Senate Journal

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

**Thirty-second Legislative Day, Thursday, March 31, 2005**

The Senate was called to order by Senator Gumm.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntryre, 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 and Wyrick.—45.

Excused: Capps, Taylor and Wilson.—3.

Senator Gumm declared a quorum present.

The prayer was offered by Dr. John Fozard, Mid-American Christian, Oklahoma City, the guest of Senator Lawler.

### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 4, 228, 403, 513 and 644** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HCR 1008**.

**HCR 1008** – By Jackson, Armes, Banz, Braddock, Case, Coody, Harrison, Mass, Roggow, Thompson, Adkins, Askins, Auffet, Balkman, Benge, Billy, Bingman, Blackburn, Blackwell, Brannon, Brown, Calvey, Carey, Cargill, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hastings, Hickman, Hiett, Hilliard, Hyman, Ingmire, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright and Young of the House and Aldridge, Anderson, Barrington, Bass, Garrison, Kerr, Lamb, Lerblance, Myers and Reynolds of the Senate.

A Concurrent Resolution relating to Oklahoma military installations; making legislative findings regarding value of military installations; expressing support for communities in which military installations located; requesting recognition of value of Oklahoma military installations by the Base Realignment and Closure Commission and by the Congress of the United States; and requesting distribution.

The above-numbered measure was read the first time.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Anderson asked unanimous consent to suspend Rule 5-4 and refer **HCR 1008** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**HCR 1008** by Jackson et al of the House and Aldridge et al of the Senate was called up for consideration.

Senator Aldridge asked to be removed and Senator Anderson asked to be named principal Senate author on **HCR 1008**, and retain Senator Aldridge as first co-author, which was the order.

All other members of the Senate asked to coauthor **HCR 1008**, which was the order.

**HCR 1008** was adopted upon motion of Senator Anderson and properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1207** by Wright of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 1207** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1207** 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, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson and Wyrick.--40.

Excused: Aldridge, Capps, Corn, Kerr, Monson, Pruitt, Taylor and Wilson.--8.

The bill passed.

**HB 1207** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1208** by Wright of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 1208** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1208** 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, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Wilcoxson, Williamson and Wyrick.--37.

Nay: Riley.--1.

Excused: Aldridge, Capps, Corn, Eason McIntyre, Kerr, Monson, Pruitt, Shurden, Taylor and Wilson.--10.

The bill passed.

**HB 1208** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1209** by Wright of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 1209** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1209** 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, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Williamson and Wyrick.--38.

Nay: Wilcoxson.--1.

Excused: Aldridge, Capps, Corn, Kerr, Monson, Pruitt, Shurden, Taylor and Wilson.--9.

The bill passed.

**HB 1209** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1210** by Wright of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 1210** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1210** 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, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Williamson and Wyrick.--39.

Excused: Aldridge, Capps, Corn, Kerr, Monson, Pruitt, Shurden, Taylor and Wilson.--9.

The bill passed.

**HB 1210** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1211** by Wright of the House and Easley of the Senate was called up for consideration.

Representatives Case and Hastings asked to coauthor **HB 1211**, which was the order.

Senator Easley moved that **HB 1211** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1211** 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, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Williamson and Wyrick.--38.

Nay: Wilcoxson.--1.

Excused: Aldridge, Capps, Corn, Kerr, Monson, Pruitt, Shurden, Taylor and Wilson.--9.

The bill passed.

**HB 1211** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1212** by Wright of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 1212** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1212** 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, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Williamson and Wyrick.--40.

Excused: Aldridge, Capps, Kerr, Monson, Pruitt, Shurden, Taylor and Wilson.--8.

The bill passed.

**HB 1212** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1253** by Wright of the House and Easley of the Senate was called up for consideration.

Senator Williamson asked to coauthor **HB 1253**, which was the order.

Senator Easley moved that **HB 1253** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1253** 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, Branan, Brogdon, Cain, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Williamson and Wyrick.--39.

Excused: Aldridge, Capps, Corn, Kerr, Monson, Pruitt, Shurden, Taylor and Wilson.--9.

The bill and emergency passed.

**HB 1253** was referred for engrossment.

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

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

**SB 663** - coauthored by Duncan, Kiesel, Nance, Roan and Wesselhoft of the House

**SB 759** - coauthored by Kiesel, Nance of the House

House amendments were read on the above-numbered bills.

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 4, 228, 403, 513** and **644**.

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

Advising passage of and returning the following Engrossed bills:

**SB 312** - coauthored by Gilbert, Nance of the House

**SB 339** - remove McCarter and substitute Calvey as Principal House Author, and retain McCarter as coauthor and also coauthored by Wesselhoft, Nance of the House

**SB 464** - coauthored by Sullivan of the House

The above-numbered measures were referred for enrollment.

**CHANGE IN COMMITTEE ASSIGNMENT**

The following bill was reassigned as follows:

**HB 1637** – Withdrawn from Rules Committee and referred to General Government.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 4, 2005, at 1:30 p.m., which motion prevailed.

**COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

**SCR 18** – Retirement and Group Health

**HB 1012** – Finance

**HB 1234** – Finance

**HB 1245** – Finance

DO PASS, As Amended:

**CS** for **HB 1230** – Finance, coauthored by Branam, Nichols, Rabon of the Senate, and coauthored by Wesselhoft of the House

**HB 1265** – Finance

**HB 1297** – Finance, coauthored by Williamson of the Senate

**HB 1304** – Public Safety and Homeland Security

**HB 1362** – Retirement and Group Health

**HB 1384** – Finance, remove Eason McIntyre and substitute Adelson as principal Senate author, and coauthored by Eason McIntyre of the Senate, and coauthored by Adkins, Rousselot of the House

**HB 1485** – Public Safety and Homeland Security

**HB 1498** – Finance, coauthored by Branam of the Senate

**HB 1570** – Finance, coauthored by Johnson of the Senate

**HB 1588** – Finance, coauthored by Corn of the Senate

**HB 1619** – Finance, coauthored by Nations of the House

**HB 1681** – Finance, coauthored by Johnson of the Senate

**HB 1720** – Public Safety and Homeland Security

**CS** for **HB 1738** – Finance



**FIRST READING**

The following was introduced and read the first time:

**SCR 21** – By Lawler of the Senate and DeWitt of the House.

A Concurrent Resolution declaring April 19, 2005, “4-H Day” at the Oklahoma State Capitol; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 11:15 a.m. to meet Monday, April 4, 2005, at 1:30 p.m.