

# Senate Journal

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

**Thirty-sixth Legislative Day, Thursday, April 7, 2005**

The Senate was called to order by Senator Corn.

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, Williamson, Wilson and Wyrick.—44.

Excused: Capps, Monson, Taylor and Wilcoxson.—4.

Senator Corn declared a quorum present.

The prayer was offered by Reverend Alex Himaya, Church at Battle Creek, Tulsa, the guest of Senator Pruitt.

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

**SBs 653** and **685** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 14** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

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

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

**SB 432** - coauthored Kiesel and Nance of the House

**SB 646** - remove Nance and substitute Morgan (Fred) as principal House author and coauthored by Askins, Kiesel, Roan of the House

**SB 682** - coauthored by Nance, Sullivan of the House

**SB 816** - coauthored by Lamons of the House

**SB 823**

House amendments were read on the above-numbered bills.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Jolley asked unanimous consent to suspend Rule 5-4 and refer **SCR 11** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 11** by Jolley of the Senate and Dorman of the House was called up for consideration.

**SCR 11** was adopted upon motion of Senator Jolley and referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Jolley asked unanimous consent to suspend Rule 5-4 and refer **SR 12** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 12** by Jolley was called up for consideration.

All other members of the Senate asked to coauthor **SR 12**, which was the order.

**SR 12** was adopted upon motion of Senator Jolley and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Morgan asked unanimous consent to suspend Rule 5-4 and refer **SCR 15** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 15** by Morgan of the Senate and DePue of the House was called up for consideration.

Senators Anderson and Jolley asked to coauthor **SCR 15**, which was the order.

**SCR 15** was adopted upon motion of Senator Morgan and referred for engrossment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Mazzei asked unanimous consent to suspend Rule 5-4 and refer **SR 16** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 16** by Mazzei was called up for consideration.

All other members of the Senate asked to coauthor **SR 16**, which was the order.

**SR 16** was adopted upon motion of Senator Mazzei and referred for enrollment.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Rabon asked unanimous consent to suspend Rule 5-4 and refer **SCR 17** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 17** by Rabon of the Senate and Roan of the House was called up for consideration.

Senator Gumm and all other members of the Senate asked to coauthor **SCR 17**, which was the order.

**SCR 17** was adopted upon motion of Senator Rabon and referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed bill:

**SB 265** - coauthored by Adkins, Gilbert, Lindley, Dorman, Shumate of the House

The above-numbered measure was referred for enrollment.

Advising fourth reading of and returning Enrolled **SBs 653** and **685**.

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

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 11, 2005, at 10:30 a.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS:

**SCR 10** – Education, coauthored by Lerblance, Gumm of the Senate

**HB 1250** – Judiciary, coauthored by Wesselhoft of the House

**HB 1285** – Education

**HB 1321** – Finance

**HB 1426** – Judiciary, coauthored by Sherrer of the House

**HB 1450** – Judiciary

**HB 1600** – Education

**HB 1623** – Judiciary

**HB 1647** – Education

**HB 1649** – Finance

**HB 1695** – Health and Human Resources

**HB 1728** – Finance

**HB 1735** – Judiciary

**HB 1911** – Judiciary

**HB 2028** – Judiciary

**HB 2035** – Judiciary

DO PASS, As Amended:

- HB 1014** – Finance, coauthored by Rabon of the Senate
- HB 1016** – Appropriations
- HB 1218** – Appropriations, coauthored by Branan, Jolley of the Senate
- HB 1226** – Judiciary
- CS for **HB 1235** – Education
- HB 1240** – Tourism and Wildlife
- HB 1242** – Appropriations
- HB 1267** – Appropriations
- HB 1273** – Education
- HB 1275** – Finance
- HB 1276** – Appropriations
- CS for **HB 1286** – Finance, coauthored by Wesselhoft, Roussetot of the House
- HB 1288** – Appropriations
- HB 1293** – Appropriations
- HB 1316** – Appropriations
- HB 1327** – Appropriations
- HB 1344** – Appropriations
- HB 1347** – Appropriations
- HB 1379** – Judiciary
- HB 1385** – Appropriations
- HB 1386** – Energy and Environment
- HB 1390** – Education
- CS for **HB 1395** – Judiciary
- HB 1397** – Finance
- HB 1398** – Finance, coauthored by Anderson, Myers of the Senate, and coauthored by McMullen of the House
- HB 1419** – Appropriations
- CS for **HB 1425** – Health and Human Resources
- HB 1435** – Appropriations
- HB 1444** – Appropriations
- CS for **HB 1453** – Health and Human Resources, coauthored by Leftwich, Paddock of the Senate
- CS for **HB 1457** – Education
- HB 1458** – Energy and Environment
- HB 1468** – Appropriations
- HB 1475** – Appropriations, coauthored by Leftwich of the Senate
- HB 1493** – Judiciary
- HB 1500** – Appropriations
- CS for **HB 1502** – Judiciary
- CS for **HB 1503** – Health and Human Resources
- CS for **HB 1507** – Judiciary
- HB 1539** – Judiciary

- HB 1540** – Judiciary
- HB 1544** – Appropriations, coauthored by Rabon of the Senate
- HB 1550** – Judiciary, coauthored by Wesselhoft of the House
- HB 1553** – Judiciary
- HB 1554** – Judiciary
- CS for **HB 1556** – Finance, remove Anderson and substitute Myers as principal Senate author, and coauthored by Anderson of the Senate
- HB 1562** – Finance
- HB 1575** – Tourism and Wildlife
- HB 1577** – Finance, coauthored by Capps of the Senate
- HB 1589** – Energy and Environment
- HB 1605** – Finance, coauthored by Capps of the Senate
- HB 1609** – Appropriations
- HB 1612** – Finance
- HB 1613** – Judiciary
- HB 1617** – Appropriations
- HB 1618** – Appropriations
- CS for **HB 1622** – Education
- HB 1625** – Finance, coauthored by Corn of the Senate
- HB 1646** – Education
- HB 1652** – Appropriations
- HB 1665** – Finance
- HB 1667** – Finance
- CS for **HB 1686** – Health and Human Resources
- HB 1688** – Appropriations, remove Smaligo and substitute Cox as principal House author, and coauthored by Smaligo of the House
- HB 1693** – Finance
- HB 1698** – Judiciary, coauthored by Kiesel of the House
- HB 1704** – Appropriations, coauthored by Wesselhoft of the House
- HB 1708** – Finance
- HB 1711** – Finance
- CS for **HB 1713** – Finance, coauthored by Branan, Gumm, Mazzei of the Senate
- HB 1715** – Finance, coauthored by Branan of the Senate
- HB 1722** – Tourism and Wildlife
- CS for **HB 1725** – Health and Human Resources
- HB 1747** – Appropriations
- HB 1755** – Appropriations
- HB 1756** – Finance
- HB 1760** – Education
- HB 1774** – Appropriations
- CS for **HB 1779** – Finance
- HB 1780** – Appropriations, coauthored by Bass, Leftwich of the Senate
- HB 1803** – Finance
- HB 1804** – Appropriations, coauthored by Gumm of the Senate

**HB 1807** – Judiciary  
**HB 1810** – Finance  
**HB 1814** – Tourism and Wildlife  
**HB 1823** – Finance  
**CS for HB 1837** – Education  
**CS for HB 1845** – Health and Human Resources  
**HB 1848** – Finance  
**CS for HB 1858** – Retirement and Group Health  
**HB 1860** – Judiciary  
**CS for HB 1861** – Education  
**HB 1875** – Education  
**HB 1898** – Appropriations, coauthored by Bass of the Senate  
**HB 1908** – Judiciary  
**HB 1910** – Energy and Environment  
**HB 1927** – Appropriations  
**HB 1967** – Appropriations  
**CS for HB 1970** – Education  
**HB 1971** – Appropriations  
**HB 1985** – Judiciary, coauthored by Crain, Lamb of the Senate  
**HB 2005** – Judiciary  
**HB 2058** – Judiciary  
**HJR 1012** – Tourism and Wildlife, coauthored by Shurden of the Senate  
**HJR 1019** – Appropriations

Pursuant to the Fisher motion, the Senate adjourned at 11:05 a.m. to meet Monday, April 11, 2005, at 10:30 a.m.