

Senate Journal

**Second Regular Session of the Fiftieth Legislature
of the State of Oklahoma
Sixth Legislative Day, Tuesday, February 14, 2006**

The Senate was called to order by Senator Corn.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.—47.

Vacancy: District 38.—1.

Senator Corn declared a quorum present.

The prayer was offered by Reverend David Player, First United Methodist Church, Altus, the guest of Senator Fisher.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1020 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Myers asked unanimous consent to suspend Rule 5-4 and refer **SCR 39** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 39 by Myers et al of the Senate and Newport of the House was called up for consideration.

SCR 39 was adopted upon motion of Senator Myers and referred for engrossment.

GENERAL ORDER

SB 1047 by Lawler of the Senate and Hilliard of the House was called up for consideration.

Senator Lawler moved that **SB 1047** be advanced, which motion was declared adopted.

THIRD READING

SB 1047 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, Branam, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1047 was referred for engrossment.

GENERAL ORDER

SB 1431 by Branam of the Senate and Calvey of the House was called up for consideration.

Senator Branam moved that **SB 1431** be advanced, which motion was declared adopted.

THIRD READING

SB 1431 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1431 was referred for engrossment.

GENERAL ORDER

SB 1509 by Coffee of the Senate and Adkins of the House was called up for consideration.

Senator Coffee moved that **SB 1509** be advanced, which motion was declared adopted.

THIRD READING

SB 1509 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1509 was referred for engrossment.

GENERAL ORDER

SB 1716 by Nichols of the Senate and Morgan (Fred) of the House was called up for consideration.

Senator Nichols moved that **SB 1716** be advanced, which motion was declared adopted.

THIRD READING

SB 1716 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Pruitt.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1716 was referred for engrossment.

Senator Taylor presiding.

MESSAGE FROM THE HOUSE

Advising naming of House conferees on **HB 1967**: Perry, Thompson, Jett, Pruett, Covey, Liotta.

GENERAL ORDER

SB 1460 by Wyrick of the Senate and DeWitt of the House was called up for consideration.

Senator Wyrick moved that **SB 1460** be advanced, which motion was declared adopted.

THIRD READING

SB 1460 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, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1460 was referred for engrossment.

GENERAL ORDER

SB 1706 by Shurden of the Senate and Miller (Ray) of the House was called up for consideration.

Representative Turner asked to coauthor **SB 1706**, which was the order.

Senator Shurden moved that **SB 1706** be advanced, which motion was declared adopted.

THIRD READING

SB 1706 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, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon,

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

Excused: Coffee.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1706 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1619** was adopted upon motion of Senator Leftwich.

Senator Lawler asked to coauthor **HB 1619**, which was the order.

HB 1619, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Riley, Shurden, Taylor, Wilcoxson, Wilson and Wyrick.--42.

Nay: Brogdon, Pruitt, Reynolds and Williamson.--4.

Excused: Coffee.--1.

Vacancy: District 38.--1.

The bill passed.

HB 1619, together with the conference committee report thereon, was ordered returned to the Honorable House.

GENERAL ORDER

SB 1293 by Crutchfield of the Senate and DeWitt of the House was called up for consideration.

Senator Crutchfield moved that **SB 1293** be advanced, which motion was declared adopted.

THIRD READING

SB 1293 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, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1293 was referred for engrossment.

INTRODUCTION

Senator Barrington introduced his wife, Jennifer, to the Senate.

GENERAL ORDER

SB 1065 by Gumm of the Senate and Perry of the House was called up for consideration.

Senator Gumm moved that **SB 1065** be advanced, which motion was declared adopted.

THIRD READING

SB 1065 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, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1065 was referred for engrossment.

GENERAL ORDER

SB 1456 by Bass of the Senate and Covey of the House was called up for consideration.

Senator Bass moved that **SB 1456** be advanced, which motion was declared adopted.

THIRD READING

SB 1456 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, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Coffee.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1456 was referred for engrossment.

GENERAL ORDER

SB 1086 by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved that **SB 1086** be advanced, which motion was declared adopted.

THIRD READING

SB 1086 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1086 was referred for engrossment.

GENERAL ORDER

SB 1671 by Branan of the Senate and Calvey of the House was called up for consideration.

Senator Branan moved that **SB 1671** be advanced, which motion was declared adopted.

THIRD READING

SB 1671 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1671 was referred for engrossment.

GENERAL ORDER

SB 1470 by Cain of the Senate and Dank of the House was called up for consideration.

Senator Cain moved that **SB 1470** be advanced, which motion was declared adopted.

THIRD READING

SB 1470 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Vacancy: District 38.--1.

The bill passed.

SB 1470 was referred for engrossment.

GENERAL ORDER

SB 1306 by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved that **SB 1306** be advanced, which motion was declared adopted.

THIRD READING

SB 1306 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, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon,

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

Excused: Adelson.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1306 was referred for engrossment.

CHANGE IN COMMITTEE ASSIGNMENTS

Senator Fisher asked unanimous consent, which was granted, that the following bills be reassigned as follows:

SB 825 – withdrawn from Rules Committee and referred to Appropriations.

SB 1759 – withdrawn from Rules Committee and referred to Appropriations.

EXECUTIVE NOMINATIONS

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

Averill, David, Tulsa, as a member of the Oklahoma Music Hall of Fame Board - Tourism and Wildlife

Baldwin, Alfred, Jr., Enid, as a member of the State Board of Health - Health and Human Resources

Barnes, Sherrie L., Sand Springs, as a member of the Board of Trustees of the Teachers' Retirement System of Oklahoma - Retirement

Bouton, Joe, Ardmore, as a member of the Oklahoma Science and Technology Research and Development Board - Aerospace, Communications and Technology

Cullison, Johnny B., Shawnee, as a member of the Committee of Home Inspector Examiners - Business and Labor

Dow, Jerrold A., Tulsa, as a member of the Oklahoma Tourism and Recreation Commission - Tourism and Wildlife

Gault, Jeannie K., Elgin, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Hernandez, Elvia, Guymon, as a member of the Oklahoma Human Rights Commission - Health and Human Resources

Huddleston, Kevin, Lexington, as a member of the Oklahoma Liquefied Petroleum Gas Board - Energy and Environment

Jackson, Charles F., Tulsa, as a member of the Board of Juvenile Affairs - Health and Human Resources

Jones, Dan C., Kaw City, as a member of the Oklahoma Indian Affairs Commission - Health and Human Resources

Jordan, Emma June, Alva, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Karns, Mary Ann, Edmond, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

O'Conner, J.T., Jr., M.D., Marietta, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Payne, Maurice W., D.O., Checotah, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Pfeifer, Nancy J., Tulsa, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Schluneger, M. Rita, Tulsa, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Sirmons, Karl Linton, Enid, as a member of the Highway Construction Materials Technician Certification Board - Transportation

Stratton, Michael, D.O., Muskogee, as a member of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission - Judiciary

Turner, Deacon, Tulsa, as a member of the Will Rogers Memorial Commission - Tourism and Wildlife

Warren, John-Kelly, Tulsa, as a member of the Oklahoma Science and Technology Research and Development Board - Aerospace, Communications and Technology

Weaver, Billy R., Oklahoma City, as a member of the Oklahoma State Board of Examiners for Nursing Home Administrators - Health and Human Resources

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, February 15, 2006, 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:

SB 1088 – Veterans and Military Affairs, coauthored by Easley, Gumm, Leftwich of the Senate, and coauthored by Coody (principal House author)

SB 1095 – Business and Labor, coauthored by Leftwich of the Senate, and coauthored by Liebmann (principal House author)

SB 1333 – Veterans and Military Affairs, coauthored by Leftwich of the Senate, and coauthored by Kern (principal House author)

SB 1335 – Public Safety and Homeland Security, coauthored by Nance (principal House author)

SB 1361 – Veterans and Military Affairs, coauthored by Easley, Gumm of the Senate, and coauthored by Terrill (principal House author)

SB 1476 – Judiciary, coauthored by Banz (principal House author)

SB 1503 – Judiciary, coauthored by Morgan (Fred) (principal House author)

SB 1640 – Health and Human Resources, coauthored by Balkman (principal House author)

SB 1929 – Public Safety and Homeland Security, coauthored by Newport (principal House author)

DO PASS, As Amended:

CS for SB 1297 – Business and Labor

CS for SB 1422 – Public Safety and Homeland Security, coauthored by Glenn (principal House author)

CS for SB 1505 – Veterans and Military Affairs, coauthored by Easley, Gumm of the Senate, and coauthored by Wesselhoft (principal House author)

SB 1521 – Public Safety and Homeland Security, coauthored by Nance (principal House author)

SB 1542 – Public Safety and Homeland Security, coauthored by Nance (principal House author)

SB 1552 – Business and Labor, coauthored by Armes (principal House author)

SB 1701 – Business and Labor, coauthored by Case (principal House author)

SB 1731 – Health and Human Resources, coauthored by Balkman (principal House author)

SB 1869 – Business and Labor, coauthored by Leftwich of the Senate, and coauthored by Morgan (Danny) (principal House author), and coauthored by Cooksey of the House

Pursuant to the Fisher motion, the Senate adjourned at 2:15 p.m. to meet Wednesday, February 15, 2006, at 1:30 p.m.