

Senate Journal

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

Twentieth Legislative Day, Monday, March 13, 2006

The Senate was called to order by Senator Gumm.

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, Wilcoxson, Williamson, Wilson and Wyrick.—46.

Excused: Taylor.—1.

Vacancy: District 38.—1.

Senator Gumm declared a quorum present.

The prayer was offered by Chaplain Major Ted Wilson, Oklahoma Army National Guard/OKC Fire Department, Edmond, the guest of Senator Jolley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1071, 1096, 1324, 1405, 1491, 1493, 1521, 1542, 1549, 1552, 1572, 1613, 1614, 1624, 1683, 1741, 1779, 1785, 1789, 1793, 1795, 1877, 1900, 1925, 1956, 1970, 1974 and **2017** and **SJR 35** and **SCRs 42** and **43** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 68 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 1717 by Fisher of the Senate and Peterson (Ron) of the House was called up for consideration.

Senator Williamson moved to amend **SB 1717**, Page 11, Lines 4 and 5, by deleting all language after the word “attorneys” on Line 4 and before the word “for” on Line 5 and inserting in lieu thereof the words “, law enforcement officials or a state agency”; and Page 11, Line 6, by inserting after the word “title” and before the word “and” the words “or any tobacco tax laws”, which amendment was declared adopted.

Senator Williamson moved to amend **SB 1717**, Page 33, Line 16, by deleting after the second word “retailer” and before the word “which” the word “at” and inserting in lieu thereof the word, “to”; Page 33, Lines 17 and 18, by deleting all language after the word “are” on Line 17 and before the word “shipped” on Line 18; Page 33, Line 23, by deleting after the second word “retailer” the word “at” and inserting the word “to”; and Page 34, Lines 1 and 2, by deleting all language after the word “are” on Line 1 and before the word “shipped” on Line 2, which amendment was declared adopted.

Senator Fisher moved that **SB 1717** be advanced, which motion was declared adopted.

THIRD READING

SB 1717 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, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Shurden.--1.

Excused: Morgan and Taylor.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1717 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
MOTION TO RECONSIDER VOTES**

Senator Fisher asked unanimous consent, which was granted, to suspend the provisions of Rule 12-23B and that all motions to reconsider votes on Third Reading of Senate bills and joint resolutions served this week be disposed of before the close of business on Thursday, March 16, 2006.

GENERAL ORDER

SB 1984 by Corn of the Senate and Blackwell of the House was called up for consideration.

Senator Lawler moved to amend **SB 1984**, Page 3, Line 6 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY Section 2, Chapter 180, O.S.L. 2005 (19 O.S. Supp. 2005, Section 513.1), is amended to read as follows:

Section 513.1 Every sheriff shall require appropriate training for deputies and jailers in accordance with the jail standards promulgated by the State Department of Health. The sheriff shall not permit supervision of any prisoner in the custody of the jail by any person that does not meet the jail standards for training and supervision of inmates; provided, however, the sheriff or contractor having charge and custody of the jail shall be authorized to permit any inmate who is a trustee to perform work or community service under supervision by a person other than a jailer or person trained to supervise inmates in the jail environment when deemed appropriate for the inmate, supervising person, and nature of the work or community service. The sheriff or contractor having charge and custody of the jail shall comply with all minimal supervision standards pursuant to the jail standards promulgated by the State Department of Health, except when otherwise provided by law. Nothing in this section shall be construed to prohibit or restrict the sheriff or contractor having charge and custody of the jail from training or cross-training a person as a backup jailer or for purposes of subsection D of Section 192 of Title 74 of the Oklahoma Statutes, if otherwise qualified for such position.” and by renumbering subsequent section, which amendment failed of adoption.

Senator Corn moved that **SB 1984** be advanced, which motion was declared adopted.

THIRD READING

SB 1984 was read for the third time at length.

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

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--22.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Corn served notice that the vote be reconsidered whereby **SB 1984** failed.

GENERAL ORDER

SB 1335 by Garrison of the Senate and Nance of the House was called up for consideration.

Senator Garrison moved to amend **SB 1335**, Page 1, by striking the title, which amendment was declared adopted.

Senator Garrison moved that **SB 1335** be advanced, which motion was declared adopted.

THIRD READING

SB 1335 was read for the third time at length.

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

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (M), Jolley, Laster, Leftwich, Lerblance, Morgan, Paddack, Wilson and Wyrick.--21.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Easley, Ford, Johnson (C), Justice, Lamb, Laughlin, Lawler, Mazzei, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson and Williamson.--25.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill failed.

GENERAL ORDER

SB 1346 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 1346** be advanced, which motion was declared adopted.

THIRD READING

SB 1346 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, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1346 was referred for engrossment.

MESSAGE FROM THE HOUSE HAS TO SENATE BILL

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

SB 1288 - Coauthored by Liotta, Perry, Smaligo, Trebilcock, Thompson of the House

House amendments were read on the above-numbered bill.

GENERAL ORDER

SB 1043 by Brogdon of the Senate and Smaligo of the House was called up for consideration.

Senator Brogdon moved that **SB 1043** be advanced, which motion was declared adopted.

THIRD READING

SB 1043 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, Coates, Coffee, Crain, Fisher, Ford, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--26.

Nay: Adelson, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Harrison, Johnson (C), Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--20.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1043 was referred for engrossment.

GENERAL ORDER

SB 1842 by Laster of the Senate and Sullivan of the House was called up for consideration.

Senator Laster moved that **SB 1842** be advanced, which motion was declared adopted.

THIRD READING

SB 1842 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, 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, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Anderson and Pruitt.--2.

Excused: Adelson and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1842 was referred for engrossment.

GENERAL ORDER

SB 1831 by Johnson (Constance) of the Senate and Peters of the House was called up for consideration.

Senator Johnson (Constance) moved that **SB 1831** be advanced, which motion was declared adopted.

THIRD READING

SB 1831 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, 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, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Corn.--1.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1831 was referred for engrossment.

GENERAL ORDER

SJR 55 by Leftwich of the Senate and Perry of the House was called up for consideration.

Senator Leftwich moved that **SJR 55** be advanced, which motion was declared adopted.

THIRD READING

SJR 55 was read for the third time at length.

On the question of passage of the resolution, 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, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The resolution passed.

SJR 55 was referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Hobson asked unanimous consent to suspend Rule 5-4 and refer **SCR 45** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 45 by Hobson and Coates of the Senate and Balkman and Dank of the House was called up for consideration.

SCR 45 was adopted upon motion of Senator Hobson and referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 1193

SB 1263

SB 1265 - Coauthored by Duncan of the House

SB 1267 - Coauthored by Terrill and Worthen of the House

SB 1269

SB 1270

SB 1271

The above-numbered measures were referred for enrollment.

GENERAL ORDER

SB 1556 by Crain of the Senate and Morgan (Fred) of the House was called up for consideration.

Senator Crain moved that **SB 1556** be advanced, which motion was declared adopted.

THIRD READING

SB 1556 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, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1556 was referred for engrossment.

GENERAL ORDER

SB 1816 by Lerblance of the Senate and Johnson of the House was called up for consideration.

Senator Lerblance moved that **SB 1816** be advanced, which motion was declared adopted.

THIRD READING

SB 1816 was read for the third time at length.

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

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--22.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Lerblance served notice that the vote be reconsidered whereby **SB 1816** failed.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 2138, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2286, 2287, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2355, 2425, 2483, 2486, 2499, 2554, 2594, 2619, 2664, 2707, 2750, 2796, 2807, 2833, 2911, 2918, 2926 and 3085 and HJR 1010.**

HB 2138 – By Dank, Calvey, Cargill, DePue, Kern, Reynolds, Terrill and Wright of the House and Jolley of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1-111, as last amended by Section 81, Chapter 5, O.S.L. 2004 (70 O.S. Supp. 2005, Section 1-111), which relates to the school day; allowing students participating in religious instruction to be counted as being in attendance; requiring school districts to allow for the release of students for religious instruction under certain conditions; allowing attendance in session of religious instruction to count as school attendance; providing for the withdrawal of religious instruction release time if student is not attending or such instruction advocates violence; prohibiting public school teachers from participating in religious instruction during school hours; prohibiting the use of public funds or transportation for religious instruction; providing for codification; and providing an effective date.

HB 2238 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Department of Human Services – appropriation - effective date – emergency)

HB 2239 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Department of Human Services - appropriation - effective date - emergency)

HB 2240 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Office of Juvenile Affairs – appropriation – effective date – emergency)

HB 2241 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Office of Juvenile Affairs - appropriation - effective date – emergency)

HB 2242 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(State Department of Rehabilitation Services – appropriation - effective date – emergency)

HB 2243 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(State Department of Rehabilitation Services – appropriation - effective date – emergency)

HB 2244 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Commission on Children and Youth – appropriation – effective date – emergency)

HB 2245 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Commission on Children and Youth - appropriation - effective date – emergency)

HB 2246 – By Bengé, Newport and Wesselhoft of the House and Crutchfield and Rabon of the Senate.

(Office of Handicapped Concerns – appropriation - effective date - emergency)

HB 2247 – By Bengé, Newport and Wesselhoft of the House and Crutchfield and Rabon of the Senate.

(Office of Handicapped Concerns - appropriation - effective date - emergency)

HB 2248 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Human Rights Commission - appropriation - effective date – emergency)

HB 2249 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Human Rights Commission - appropriation - effective date - emergency)

HB 2250 – By Bengé, Newport and Wesselhoft of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Indian Affairs Commission - appropriation - effective date – emergency)

HB 2251 – By Bengé, Newport and Wesselhoft of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Indian Affairs Commission – appropriation – effective date – emergency)

HB 2253 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Department of Agriculture, Food, and Forestry – appropriations – effective date – emergency)

HB 2254 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Commission on Consumer Credit – appropriation - effective date – emergency)

HB 2255 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Commission on Consumer Credit – appropriation - effective date – emergency)

HB 2256 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Corporation Commission - appropriation - effective date – emergency)

HB 2257 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Corporation Commission - appropriation - effective date – emergency)

HB 2258 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Department of Environmental Quality – appropriation – effective date – emergency)

HB 2259 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Department of Environmental Quality – appropriation - effective date - emergency)

HB 2260 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Horse Racing Commission - appropriation - effective date – emergency)

HB 2261 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Horse Racing Commission - appropriation - effective date – emergency)

HB 2262 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Insurance Department – appropriation - effective date –emergency)

HB 2263 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Insurance Department – appropriation – effective date – emergency)

HB 2264 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Department of Mines – appropriation - effective date – emergency)

HB 2265 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Department of Mines – appropriation - effective date – emergency)

HB 2266 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Tourism and Recreation Department - appropriation - effective date – emergency)

HB 2267 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Tourism and Recreation Department - appropriation - effective date – emergency)

HB 2268 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Capitol Complex and Centennial Commemoration Commission – appropriation – effective date – emergency)

HB 2269 – By Bengé and Newport of the House and Crutchfield and Rabon of the Senate.

(Oklahoma Capitol Complex and Centennial Commemoration Commission – appropriations - effective date – emergency)

HB 2286 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Alcoholic Beverage Laws Enforcement Commission - appropriation - effective date - emergency)

HB 2287 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Alcoholic Beverage Laws Enforcement Commission – appropriation – effective date – emergency)

HB 2289 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Department of Corrections – appropriation - effective date – emergency)

HB 2290 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Office of the State Fire Marshal – appropriation - effective date – emergency)

HB 2291 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Office of the State Fire Marshal – appropriation - effective date – emergency)

HB 2292 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Oklahoma State Bureau of Investigation – appropriation - effective date –emergency)

HB 2293 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Oklahoma State Bureau of Investigation – appropriation - effective date -emergency)

HB 2294 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Council on Law Enforcement Education and Training - appropriations - effective date – emergency)

HB 2295 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Council on Law Enforcement Education and Training – appropriations - effective date – emergency)

HB 2296 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Board of Medicolegal Investigations – appropriation - effective date – emergency)

HB 2297 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Board of Medicolegal Investigations – appropriation – effective date – emergency)

HB 2298 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Oklahoma State Bureau of Narcotics and Dangerous Drugs Control – appropriation - effective date – emergency)

HB 2299 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Oklahoma State Bureau of Narcotics and Dangerous Drugs Control – appropriation - effective date -emergency)

HB 2300 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Pardon and Parole Board - appropriation - effective date - emergency)

HB 2301 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Pardon and Parole Board - appropriation - effective date - emergency)

HB 2302 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Department of Public Safety - appropriations - effective date - emergency)

HB 2303 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Department of Public Safety - appropriations - effective date - emergency)

HB 2304 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Office of the Attorney General – appropriation – effective date - emergency)

HB 2305 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Office of the Attorney General – appropriation - effective date – emergency)

HB 2306 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Court of Criminal Appeals – appropriation - effective date – emergency)

HB 2307 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Court of Criminal Appeals – appropriation - effective date – emergency)

HB 2308 – By Bengé, Newport and Duncan of the House and Crutchfield and Kerr of the Senate.

(District Attorneys Council - appropriation - effective date - emergency)

HB 2309 – By Bengé, Newport and Duncan of the House and Crutchfield and Kerr of the Senate.

(District Attorneys Council - appropriation - effective date – emergency)

HB 2310 – By Bengé, Newport and Duncan of the House and Crutchfield and Kerr of the Senate.

(district courts – State Judicial Revolving Fund – effective date – emergency)

HB 2311 – By Bengé, Newport and Duncan of the House and Crutchfield and Kerr of the Senate.

(district courts - State Judicial Revolving Fund - effective date – emergency)

HB 2312 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Oklahoma Indigent Defense System - appropriation - effective date – emergency)

HB 2313 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Oklahoma Indigent Defense System – appropriation - effective date – emergency)

HB 2314 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Council on Judicial Complaints - appropriation - effective date - emergency)

HB 2315 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Council on Judicial Complaints – appropriation – effective date – emergency)

HB 2316 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Supreme Court - appropriations - effective date - emergency)

HB 2317 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Supreme Court – appropriations - effective date – emergency)

HB 2318 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Workers' Compensation Court - appropriation - effective date - emergency)

HB 2319 – By Bengé and Newport of the House and Crutchfield and Kerr of the Senate.

(Workers' Compensation Court - appropriation - effective date - emergency)

HB 2355 – By Cooksey of the House and Jolley of the Senate.

An Act relating to the Oklahoma Municipal Power Authority; amending 11 O.S. 2001, Sections 24-107 and 24-108, which relate to the issuance of bonds by the Oklahoma Municipal Power Authority; modifying certain powers, rights and privileges of the Authority; modifying the interest cost of the money received from the sale of certain bonds; and providing an effective date.

HB 2425 – By Glenn of the House and Wyrick of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 339, as last amended by Section 1, Chapter 76, O.S.L. 2005 (19 O.S. Supp. 2005, Section 339), which relates to the general powers of county commissioners; modifying certain authorization; and providing an effective date.

HB 2483 – By Nance, Piatt, Denney, Peterson (Pam) and Sullivan of the House and Gumm of the Senate.

An Act relating to banking; creating the Oklahoma Financial Transaction Reporting Act; defining terms; providing filing and licensure requirements for certain persons; requiring certain list be provided by suppliers; requiring submission of updated list with certain information; providing for a registration fee; requiring separate licensure; providing penalties; requiring deposit of fees and fines in certain revolving fund; authorizing use of information-sharing agreements; prohibiting public inspection of certain records; authorizing the promulgation of certain rules; authorizing issuance of certain statements and opinions; amending 6 O.S. 2001, Section 211, as last amended by Section 6, Chapter 48, O.S.L. 2005 (6 O.S. Supp. 2005, Section 211), which relates to fees and assessments; modifying certain effective date; decreasing certain percentage rate; amending 6 O.S. 2001, Section 2001.2, as amended by Section 7, Chapter 356, O.S.L. 2003 (6 O.S. Supp. 2005, Section 2001.2), which relates to powers of Board; modifying certain effective date; decreasing certain percentage rate; providing for codification; and declaring an emergency.

HB 2486 – By Nance of the House and Wyrick of the Senate.

(revenue and taxation – amending 68 O.S., Section 50001 – fire insurance – amending 74 O.S., Section 51.2 – Oklahoma Homeland Security Revolving Fund – effective date)

HB 2499 – By Hickman and Sherrer of the House and Capps of the Senate.

An Act relating to cemeteries; providing for method of burial space reversion; providing certain guidelines for notification process; providing certain remedy for certain claims; providing for codification; and providing an effective date.

HB 2554 – By DePue of the House and Coates of the Senate.

An Act relating to state government; authorizing the Department of Central Services to establish certain database; providing for codification; providing an effective date; and declaring an emergency.

HB 2594 – By Tibbs of the House and Aldridge of the Senate.

(motor vehicles - amending 47 O.S., Sections 951, 953 and 953.1 - wreckers and towing services - fee limitation - effective date)

HB 2619 – By Walker, Nations, Balkman, Miller (Doug) and Terrill of the House and Nichols and Hobson of the Senate.

(cities and towns - amending 11 O.S., Section 22-128 - municipal bonds - effective date)

HB 2664 – By Roan of the House and Corn of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 2-105, as last amended by Section 3, Chapter 418, O.S.L. 2004, 2-105.4, as amended by Section 1, Chapter 161, O.S.L. 2004, 2-105.6, as last amended by Section 44, Chapter 1, O.S.L. 2005 and 2-105.7, as last amended by Section 1, Chapter 354, O.S.L. 2004 (47 O.S. Supp. 2005, Sections 2-105, 2-105.4, 2-105.6 and 2-105.7), which relate to organization and responsibilities of Department of Public Safety; modifying classification and qualifications of certain personnel; deleting obsolete salary schedules and requirements; modifying classification of certain personnel; and declaring an emergency.

HB 2707 – By Hickman, Duncan, Blackwell, Jackson, DeWitt, Richardson, Martin, Braddock, Sweeden and McMullen of the House and Lawler of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1835, which relates to trespass on posted property after being forbidden or without permission; clarifying scope of prohibited act; providing an affirmative defense; authorizing certain persons to enter or remain on certain property; authorizing certain persons to enter or remain on certain property unless specifically forbidden; providing penalty; updating language; stating circumstances in which certain persons may be answerable to damages; prohibiting the arrest, detainment, or apprehension of certain persons; and providing an effective date.

HB 2750 – By Thompson and Shelton of the House and Rabon of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 516, which relates to sheriffs; expanding duties and powers as a peace officer; providing an effective date; and declaring an emergency.

HB 2796 – By Nations of the House and Garrison of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Sections 17-204, as amended by Section 1, Chapter 98, O.S.L. 2002, 17-206, as last amended by Section 1, Chapter 440, O.S.L. 2002, 17-207, as amended by Section 3, Chapter 98, O.S.L. 2002, 17-209, as amended by Section 4, Chapter 98, O.S.L. 2002, 17-215, as amended by Section 7, Chapter 98, O.S.L. 2002 and 17-216, as amended by Section 8, Chapter 98, O.S.L. 2002 (11 O.S. Supp. 2005, Sections 17-204, 17-206, 17-207, 17-209, 17-215 and 17-216), which relate to the Municipal Budget Act; modifying certain definitions; adding certain alternative to budget format and content; clarifying certain accounting practice by municipalities; adding certain alternative for adoption of appropriation by a municipality; deleting reference to certain definition; modifying reference to certain terms; clarifying prohibition on certain revenues and balances; modifying source of certain appropriation; modifying reference to certain terms; deleting reference to certain term; providing an effective date; and declaring an emergency.

HB 2807 – By Terrill of the House and Garrison of the Senate.

An Act relating to cities and towns; enacting the Semipublic Community Act; providing definitions; allowing municipalities to establish semipublic communities in accordance with the act; specifying criteria for semipublic communities; providing gating requirements for semipublic communities; requiring the formation of a homeowners' association; specifying responsibilities of the homeowners' association; requiring the execution of certain agreement; specifying contents of the agreement; requiring certain copying and filing of the agreement; specifying formation of homeowners' association; providing for transfer of certain responsibilities; requiring dedication of certain streets, water and sanitary systems; requiring plan approval by the municipal governing body and planning commission; amending 69 O.S. 2001, Section 1213, which relates to obstructing road or right-of-way; providing certain exception; providing for codification; and providing an effective date.

HB 2833 – By Billy, Dorman, Dank, Terrill, Hilliard, Covey and McCarter of the House and Crutchfield of the Senate.

(revenue and taxation – amending 68 O.S., Section 1357 – sales tax exemptions – hearing aids – effective date – emergency)

HB 2911 – By Peterson (Ron) of the House and Laster of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 858-702, 858-703, 858-704, 858-708, 858-709, 858-710, 858-711, 858-712, 858-718, 858-722, 858-723, 858-724, 858-725, 858-726 and 858-732, which relate to the Oklahoma Certified Real Estate Appraisers Act; modifying application of act; modifying definition; adding procedure to enjoin persons from engaging in certain activity; modifying fees; modifying certain application requirements; clarifying classes of real estate appraisers; modifying certain certifications; modifying certain education requirements; modifying certain notice requirements; modifying certain certification requirements; adding certain disciplinary penalties; modifying certain disciplinary procedures; clarifying requirements for ethical conduct; and providing an effective date.

HB 2918 – By Morgan (Danny), Harrison, Ellis and Sweeden of the House and Coates of the Senate.

(intoxicating beverages - amending 37 O.S., Sections 505, 521, 537 and 554 - Alcoholic Beverage Control Act - repealing 37 O.S., Section 549 - amending 68 O.S., Section 1357 - sales tax exemptions - effective date)

HB 2926 – By Tibbs, Terrill and Lamons of the House and Reynolds of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 1-104, as last amended by Section 1, Chapter 521, O.S.L. 2004 (47 O.S. Supp. 2005, Section 1-104), which relates to bicycles, electric-assisted bicycle, and motorized bicycle; modifying certain definition; providing an exception; amending 47 O.S. 2001, Section 11-1205, as last amended by Section 15, Chapter 521, O.S.L. 2004 (47 O.S. Supp. 2005, Section 11-1205), which relates to operation of bicycles and play vehicles; modifying roadway requirement for bicycles or motorized scooters; deleting path restriction; providing guidelines for overtaking and passing bicycles; providing penalties when injury or death occurs; repealing Section 78, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2005, Section 12-705), which relates to bicycles; providing for codification; and providing an effective date.

HB 3085 – By Case, Turner and Covey of the House and Crutchfield of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 591.11, as amended by Section 29, Chapter 519, O.S.L. 2004 (47 O.S. Supp. 2005, Section 591.11), which relates to salvage pool or salvage disposal sales; requiring disclosure of certain information about motor vehicles being sold for insurance companies; requiring disclosure of certain information about buyers of salvage motor vehicles; and providing an effective date.

HJR 1010 – By Tibbs, Dank and Lindley of the House and Riley of the Senate.

A Joint Resolution establishing the Oklahoma Task Force to Stop Sexual Violence; providing for membership; providing for appointment of chair and vice-chair; providing for travel reimbursement; providing for administrative support; providing for duties; requiring certain report to Governor and Legislature; providing for noncodification; and declaring an emergency.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 1878 by Coates of the Senate and Worthen of the House was called up for consideration.

Senators Williamson and Garrison asked to coauthor **SB 1878**, which was the order.

Senator Fisher moved to amend **SB 1878**, Page 1, by striking the title, which amendment was declared adopted upon roll call as follows:

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--22.

Excused: Taylor.--1.

Vacancy: District 38.--1.

Senator Williamson moved to amend **SB 1878**, Page 1, Lines 11 through 21, by deleting Section 1 and inserting in lieu thereof new Sections 1 and 2 to read as follows:

“SECTION 1. New Law. A new section of law to be codified in the Oklahoma statutes as Section 777 of Title 15 unless there is created duplication in numbering, reads as follows:

Any contract or other agreement to display a Ten Commandments monument on county property shall be approved by a majority of the county commissioners of said county and shall not be approved without the commissioners having been advised by the Office of the District Attorney or the Office of Attorney General on the constitutional manner of displaying the Ten Commandments on public property. The office of the Attorney General shall have concurrent authority to provide such advice and to provide defense of any lawsuit brought to remove the Ten Commandments monument when requested by a majority of the County Commissioners of said county.

SECTION 2. There is hereby appropriated to the Office of the Attorney General from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 2007, the sum of three million dollars (\$3,000,000.00) and of the funds appropriated herein, the Office of the Attorney General shall transfer up to the sum of three million dollars (\$3,000,000.00) or so much thereof as may be required by the district attorneys of Oklahoma and District Attorneys Council to the District Attorneys Evidence Fund for any expenses relating to legal services necessary to advise any county commissions in their district, on the constitutional manner in which they can display the Ten Commandments on public property and for necessary expenses relating to the defense of any lawsuits which are brought to remove any such monument erected within the constitutional guidelines provided to said county. The appropriated money herein shall be used for defense only when the Board of County Commissions have requested the Office of the Attorney General defend such lawsuit and the Office of the the Attorney General has declined.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Coates moved that **SB 1878** be advanced, which motion was declared adopted.

THIRD READING

SB 1878 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, 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, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Nay: Cain.--1.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1878 was referred for engrossment.

Senator Fisher moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Gumm presiding.

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1193 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

GENERAL ORDER

SB 1628 by Johnson (Constance) of the Senate and Shumate of the House was called up for consideration.

Senator Johnson (Constance) moved that **SB 1628** be advanced, which motion was declared adopted.

THIRD READING

SB 1628 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, 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, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Coffee, Eason McIntyre and Taylor.--3.

Vacancy: District 38.--1.

The bill passed.

SB 1628 was referred for engrossment.

Senator Paddack presiding.

GENERAL ORDER

SB 1719 by Gumm and Crutchfield of the Senate and Billy and Roan of the House was called up for consideration.

Senator Gumm moved that **SB 1719** be advanced, which motion was declared adopted.

THIRD READING

SB 1719 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, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley,

Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

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

Excused: Coffee and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1719 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to **SB 1288** were concurred in upon motion of Senator Rabon.

Senator Corn asked to coauthor **SB 1288**, which was the order.

SB 1288, as amended by the Honorable House, was read 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, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Morgan and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 1193**.

The above-numbered enrolled measure was referred to the Governor.

GENERAL ORDER

SB 1574 by Laughlin of the Senate and Blackwell of the House was called up for consideration.

Senator Laughlin moved to amend **SB 1574**, 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 Laughlin moved that **SB 1574** be advanced, which motion was declared adopted.

THIRD READING

SB 1574 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, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1574 was referred for engrossment.

GENERAL ORDER

SB 1647 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 1647** be advanced, which motion was declared adopted.

THIRD READING

SB 1647 was read for the third time at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Cain, Coates, Coffee, Crain, Ford, Garrison, Gumm, Hobson, Johnson (M), Jolley, Lamb, Mazzei, Myers, Reynolds, Riley, Shurden, Wilcoxson, Williamson and Wyrick.--25.

Nay: Bass, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Harrison, Johnson (C), Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Morgan, Nichols, Paddack, Rabon and Wilson.--20.

Excused: Pruitt and Taylor.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1647 was referred for engrossment.

GENERAL ORDER

SB 1840 by Johnson (Constance) of the Senate and Shumate of the House was called up for consideration.

Senator Johnson (Constance) moved that **SB 1840** be advanced, which motion was declared adopted.

THIRD READING

SB 1840 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, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Justice, Laster, Lawler, Leftwich, Lerblance, Morgan, Myers, Paddack, Rabon, Shurden, Wilson and Wyrick.--33.

Nay: Bass, Brogdon, Johnson (M), Jolley, Lamb, Laughlin, Mazzei, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--13.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1840 was referred for engrossment.

GENERAL ORDER

SB 2046 by Wyrick of the Senate and Roan of the House was called up for consideration.

Senator Wyrick moved that **SB 2046** be advanced, which motion was declared adopted.

THIRD READING

SB 2046 was read for the third time at length.

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

Aye: Bass, Cain, Capps, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Leftwich, Lerblance, Morgan, Myers, Paddack, Rabon, Wilson and Wyrick.--23.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Lawler, Mazzei, Nichols, Pruitt, Reynolds, Riley, Shurden, Wilcoxson and Williamson.--22.

Excused: Adelson and Taylor.--2.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Wyrick served notice that the vote be reconsidered whereby **SB 2046** failed.

GENERAL ORDER

SB 2021 by Pruitt of the Senate and Trebilcock of the House was called up for consideration.

Senator Pruitt moved that **SB 2021** be advanced, which motion was declared adopted.

THIRD READING

SB 2021 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, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Adelson and Taylor.--2.

Vacancy: District 38.--1.

The bill passed.

SB 2021 was referred for engrossment.

Senator Fisher moved that the Senate recess until 3:00 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Gumm presiding.

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1288 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

GENERAL ORDER

SB 2039 by Lamb of the Senate and Sullivan of the House was called up for consideration.

Senator Lamb moved that **SB 2039** be advanced, which motion was declared adopted.

THIRD READING

SB 2039 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, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 2039 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SB 1288**.

The above-numbered enrolled measure was referred to the Governor.

GENERAL ORDER

SB 1045 by Shurden et al of the Senate and Smithson of the House was called up for consideration.

Senator Shurden moved to amend **SB 1045**, 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 Shurden moved that **SB 1045** be advanced, which motion was declared adopted.

THIRD READING

SB 1045 was read for the third time at length.

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

Aye: Adelson, Bass, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Rabon, Reynolds, Shurden, Wilson and Wyrick.--30.

Nay: Aldridge, Anderson, Barrington, Branan, Coffee, Harrison, Johnson (M), Jolley, Justice, Lawler, Nichols, Paddack, Pruitt, Riley, Wilcoxson and Williamson.--16.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1045 was referred for engrossment.

GENERAL ORDER

SB 1603 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved to amend **SB 1603**, Page 3, Lines 21 and 22, by deleting all language after the second word “a” on Line 21 through the first word “section” on Line 22 and inserting in lieu thereof the words “notice of request”; and Page 3, Line 22, by inserting after the second word “section” and before the second comma the words “by failing to provide the required information and statement”, which amendment was declared adopted.

Senator Crain moved to amend **SB 1603**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Crain moved that **SB 1603** be advanced, which motion was declared adopted.

THIRD READING

SB 1603 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, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1603 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Corn moved to reconsider the vote whereby **SB 1032** failed, which motion failed of adoption upon roll call as follows:

Aye: Adelson, Bass, Cain, Capps, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Wilson and Wyrick.--24.

Nay: Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Crain, Ford, Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--22.

Excused: Taylor.--1.

Vacancy: District 38.--1.

MOTION TO RECONSIDER VOTE

Senator Cain moved to reconsider the vote whereby **SB 1387** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Bass, Branan, 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, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--41.

Nay: Aldridge, Anderson, Barrington, Brogdon and Nichols.--5.

Excused: Taylor.--1.

Vacancy: District 38.--1.

THIRD READING

Senator Cain moved to reconsider the vote whereby **SB 1387** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 1387 by Cain and Johnson (Constance) of the Senate and McDaniel of the House was called up for further consideration.

Senator Ford moved to amend **SB 1387**, Page 1, Line 23, by deleting after the word “shall” and before the word “that” the words “require, as a condition of accreditation,” and inserting in lieu thereof the word “recommend”, which amendment was declared adopted.

Senator Cain moved that **SB 1387** be advanced, which motion was declared adopted.

THIRD READING

SB 1387 was read for the third time at length.

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

Aye: Adelson, Aldridge, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Shurden, Williamson, Wilson and Wyrick.--37.

Nay: Anderson, Barrington, Bass, Brogdon, Justice, Mazzei, Pruitt, Riley and Wilcoxson.--9.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1387 was referred for engrossment.

GENERAL ORDER

SB 1507 by Myers of the Senate and DePue of the House was called up for consideration.

Senator Myers moved to amend **SB 1507**, Page 2, Line 1/2, by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1839.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Oklahoma Department of Tourism and Recreation is hereby directed to enter into a cooperative agreement with all companies which own passenger rail service, as defined by Section 66-323 of Title 66 of the Oklahoma Statutes, for the purpose of assisting in the development and promotion of tourism in Oklahoma.”, and by renumbering subsequent section, which amendment was declared adopted.

Senator Myers moved that **SB 1507** be advanced, which motion was declared adopted.

THIRD READING

SB 1507 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, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1507 was referred for engrossment.

GENERAL ORDER

SB 1468 by Paddack of the Senate and Nations of the House was called up for consideration.

Senator Paddack moved that **SB 1468** be advanced, which motion was declared adopted.

THIRD READING

SB 1468 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, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, 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, Wilson and Wyrick.--41.

Nay: Brogdon, Eason McIntyre, Pruitt, Wilcoxson and Williamson.--5.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1468 was referred for engrossment.

GENERAL ORDER

SB 1707 by Myers of the Senate and Duncan of the House was called up for consideration.

Senator Myers moved that **SB 1707** be advanced, which motion was declared adopted.

THIRD READING

SB 1707 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, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

SB 1707 was referred for engrossment.

GENERAL ORDER

SB 1972 by Crain of the Senate and Sullivan of the House was called up for consideration.

Senator Crain moved that **SB 1972** be advanced, which motion was declared adopted.

THIRD READING

SB 1972 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, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Coffee and Taylor.--2.

Vacancy: District 38.--1.

The bill passed.

SB 1972 was referred for engrossment.

GENERAL ORDER

SB 1929 by Myers of the Senate and Newport of the House was called up for consideration.

Senator Corn moved to amend **SB 1929**, Page 1, Line 12 ½, by inserting new Sections 1, 2 and 3 to read as follows:

“SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Sections 1 through 3 of this act shall be known and may be cited as “David Jaggers Law”.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-403.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

Any person convicted of, or who pleads guilty to, a traffic violation for failure to yield a right-of-way and who causes a fatality or serious bodily injury as a result of such violation may, in addition to any other fine or penalty, be assessed a fee in an amount not exceeding One Thousand Dollars (\$1,000.00) to be deposited in the Motorcycle Safety and Drunk Driving Awareness Fund established in Section 3 of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-403.2 of Title 47, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a fund for the Department of Public Safety to be designated the Motorcycle Safety and Drunk Driving Awareness Fund. The fund shall be subject to legislative appropriations and shall consist of assessments collected pursuant to Section 2 of this act. The monies of this fund shall be used to promote public awareness of the dangers of driving while under the influence of alcohol or any controlled substance and to promote motorcycle safety and defensive driving for youth.”, and by renumbering subsequent sections and by amending the title to conform, which amendment was declared adopted.

Senator Myers moved that **SB 1929** be advanced, which motion was declared adopted.

THIRD READING

SB 1929 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, Paddock, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

SB 1929 was referred for engrossment.

NOTIFICATION OF ELECTRONIC AVAILABILITY

Pursuant to Senate Rule 5-7(B.2), Senator Fisher made notification that the electronic copies of the floor substitutes to **SBs 876** and **1832** were available to Senate members.

EXECUTIVE NOMINATIONS

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

Ashton, Mark, Lawton, as a member of the Oklahoma Human Rights Commission - 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

Cole, Joe, Edmond, as a member of the Board of Regents for Rose State College - Education

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

McArtor, Keith Overton, Tulsa, as a member of the Oklahoma Human Rights Commission - Human Resources

Rainbolt, Leslie, Oklahoma City, as a member of the Board of Regents of the University of Oklahoma - Education

Scott, Stephen, Mangum, as a member of the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park - Education

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 14, 2006, at 10:30 a.m., which motion prevailed.

SECOND READING

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

HB 2163 – Direct To Calendar

HB 2164 – Direct To Calendar

HB 2165 – Direct To Calendar

HB 2166 – Direct To Calendar

HB 2167 – Direct To Calendar

HB 2168 – Direct To Calendar

HB 2169 – Direct To Calendar
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HB 2236 – Direct To Calendar
HB 2237 – Direct To Calendar
HB 2353 – Direct To Calendar

FIRST READING

The following were introduced and read the first time:

SR 71 – By Lerblance.

A Resolution thanking firefighters for their efforts during the recent drought and resulting fires; and directing distribution.

SR 72 – By Morgan.

A Resolution commending the Oklahoma Alliance of Boys & Girls Clubs; designating March 29, 2006, “Oklahoma Alliance of Boys & Girls Clubs Day”; and directing distribution.

SR 73 – By Jolley.

A Resolution commending American Mothers, Inc., and the Oklahoma Mothers Association; congratulating Cynthia Collins-Clark upon her selection as Oklahoma Mother of the Year 2006; and directing distribution.

SR 74 – By Branan.

A Resolution commending the Oklahoma Association of American Mothers, Inc.; congratulating Connell Branan upon her selection as Oklahoma Association of American Mothers, Inc., 2006 Young Mother of the Year; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 3:45 p.m. to meet Tuesday, March 14, 2006, at 10:30 a.m.