

# Senate Journal

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

Forty-first Legislative Day, Thursday, April 20, 2006

The Senate was called to order by Senator Leftwich.

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 Leftwich declared a quorum present.

The prayer was offered by Reverend Randy Southerland, New Hope Baptist Church, Duncan, the guest of Senator Lawler.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 2147, 2175, 2177, 2421, 2461, 2480, 2490, 2512, 2535, 2541, 2552, 2554, 2559, 2598, 2609, 2612, 2653, 2655, 2699, 2813, 3019, 3020 and 3116 and HJRs 1010 and 1042** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 1355, 1637, 1803, 1860, 1897 and 1929** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SCR 49** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 96** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

#### **MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 1593** - coauthored by Askins of the House  
**SB 1749**

The above-numbered measures were referred for enrollment.

#### **UNANIMOUS CONSENT REQUEST CONFERENCE RESCINDED**

Senator Fisher asked unanimous consent, which was granted, that the Senate rescind the granting of conference on **HB 2690**.

#### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Capps asked unanimous consent to suspend Rule 5-4 and refer **HCR 1062** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**HCR 1062** by Braddock of the House and Capps of the Senate was called up for consideration.

**HCR 1062** was adopted upon motion of Senator Capps and properly signed and ordered returned to the Honorable House.

#### **GENERAL ORDER**

**HB 2906** by Peterson (Ron) and Rousselot of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 2906** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2906** 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.

**HB 2906** was referred for engrossment.

**GENERAL ORDER**

**HB 2749** by Thompson of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 2749** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2749** 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.

**HB 2749** was referred for engrossment.

### **PENDING CONSIDERATION OF HAS**

**HAs to SB 1826** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

### **GENERAL ORDER**

**HB 3079** by Billy et al of the House and Gumm of the Senate was called up for consideration.

Senator Johnson (Constance) asked to coauthor **HB 3079**, which was the order.

Senator Gumm moved that **HB 3079** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 3079** was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, Branan, Brogdon, Cain, 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, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Aldridge and Riley.--2.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 3079** was referred for engrossment.

**GENERAL ORDER**

**HB 2139** by DePue et al of the House and Garrison and Bass of the Senate was called up for consideration.

Senator Garrison moved that **HB 2139** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2139** 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, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Riley, Shurden, Williamson, Wilson and Wyrick.--40.

Nay: Branan, Brogdon, Jolley, Lamb, Reynolds and Wilcoxson.--6.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2139** was properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2561** by Peters et al of the House and Paddack of the Senate was called up for consideration.

Senator Paddack moved that **HB 2561** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2561** 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.

Pursuant to Rule 12-23, Senator Paddack served notice that the vote be reconsidered whereby **HB 2561** passed.

### **GENERAL ORDER**

**HB 2844** by Steele et al of the House and Adelson and Leftwich of the Senate was called up for consideration.

Senator Lawler asked to coauthor **HB 2844**, which was the order.

Senator Adelson moved that **HB 2844** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2844** was read for the third time at length.

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

Aye: Adelson, Anderson, Bass, Branan, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Laster, Lawler, Leftwich, Lerblance, Morgan, Nichols, Rabon, Reynolds, Shurden, Wilson and Wyrick.--30.

Nay: Aldridge, Barrington, Brogdon, Coffee, Ford, Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Paddack, Pruitt, Riley, Wilcoxson and Williamson.--16.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill passed.

**HB 2844** was referred for engrossment.

### **GENERAL ORDER**

**HB 2980** by Jett of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 2980** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2980** was read for the third time at length.

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

Aye: Adelson, Anderson, Barrington, Bass, 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, Shurden, Wilson and Wyrick.-38.

Nay: Aldridge, Branan, Brogdon, Nichols, Reynolds, Riley, Wilcoxson and Williamson.--8.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2980** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later:

**HB 2097**  
**HB 2472**  
**HB 2522**  
**HB 2589**  
**HB 2662**

**HB 2822****HB 2882****GENERAL ORDER**

**HB 2376** by Shoemake et al of the House and Garrison of the Senate was called up for consideration.

Senator Garrison moved that **HB 2376** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2376** 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, 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: Corn and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2376** was referred for engrossment.

**Senator Corn presiding.**

**GENERAL ORDER**

**HB 2563** by Jackson and Walker of the House and Wilson of the Senate was called up for consideration.

Senator Wilson moved to amend **HB 2563**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Wyrick moved to amend **HB 2563**, Page 2, Lines 5 through 14, by deleting all language after the word “section” on Line 5 through the word “person” on Line 14; Page 2, Line 14, by inserting after the period the words “Provided, however, in all cases, youth under sixteen (16) years of age must possess hunter education certification to hunt big game.”; Page 3, Lines 5 through 7, by deleting all language after the period on Line 5 through the period on Line 7, and by amending the title to conform, which amendment was declared adopted.

Senator Wilson moved that **HB 2563** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2563** was read for the third time at length.

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

Aye: Cain, Capps, Eason McIntyre, Garrison, Harrison, Hobson, Lawler, Leftwich, Lerblance, Morgan, Wilson and Wyrick.--12.

Nay: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Gumm, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson and Williamson.--33.

Excused: Fisher and Taylor.--2.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Wilson served notice that the vote be reconsidered whereby **HB 2563** failed.

### **PENDING SENATE ACTION HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on **HBs 2097, 2472, 2522, 2589, 2662, 2822 and 2882** was ordered granted and Senate conferees to be named later.

**GENERAL ORDER**

**HB 2983** by Ingmire et al of the House and Garrison of the Senate was called up for consideration.

Senator Garrison moved that **HB 2983** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2983** 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, Barrington, Bass, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Justice, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Riley, Shurden, Wilson and Wyrick.--32.

Nay: Anderson, Branan, Brogdon, Coffee, Jolley, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Wilcoxson and Williamson.--14.

Excused: Taylor.--1.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2983** was referred for engrossment.

**GENERAL ORDER**

**HB 2955** by Hickman et al of the House and Laughlin of the Senate was called up for consideration.

Senator Laughlin moved that **HB 2955** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2955** 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.

**HB 2955** was referred for engrossment.

### **GENERAL ORDER**

**HB 2691** by Adkins of the House and Lamb of the Senate was called up for consideration.

Senator Lamb moved that **HB 2691** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2691** 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.

**HB 2691** was referred for engrossment.

**GENERAL ORDER**

**HJR 1058** by Wesselhoft et al of the House and Leftwich of the Senate was called up for consideration.

Senator Leftwich moved to amend **HJR 1058**, Page 2, Line 8, by deleting all language and by inserting the words, “2. Permanent disability and be in receipt of disability compensation at equal to or greater than fifty percent,”; Page 2, Line 14, by inserting after the word “disability” the word “compensation”; and Page 3, Lines 9 and 10, by deleting after the word “be” on Line 9 the words “more than” and by inserting on Line 10 after the word “percent” and before the word “disabled”, the words “or more”, which amendment was declared adopted.

Senator Leftwich moved that **HJR 1058** be advanced, which motion was declared adopted.

**THIRD READING**

**HJR 1058** 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, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Riley and Taylor.--2.

Vacancy: District 38.--1.

The resolution passed.

**HJR 1058** was referred for engrossment.

**Senator Adelson presiding.**

**GENERAL ORDER**

**HB 2513** by Terrill and Nance of the House and Crain of the Senate was called up for consideration.

Senator Crain moved to amend **HB 2513**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Crain moved that **HB 2513** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2513** 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, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Williamson and Wyrick.--43.

Nay: Lerblance and Wilson.--2.

Excused: Taylor and Wilcoxson.--2.

Vacancy: District 38.--1.

The bill passed.

**HB 2513** was referred for engrossment.

### **GENERAL ORDER**

**HB 2628** by Pruett et al of the House and Rabon of the Senate was called up for consideration.

Senator Rabon moved to amend **HB 2628**, Page 5, Lines 14 through 17, by restoring the stricken language after the period on Line 14 through the word "or" on Line 17.

Senator Rabon asked that **HB 2628** be laid over for this legislative day, which was the order.

**HB 2628** remains on General Order pending consideration of the Rabon amendment.

## GENERAL ORDER

**HB 2984** by Jett et al of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved to amend **HB 2984**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Lawler moved to amend **HB 2984**, Page 8, Line 13 ½, by inserting a new Section 4 to read as follows:

SECTION 4. AMENDATORY 21 O.S. 2001, Section 1835, is amended to read as follows:

"Section 21-1835. A. Except as otherwise provided by law, whoever ~~Whoever~~ shall willfully or maliciously enter the ~~garden, yard, pasture or field~~ property of another ~~after being expressly forbidden to do so or~~ without permission by the owner or lawful occupant thereof ~~when such property is posted~~ shall be deemed guilty of trespass and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Fifty Dollars (\$250.00); ~~provided, that this~~ This provision shall not apply to peace officers as defined in Section 99 of this title, fire fighters and emergency medical personnel, or any federal, state, or local government employees or public utility employees engaged in addressing an emergency that presents an imminent danger to health, safety, or the environment, in the performance of their duties.

B. The following persons may enter the property of another unless forbidden to do so, either orally or in writing, by the owner or lawful occupier thereof: registered land surveyors and registered professional engineers for the purpose of land surveying in the performance of their professional services; utility employees or contractors while acting in the scope of their employment; persons in the sole process of retrieving their domestic livestock or other animals; persons making a delivery, selling a product or service, conducting a survey or poll, working on behalf of a candidate for political office, or who otherwise have a legitimate reason for entering and who, immediately upon entering, seek to conduct said business. ; and, provided further, that anyone

C. Anyone who willfully or maliciously enters any such property ~~garden, yard, pasture or field~~, and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or both such fine and imprisonment. ~~For purposes of this section, "posted" means exhibiting signs to read as follows: "PROPERTY RESTRICTED"; "POSTED - KEEP OUT"; "KEEP OUT"; "NO TRESPASSING"; or similar signs which are displayed. Property that is fenced or not fenced must have such signs placed conspicuously and at all places where entry to the property is normally expected.~~

B.D. No provisions of this act shall ~~conflict with~~ prohibit acts that are permitted pursuant to Section 5-202 or 6-304 of Title 29 of the Oklahoma Statutes.

C. ~~Whoever shall willfully enter the pecan grove of another without the prior consent of the owner or occupant thereof to so do shall be deemed guilty of trespass and upon~~

~~conviction thereof shall be fined in any sum not to exceed Twenty-five Dollars (\$25.00); provided, that anyone who willfully enters any such pecan grove and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment.~~

~~D. E.~~ Whoever shall willfully or maliciously enter upon property owned or managed by the Grand River Dam Authority without permission when such property is posted shall be deemed guilty of misdemeanor trespass and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Fifty Dollars (\$250.00); provided, that this provision shall not apply to registered land surveyors and registered professional engineers for the purpose of land surveying in the performance of their professional services; and, provided further, that anyone who willfully or maliciously enters upon property owned or managed by the Grand River Dam Authority without permission and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of misdemeanor trespass, and upon conviction thereof shall be fined in any sum not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or both such fine and imprisonment. For purposes of this section, "posted" means exhibiting signs to read as follows: "PROPERTY RESTRICTED"; "POSTED - KEEP OUT"; "KEEP OUT"; "NO TRESPASSING"; or similar signs which are displayed. Property that is fenced or not fenced must have such signs placed conspicuously and at all places where entry to the property is normally expected.

F. It shall be an affirmative defense to prosecution under this section that the accused had express or implied permission or legal authority to be on the property.", and by renumbering subsequent section and by amending the title to conform.

Senator Shurden asked that **HB 2984** be laid over for this legislative day, which was the order.

**HB 2984** remains on General Order pending consideration of the Lawler amendment.

## **GENERAL ORDER**

**HB 2362** by Banz et al of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2362** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 2362** 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, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Pruitt and Taylor.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 2362** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Brogdon moved to reconsider the vote whereby **HB 2587** passed.

Senator Rabon moved to table the Brogdon motion, which tabling motion was declared adopted.

**HB 2587** was referred for engrossment.

### **GENERAL ORDER**

**HB 2999** by Winchester et al of the House and Johnson (Mike) of the Senate was called up for consideration.

Senator Johnson (Mike) moved that **HB 2999** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2999** 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, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Pruitt, Shurden and Taylor.--3.

Vacancy: District 38.--1.

The bill passed.

**HB 2999** was referred for engrossment.

### **GENERAL ORDER**

**HB 2756** by Blackwell and Dank of the House and Laughlin of the Senate was called up for consideration.

Senator Laughlin moved that **HB 2756** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2756** 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, 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, Rabon, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Corn, Morgan, Pruitt, Shurden and Taylor.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Laughlin served notice that the vote be reconsidered whereby **HB 2756** passed.

**MESSAGE FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2102, 2363, 2375, 2465, 2591, 2796, 2865** and **2934**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 2763** by Roggow et al of the House and Anderson of the Senate was called up for consideration.

Senator Anderson moved that **HB 2763** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2763** 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, 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, Wilcoxson, Williamson, Wilson and Wyrick.--41.

Nay: Brogdon and Reynolds.--2.

Excused: Corn, Pruitt, Shurden and Taylor.--4.

Vacancy: District 38.--1.

The bill passed.

**HB 2763** was referred for engrossment.

**GENERAL ORDER**

**HB 1231** by Young et al of the House and Johnson (Mike) of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 1231**, Page 4, Line 7, by inserting after the period and before the word “As” the following language “Any parent or other person convicted of child sexual abuse subsequent to a previous conviction for child sexual abuse shall be punished by death or by imprisonment for life without parole.”; and Page 4, Line 10, by inserting after the word “another” and before the period the words “regardless of whether the perpetrator is a person responsible for the child’s health, safety or welfare”, which amendment was declared adopted upon division of the question.

Senator Johnson (Mike) moved that **HB 1231** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1231** 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, Capps, Coates, Coffee, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Wilcoxson, Williamson and Wyrick.--37.

Nay: Cain, Eason McIntyre, Hobson, Johnson (C) and Wilson.--5.

Excused: Brogdon, Corn, Pruitt, Shurden and Taylor.--5.

Vacancy: District 38.--1.

The bill passed.

**HB 1231** was referred for engrossment.

### **GENERAL ORDER**

**HB 1757** by Miller (Doug) of the House and Justice of the Senate was called up for consideration.

Senator Justice moved that **HB 1757** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1757** 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, 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, Rabon, Reynolds, Riley, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Brogdon, Corn, Pruitt, Shurden and Taylor.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

**HB 1757** was referred for engrossment.

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

Advising passage of and returning the following Engrossed bills:

**SB 1640** - coauthored by Cooksey, DePue, Duncan, Jackson, Shelton, Terrill, Tibbs and Wesselhoft of the House

**SB 1741**

The above-numbered measures were referred for enrollment.

Advising the signing of and returning Enrolled **SCR 49**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 1355, 1637, 1803, 1860, 1897** and **1929**.

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

Advising passage of and transmitting for consideration Engrossed **HCR 1063**.

**HCR 1063** – By Jones, Dorman, Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, DePue, DeWitt, Denney, Deutschendorf, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hiett, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Kern, Kiesel, Lamons,

Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright and Young of the House and Shurden of the Senate.

A Concurrent Resolution recognizing Cowboy Poetry in the State of Oklahoma; and designating "Cowboy Poetry Week" in the State of Oklahoma.

The above-numbered measure was read the first time.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later:

**HB 2454**  
**HB 2529**  
**HB 2597**  
**HB 2611**  
**HB 2793**  
**HB 2794**

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 1672** - Calvey, Rousselot, Terrill, Adkins, Liotta and Dorman  
**SB 1793** - Richardson, Blackwell, Turner, Duncan, Roan and Trebilcock

Advising naming of House conferees to Engrossed:

**HB 2393** - Terrill, Calvey, Rousselot, Nance, Morrisette and Liotta  
**HB 2585** - Duncan, Nance, Lamons, Terrill, Glenn and Trebilcock  
**HB 2588** - Duncan, Perry, Thompson, DePue, Liebmann, Liotta, Plunk, Hilliard and Pruett  
**HB 2904** - Miller (Ken), Calvey, Rouselot, Cargill, Askins, Balkman and Liotta

Advising rescinding rejection of **SAs** to **HB 2690**.

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

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

**SB 806** - coauthored by Shelton of the House

**SB 876** - coauthored by Thompson of the House

**SB 1346**

**SB 1394** - coauthored by Shelton, Peterson (Pam), Wright, Steele, Hickman, Glenn, McDaniel, Staggs, Lindley, Denney, Jackson and Shumate of the House

**SB 1400** - coauthored by Terrill, Dank, Nance, Adkins, Tibbs and Coody of the House

**SB 1444** - coauthored by Auffet, Brannon, DePue, DeWitt, Dorman, Duncan, Glenn, Hilliard, Martin, McMullen, Pruett, Richardson, Rousselot, Shoemake and Smithson of the House, remove Wyrick and substitute Lerblance as principal Senate author

**SB 1481**

**SB 1579**

**SB 1628** - coauthored by Shelton of the House

**SB 1655** - coauthored by Terrill, Calvey, Dank, Dorman, Adkins, and DePue of the House

**SB 1737** - coauthored by Nations, Trebilcock and Walker of the House

**SB 1752**

**SB 1765** - coauthored by Blackwell, Askins, Kiesel, Nance, Case, Roan, Tibbs and Bengé of the House

**SB 1795** - coauthored by Brown of the House

**SB 1842**

**SB 1934**

**SB 1956**

**SB 1965**

**SB 2019** - coauthored by Terrill of the House, remove Coffee as Senate coauthor

**SB 2039** - coauthored by Roan, Smithson, Lamons, Brannon and Brown of the House

House amendments were read on the above-numbered bills.

**EXECUTIVE NOMINATIONS**

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

Dzialo, Linda, Ph.D, Lawton, as a member of the Oklahoma Lottery Commission Board of Trustees - Finance

Gunkel, Renee Walker, Altus, as a member of the Board of Regents of Western Oklahoma State College - Education

Lair, Suzanne R., Tulsa, as a member of the Oklahoma Educational Television Authority - Education

Shipley, D. R., Tecumseh, as a member of the Oklahoma Development Finance Authority - Commerce

Shipley, D. R., Tecumseh, as a member of the Oklahoma Industrial Finance Authority - Commerce

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

**BILLS RELEASED  
TIME EXPIRED TO RECONSIDER**

**HB 2397** was referred for engrossment.

**HB 3085** was properly signed and ordered returned to the Honorable House.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **HB 2499** failed.

Senator Rabon moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 24, 2006, at 10:00 a.m., which motion prevailed.

Pursuant to the Rabon motion, the Senate adjourned at 11:30 a.m. to meet Monday, April 24, 2006, at 10:00 a.m.