

Senate Journal

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

Fifty-first Legislative Day, Wednesday, May 10, 2006

The Senate was called to order by Senator Gumm.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntryre, Fisher, Ford, Garrison, Gumm, Harrison, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.—44.

Excused: Cain, Hobson and Pruitt.—3.

Vacancy: District 38.—1.

Senator Gumm declared a quorum present.

The prayer was offered by Reverend Michael Seabaugh, First Baptist Church, Ponca City, the guest of Senator Myers.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 876, 1291 and 1697 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 50 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 104 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

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

- SB 511** - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 558 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 559 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 752 - Wright, Reynolds, Brannon, Auffet, Benge, Staggs, Smaligo and Young
SB 1076 - Wright, Wesselhoft, Eddins, Harrison, Smaligo, Miller (Doug), Reynolds and Sweeden
SB 1337 - Thompson, Case, Liebmann, Armes, Walker, Glenn and Liotta
SB 1357 - Roggow, DeWitt, Richardson, Armes, Glenn and Roan
SB 1406 - Adkins, Bingman, Lamons, Morgan (Danny), Peterson (Ron) and Roggow
SB 1463 - Glenn, Roggow, Duncan, Adkins, Covey, DeWitt, Morgan (Danny), Shoemake, Thompson, Walker, Wilt and Newport
SB 1481 - Roggow, DeWitt, Richardson, Armes, Glenn and Roan
SB 1492 - Dank, Coody, Jones, McDaniel and Harrison
SB 1493 - Dank, Coody, Jones, McDaniel and Shumate
SB 1500 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 1529 - Newport, Calvey, Rousselot, Steele, Liotta and Pruett
SB 1597 - Harrison, Dank, Coody, DeWitt, Jones and Shelton
SB 1598 - Morgan (Fred), Piatt, Denney, Nance, Miller (Doug), Smaligo, Pruett, Walker and McCarter
SB 1613 - Liebmann, Tibbs, Hickman, Bingman, Smaligo, Mass and Plunk
SB 1628 - Shumate, Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 1663 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 1686 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport
SB 1701 - Case, Wilt, Worthen, Nance, Blackwell, Turner, Dorman and Newport
SB 1709 - Smithson, Nance, Lamons, Sullivan and Trebilcock
SB 1716 - Morgan (Fred), Johnson, Harrison, Askins, Braddock, Trebilcock, Miller (Doug) and Cargill
SB 1748 - Ingmire, Piatt, Denney, Carey, Kiesel and Smaligo
SB 1816 - Johnson, Morgan (Fred), Trebilcock, Miller (Doug), Sherrer and Askins
SB 1831 - Peters, Billy, Carey, Hamilton, Hilliard, Jackson, Steele and Newport
SB 1894 - Benge, Reynolds, Brannon, Auffet, Staggs, Wright, Young and Smaligo
SB 1917 - McCarter, Calvey, Rousselot, Wesselhoft, Plunk and Liotta
SB 1919 - Shumate, Miller (Doug), Brown, Denney, Roggow and Cooksey
SB 1951 - Brannon, Blackwell, Turner, Ingmire, Case and Trebilcock
SB 1964 - Blackwell, Turner, Duncan, Kiesel, Trebilcock and Perry

Advising naming House conferees on Engrossed:

- HB 1313** - Johnson, Peterson (Ron), Terrill, Newport, Hilliard and Dorman

HB 1493 - Morgan (Fred), Johnson, Sullivan, Trebilcock, Askins, Miller (Doug), Braddock, Wilt and Sherrer

HB 1646 - Winchester, Dank, Coody, Hilliard, Staggs and Jones

HB 1672 - Nations, DeWitt, Richardson, Lamons, Carey, Denney, Roggow and Cooksey

HB 1757 - Miller (Doug), Brown, Roggow, DeWitt, Roan and Wilt

HB 2367 - Kern, Dank, Coody, Jones and Staggs

HB 2514 - Young, Reynolds, Brannon, Wright, Staggs, Johnson, Liotta and Smaligo

HB 2577 - Jones, Kern, Brannon, Dank, Denney, Deutschendorf, Ingmire, McCarter, Nations, Peterson (Pam), Shumate and Newport

HB 2609 - Case, Blackwell, Turner, Ingmire, Banz, Glenn, Askins and Trebilcock

HB 2612 - Case, Liebmann, Ingmire, Nance, Carey, Lamons and Liotta

HB 2655 - Winchester, Steele, Cox, Dank, Coody, Brannon, Pruett, Newport and Glenn

HB 2766 - Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Shoemake, Thompson, Walker, Wilt and Newport

HB 2935 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot and Newport

HB 2960 - GCCA

HB 2982 - Jett, Miller (Doug), Brown, Roggow, Shoemake and Bingman

HB 3024 - Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Shoemake, Thompson, Walker, Wilt and Newport

PENDING CONSIDERATION OF HAS

HAs to **SB 1219** were concurred in upon motion of Senator Rabon.

SB 1219, 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--41.

Excused: Cain, Hobson, Mazzei, Morgan, Pruitt and Taylor.--6.

Vacancy: District 38.--1.

The bill and emergency passed.

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

PENDING CONSIDERATION OF HAS

HAs to SBs 1412, 1455, 1549 and 1579 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

PENDING CONSIDERATION OF HAS

HAs to SB 1091 were concurred in upon motion of Senator Adelson.

SB 1091, as amended by the Honorable House, was read 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, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson and Wyrick.--42.

Excused: Cain, Hobson, Morgan, Pruitt and Wilson.--5.

Vacancy: District 38.--1.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1877 were concurred in upon motion of Senator Rabon.

SB 1877, as amended by the Honorable House, was read 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, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Cain, Hobson, Morgan, Pruitt and Taylor.--5.

Vacancy: District 38.--1.

The bill passed.

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

PENDING CONSIDERATION OF HAS

HAs to SB 1624 were concurred in upon motion of Senator Lamb.

SB 1624, 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Excused: Cain, Hobson, Morgan and Pruitt.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

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

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Shurden asked unanimous consent to suspend Rule 5-4 and refer **SR 105** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 105 by Shurden was called up for consideration.

All other members of the Senate asked to coauthor **SR 105**, which was the order.

SR 105 was adopted upon motion of Senator Shurden and referred for enrollment.

FIRST READING

The following were introduced and read the first time:

SCR 53 – By Shurden of the Senate and Shoemake and Turner of the House.

A Concurrent Resolution praising Troy Aikman's football career; congratulating him upon his forthcoming induction into the Professional Football Hall of Fame; and directing distribution.

SR 106 – By Jolley.

A Resolution mourning the passing of Dr. Warren M. Angell; offering condolences; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Jolley asked unanimous consent to suspend Rule 5-4 and refer **SR 106** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 106 by Jolley was called up for consideration.

All other members of the Senate asked to coauthor **SR 106**, which was the order.

SR 106 was adopted upon motion of Senator Jolley and referred for enrollment.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 50**.

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

Advising fourth reading of and returning Enrolled **SBs 876, 1291 and 1697**.

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

Advising fourth reading of and transmitting for signature Enrolled **HBs 2910 and 2911**.

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

Advising conference granted on Engrossed **SB 756** and naming House conferees as follows: Wilt, Worthen, Peterson (Ron), Morgan (Danny), Shumate and Roggow.

Advising change in House conferees as follows:

HB 2179 – remove GCCA and add Benge, Jones, Dank, Kern, Coody, McCarter and Brannon

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

SB 1346 - Sullivan, Morgan (Fred), Johnson, Morrissette, Trebilcock and Braddock

SB 1435 - Sullivan Calvey, Rousselot, Liotta, Morrissette and Adkins

SB 1537 - Hilliard, Calvey, Rousselot, Denney, Liotta and Adkins

SB 1587 - Hilliard, Calvey, Rousselot, Denney, Liotta and Terrill

SB 1772 - Sullivan, Tibbs, Hickman, Liotta, Ellis, Gilbert and Smaligo

SB 1792 - Dank, Coody, Miller (Ken), Rousselot, McDaniel and Jones

SB 1910 - Hickman, Blackwell, Turner, DeWitt, Ellis and Trebilcock

Advising naming House conferees on Engrossed:

HB 2373 - Newport, Calvey, Rousselot, Liotta, Hickman and Roan

HB 2412 - Jackson, Case, Liebmann, Braddock, Coody, Deutschendorf, Armes, Walker and Liotta

HB 2704 - Hickman, DeWitt, Richardson, Ellis, Pruett and Roggow

HB 2763 - Roggow, Calvey, Rousselot, DeWitt, Armes, Hickman, Covey, Walker, Glenn and Liotta

HJR 1057 - Liotta, Tibbs, Hickman, Dorman, Ellis, Pruett and Smaligo

EXECUTIVE NOMINATIONS

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

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

Close, Bryan, Tulsa, as a member of the Alcoholic Beverage Laws Enforcement Commission – Judiciary

Fraley, George E., Chelsea, as a member of the Oklahoma Mining Commission - Energy and Environment

Galbraith, Peter Towne, Jr., Sapulpa, as a member of the Oklahoma Real Estate Commission - Business and Labor

Guest, David Allen, Edmond, as a member of the Commission on Marginally Producing Oil and Gas Wells - Energy and Environment

Halsey, Jim, Mounds, as a member of the Oklahoma Music Hall of Fame Board - Tourism and Wildlife

Harrel, Marilyn, Leedey, as a member of the State Board of Career and Technology Education – Education

Hill, Don, Claremore, as a member of the Physician Manpower Training Commission - Health and Human Resources

Jackson, Tom, Antlers, as a member of the State Board of Registration for Foresters - Agriculture and Rural Development

Kouri, Harry J. "Trey", III, Oklahoma City, as a member of the Alcoholic Beverage Laws Enforcement Commission – Judiciary

LaBrake, Dan, Broken Arrow, as a member of the Committee of Home Inspector Examiners - Business and Labor

Merrifield, Joe, Stillwater, as a member of the Oklahoma Board of Private Vocational Schools – Education

Meyer, Jim, Nichols Hills, as a member of the State Banking Board – Finance

Mitchel, Michael W., Alva, as a member of the State Board of Education – Education

Rainey, Rob, Edmond, as a member of the State Board of Corrections - General Government

Smith, Edward, Clinton, as a member of the Board of Juvenile Affairs - Health and Human Resources

Von Glahn, Bill, Tulsa, as a member of the Oklahoma Arts Council - Tourism and Wildlife

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, May 11, 2006, at 9:30 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SCR 54 – By Rabon of the Senate and Pruett of the House.

A Concurrent Resolution honoring the memory of war hero Hal LeFlore Gooding; offering condolences; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising his approval May 10, 2006, of Enrolled **SBs 806, 1467, 1594** and **1756**.

Pursuant to the Fisher motion, the Senate adjourned at 2:05 p.m. to meet Thursday, May 11, 2006, at 9:30 a.m.