

Senate Journal

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

Fifty-seventh Legislative Day, Friday, May 19, 2006

The Senate was called to order by Senator Corn.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.—45.

Excused: Pruitt, Riley and Taylor.—3.

Senator Corn declared a quorum present.

The prayer was offered by Reverend Todd Leatherman, Highland Park Christian Church, Tulsa, the guest of Senator Riley.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 56 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SBs 1086, 1088 and 1742 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGE FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCR 1069**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable House.

Advising passage of and transmitting for consideration Engrossed **HCR 1073**.

HCR 1073 – By Piatt, 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, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hielt, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, 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), 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 Crutchfield of the Senate.

A Concurrent Resolution commending the life of Enoch Watterson; designating circle drive; and directing distribution.

The above-numbered measure was read the first time.

PENDING CONSIDERATION OF HAS

HAs to **SB 324** were concurred in upon motion of Senator Coffee.

Senator Coates asked to coauthor **SB 324**, which was the order.

SB 324, 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, 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill passed.

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

FIRST READING

The following was introduced and read the first time:

SR 117 – By Mazzei.

A Resolution commending the Jenks Girls Golf Team for winning the 2006 Class 6A State Championship; congratulating them for their third consecutive victory; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Mazzei asked unanimous consent to suspend Rule 5-4 and refer **SR 117** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 117 by Mazzei was called up for consideration.

All other members of the Senate asked to coauthor **SR 117**, which was the order.

SR 117 was adopted upon motion of Senator Mazzei and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Crutchfield asked unanimous consent to suspend Rule 5-4 and refer **HCR 1072** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1072 by Hilliard et al of the House and Crutchfield of the Senate was called up for consideration.

All other members of the Senate, except Rabon, asked to coauthor **HCR 1072**, which was the order.

HCR 1072 was adopted upon motion of Senator Crutchfield and properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1076** was adopted upon motion of Senator Easley.

SB 1076, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--42.

Excused: Leftwich, Pruitt, Rabon, Riley, Taylor and Williamson.--6.

The bill passed.

SB 1076, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1793** was adopted upon motion of Senator Justice.

Senator Garrison asked to coauthor **SB 1793**, which was the order.

SB 1793, as amended in conference, 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill and emergency passed.

SB 1793, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to SB 1434 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

PENDING CONSIDERATION OF CCR

The **CCR on SB 1597** was adopted upon motion of Senator Laster.

SB 1597, as amended in conference, 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill and emergency passed.

SB 1597, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR on SB 1701** was adopted upon motion of Senator Shurden.

SB 1701, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, 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, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--43.

Excused: Leftwich, Pruitt, Riley, Taylor and Williamson.--5.

The bill passed.

SB 1701, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Fisher moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Corn presiding.

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

MESSAGES FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 1086, 1088** and **1742**.

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

Advising naming House conferees on Engrossed:

HB 2867 - Worthen, Smaligo, Martin, Auffet, Kiesel Piatt, Staggs and Young

HB 2955 - Hickman, Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Peterson (Ron), Shoemake, Walker and Wilt

HB 2999 - Winchester, Peters, Billy, Carey, Hamilton, Hilliard, Jackson and Steele

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

SB 1167 - Balkman, Cooksey, Brown, Cox, Eddins, Ellis, Tibbs and Newport

SB 1324 - Peters, Case, Liebmann, Liotta, Carey and Hilliard

SB 1397 - Sullivan, Armes, Covey, DeWitt, Roggow and Shoemake

SB 1675 - Armes, Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Peterson (Ron), Shoemake, Walker and Wilt

SB 1752 - Liotta, Roggow, Duncan, Adkins, Covey, DeWitt, Glenn, Morgan (Danny), Peterson (Ron), Shoemake, Walker and Wilt

SB 1850 - Denney, Steele, Cox, Billy, Newport, Brown, Sherrer and Glenn

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

HB 1757

HB 2412 - coauthored by Nance and Wright of the House

HB 2490 - coauthored by Billy of the House

HB 2585 - coauthored by Nance of the House

HB 2749

HB 2882 - coauthored by Wesselhoft of the House

HB 2929 - coauthored by Braddock of the House

Conference committee reports were read on the above-numbered bills.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1686** was adopted upon motion of Senator Lerblance.

Representatives Smithson and Brannon asked to coauthor **SB 1686**, which was the order.

SB 1686, as amended in conference, 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, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Lerblance, Mazzei, Myers, Nichols, Rabon, Reynolds, Schulz, Wilcoxson, Williamson, Wilson and Wyrick.--40.

Excused: Eason McIntyre, Leftwich, Morgan, Paddack, Pruitt, Riley, Shurden and Taylor.--8.

The bill and emergency passed.

SB 1686, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1842** was adopted upon motion of Senator Laster.

SB 1842, as amended in conference, 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, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Morgan, Pruitt, Riley and Taylor.--4.

The bill and emergency passed.

SB 1842, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Gumm presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1614** was adopted upon motion of Senator Lawler.

SB 1614, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, 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, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

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

The bill passed.

SB 1614, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 2812 – remove GCCA and add Johnson (Mike), Morgan, Crutchfield

MESSAGE FROM THE HOUSE

Advising rejection of **CCRs** to the following bills, requesting further conference and naming same House conferees as follows:

HB 2077 - Ellis, Walker, Jackson, Liotta, Roggow and Thompson

HB 2461 - Coody, Calvey, Rousselot, Liotta, Dorman and Adkins

HB 2462 - Coody, Calvey, Rousselot, Carey, Armes and Liotta

HB 2845 - Calvey, Rousselot, Terrill, Adkins, Liotta and Dorman

HB 2958 - Calvey, Rousselot, Terrill, Adkins, Liotta and Dorman

SB 1495 - Miller (Ken), Steele, Cox, Liebmann, Shelton, Askins and Newport

PENDING SENATE ACTION

HOUSE REQUEST FOR CONFERENCE

Upon motion of Senator Fisher, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

SB 1495 – Corn, Lamb, Leftwich

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, May 22, 2006, at 9:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 266

SB 1401

SB 1412

SB 1463

SB 1495 (2ND CCR)

SB 1496

SB 1748

SB 1894

SB 1919

SB 2017

FIRST READING

The following was introduced and read the first time:

SCR 57 – By Shurden of the Senate and Liotta of the House.

A Concurrent Resolution authorizing the use of interest on construction funds with respect to completed projects funded through the Oklahoma Capitol Improvement Authority Series 1999A Bonds for purposes of acquiring additional property and other improvements for the Lincoln Boulevard Renaissance Project.

Pursuant to the Fisher motion, the Senate adjourned at 11:35 a.m. to meet Monday, May 22, 2006, at 9:00 a.m.