

Senate Journal

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

Sixty-first Legislative Day, Thursday, May 25, 2006

The Senate was called to order by Senator Rabon.

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, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.—48.

Senator Rabon declared a quorum present.

The prayer was offered by Associate Pastor Brian Webster, The Bridge Assembly of God Church, Mustang, the guest of Senator Wilcoxson.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 54 was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SBs 1401, 1549, 1831, 1951 and 1974 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 120 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1782** was adopted upon motion of Senator Lerblance.

SB 1782, 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Aldridge, Harrison, Morgan and Pruitt.--4.

The bill and emergency passed.

SB 1782, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2587** was adopted upon motion of Senator Brogdon.

HB 2587, 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Excused: Aldridge, Corn, Harrison, Morgan and Pruitt.--5.

The bill and emergency passed.

HB 2587, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2793** was adopted upon motion of Senator Bass.

HB 2793, 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, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Nay: Brogdon and Lamb.--2.

Excused: Aldridge, Harrison, Morgan and Pruitt.--4.

The bill and emergency passed.

HB 2793, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1646** was adopted upon motion of Senator Justice.

HB 1646, 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, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Aldridge, Harrison, Morgan and Pruitt.--4.

The bill and emergency passed.

HB 1646, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1493** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: **GCCA**.

Senator Corn presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1587** was adopted upon motion of Senator Paddack.

SB 1587, 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, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Nay: Brogdon and Lamb.--2.

Excused: Aldridge, Harrison, Morgan and Pruitt.--4.

The bill and emergency passed.

SB 1587, 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 Rabon presiding.

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

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCR 54**.

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

Advising fourth reading of and returning Enrolled **SBs 1401, 1549, 1831, 1951** and **1974**.

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

Advising further conference granted and naming same House conferees on Engrossed:

SB 1493 - Dank, Coody, Jones, McDaniel and Shumate

**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 2367

HB 2487 (2ND CCR)

HB 2597 (2ND CCR), remove Miller (Doug) and substitute Piatt as principal House author

HB 2612

HB 2699

HB 2867

HB 2904

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

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Brogdon asked unanimous consent to suspend Rule 5-4 and refer **SR 121** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 121 by Brogdon was called up for consideration.

All other members of the Senate asked to coauthor **SR 121**, which was the order.

SR 121 was adopted upon motion of Senator Brogdon and referred for enrollment.

Senator Corn presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2905** was adopted upon motion of Senator Laster.

HB 2905, 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, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Anderson and Shurden.--2.

Excused: Capps, Coffee and Harrison.--3.

The bill and emergency passed.

HB 2905, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2628** was adopted upon motion of Senator Rabon.

Senators Gumm and Coates asked to coauthor **HB 2628**, which was the order.

HB 2628, 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, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Nay: Brogdon and Pruitt.--2.

Excused: Coffee and Harrison.--2.

The bill and emergency passed.

HB 2628, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1435** was adopted upon motion of Senator Crain.

SB 1435, 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, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Harrison and Johnson (C).--2.

The bill passed.

SB 1435, 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 Fisher presiding.

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

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 121 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**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 2842 - coauthored by Armes, Bingman, Cooksey, Dank, DePue, Duncan, Kern, Martin and Perry of the House

HB 2955 - coauthored by Harrison and Covey of the House

HB 2983

HB 3115 - coauthored by Balkman, Morrissette, Peters, Calvey, Lindley and Dank of the House

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

MESSAGE FROM THE HOUSE

Advising further conference granted and naming same House conferees on Engrossed:

SB 1606 - Liotta, Jett, Bingman, Dorman, Liebmann, Plunk and Rousselot

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

SB 1495 (2ND CCR)

The above-numbered measure, as amended in conference, was referred for enrollment.

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

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The Senate reconvened with Senator Rabon presiding.

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

MOTION TO LIMIT DEBATE

Pursuant to Senate Rule 12-17, Senator Fisher moved to limit debate to 30 minutes per side on Fourth Reading and final passage and 30 minutes per side on all other motions for the remainder of this legislative session, which motion was declared adopted.

MOTION TO SUSPEND SENATE RULE

Senator Fisher moved to suspend Senate Rule 5-7 as it pertains to **SBs 1577** and **1755**, which was the order.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 1495 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

FIRST READING

The following were introduced and read the first time:

SCR 58 – By Leftwich of the Senate and Thompson and Morrissette of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 1337 passed by the 2nd Session of the 50th Legislature.

SCR 59 – By Laster and Jolley of the Senate and Liotta and Hyman of the House.

A Concurrent Resolution recognizing that due to an Oklahoma Supreme Court ruling certain pending legislation is unnecessary; and directing distribution.

SR 122 – By Reynolds and Leftwich.

A Resolution commending all Oklahomans who participated in the 41st Academy of Country Music Awards ceremony; congratulating all Oklahomans who were nominated and won awards; and directing distribution.

SR 123 – By Morgan.

A Resolution expressing gratitude to Senator Ted Fisher for his service in the Oklahoma State Senate; and directing distribution.

SR 124 – By Morgan.

A Resolution thanking Larry Cottingham for his service to the Oklahoma State Senate; wishing him well upon the occasion of his retirement; and directing distribution.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 1755** was adopted upon motion of Senator Nichols.

SB 1755, 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, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ford, Garrison, Gumm, Johnson (M), Jolley, Justice, Lamb, Laughlin, Lawler, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--36.

Nay: Cain, Capps, Eason McIntyre, Fisher, Hobson, Johnson (C), Laster, Lerblance and Rabon.--9.

Excused: Barrington, Harrison and Pruitt.--3.

The bill and emergency passed.

SB 1755, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Morgan asked unanimous consent to suspend Rule 5-4 and refer **SR 124** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 124 by Morgan was called up for consideration.

All other members of the Senate asked to coauthor **SR 124**, which was the order.

SR 124 was adopted upon motion of Senator Morgan and referred for enrollment.

Senator Corn presiding.

**MESSAGE FROM THE HOUSE
CONFERENCE COMMITTEE REPORT**

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

HB 2578 - coauthored by Kern of the House

Conference committee report was read on the above-numbered bill.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 752

SB 1577

SB 1792

SB 1910

SB 1934 (2ND CCR)

SB 1947

SB 1965

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1577** was adopted upon motion of Senator Fisher.

SB 1577, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Harrison and Taylor.--2.

The bill and emergency passed.

SB 1577, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1771** was adopted upon motion of Senator Adelson.

Representative Braddock asked to coauthor **SB 1771**, which was the order.

SB 1771, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Gumm, Harrison and Taylor.--3.

The bill and emergency passed.

SB 1771, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2794** was adopted upon motion of Senator Coffee.

HB 2794, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Gumm, Harrison and Pruitt.--3.

The bill passed.

HB 2794, together with the conference committee report thereon, was ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Fisher asked unanimous consent to suspend Rule 5-4 and refer **SCR 58** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 58 by Leftwich of the Senate and Thompson and Morrissette of the House was called up for consideration.

SCR 58 was adopted upon motion of Senator Fisher and referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2454** was adopted upon motion of Senator Crain.

HB 2454, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Harrison.--1.

The bill passed.

HB 2454, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1646, 2587, 2628, 2793** and **2905**.

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

Advising fourth reading of and returning Enrolled **SB 1495**.

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

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2421** was adopted upon motion of Senator Fisher.

HB 2421, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Harrison and Nichols.--2.

The bill passed.

HB 2421, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2755** was adopted upon motion of Senator Laughlin.

HB 2755, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Harrison and Nichols.--2.

The bill passed.

HB 2755, together with the conference committee report thereon, was ordered returned to the Honorable House.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Fraley, George E., Chelsea, to the Oklahoma Mining Commission, to serve a seven year term ending January 1, 2013, succeeding himself. (Energy and Environment Committee) Motion to confirm made by Senator Stratton Taylor.

Hill, Don, Claremore, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2011, succeeding Wayne McCombs. (Health and Human Resources Committee) Motion to confirm made by Senator Stratton Taylor.

Kissee, Steve, Claremore, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2011, succeeding David Oakley. (Business and Labor Committee) Motion to confirm made by Senator Stratton Taylor.

Motions to confirm the above named executive nominations were declared adopted upon roll call as follows:

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

Excused: Harrison.--1.

MESSAGES FROM THE HOUSE

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

SB 1463 (2ND CCR)
SB 1919

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HCR 1079**.

HCR 1079 – By Terrill, Banz and Dank of the House and Branan of the Senate.

A Concurrent Resolution relating to revenue and taxation; creating Advisory Task Force on Oklahoma Corporate Income Tax Reform; providing for membership; providing for selection of officers; requiring initial meeting; authorizing meetings; providing for quorum; providing for applicability of Oklahoma Open Meeting Act and Oklahoma Open Records Act; providing for staff assistance; providing for travel reimbursement; imposing duties upon Task Force; requiring recommendations regarding certain income tax laws; requiring final report; providing for cessation of authority; and directing distribution.

The above-numbered measure was read the first time.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2842** was adopted upon motion of Senator Adelson.

Senator Johnson (Constance) asked to be removed as coauthor on **HB 2842**, which was the order.

HB 2842, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--47.

Excused: Harrison.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Adelson served notice that the vote be reconsidered whereby **HB 2842** passed.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1466** was adopted upon motion of Senator Bass.

SB 1466, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Schulz, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Harrison and Riley.--2.

The bill passed.

SB 1466, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2ND CCR** on **SB 2017** was adopted upon motion of Senator Johnson (Constance).

SB 2017, 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, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Harrison, Riley and Taylor.--3.

The bill passed.

SB 2017, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 3115** was adopted upon motion of Senator Williamson.

HB 3115, 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, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Schulz, Wilcoxson, Williamson, Wilson and Wyrick.--43.

Nay: Rabon and Shurden.--2.

Excused: Cain, Harrison and Taylor.--3.

The bill passed.

Senator Cain desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44; Nay: 2; Excused: 2.

The emergency passed.

HB 3115, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGE FROM THE HOUSE

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

SB 1581 - coauthored by Braddock and Sweeden of the House

SB 1675 - coauthored by Pruett of the House

SB 1850

The above-numbered measures, as amended in conference, were referred for enrollment.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SCR 58 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 124 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

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.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Morgan asked unanimous consent to suspend Rule 5-4 and refer **SR 123** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 123 by Morgan was called up for consideration.

All other members of the Senate, except Senator Fisher, asked to coauthor **SR 123**, which was the order.

SR 123 was adopted upon motion of Senator Morgan and referred for enrollment.

SPECIAL RECOGNITION OF SENATOR TED FISHER

Senator Fisher was honored by the Oklahoma State Senate for his 20 years of service. His portrait was displayed as a tribute in the Senate Chamber for his legislative day.

President Pro Tempore Morgan addressed the Senate commending Senator Fisher for his years of service to the citizens of Senate District 12 in the Oklahoma State Senate. Senators Capps, Brogdon, Myers, Lamb, Eason McIntyre, Jolley, Wilcoxson, Crain, Shurden, Crutchfield, Cain, Coffee, Mazzei, Lerblance, Garrison, Hobson, Laughlin, Pruitt, Corn and Leftwich also addressed the Senate.

Senator Fisher addressed the Senate and recognized his executive assistant, Phyllis Wheeler, for her dedication and hard work.

MESSAGES FROM THE HOUSE

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

SB 1040

SB 1357

SB 1394 - coauthored by Askins of the House

SB 1399

SB 1496

The above-numbered measures, as amended in conference, were referred for enrollment.

Advising naming House conferees on Engrossed:

HB 3079 - Billy and GCCA

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

SB 1412 - Hickman, Perry, Thompson, Liotta, Pruett and Plunk

HB 2179 - Benge, Jones, Dank, Kern, Coody, McCarter and Brannon

Advising withdrawal from **GCCA** and naming House conferees on Engrossed:

HB 2347 - Reynolds, Brannon, DeWitt, Trebilcock, Coody, Morrissette, Glenn and Smaligo

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Lawler asked unanimous consent to suspend Rule 5-4 and refer **HCR 1075** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1075 by Terrill of the House and Lawler of the Senate was called up for consideration.

HCR 1075 was adopted upon motion of Senator Lawler and properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2373** was adopted upon motion of Senator Myers.

Senator Branan asked to coauthor **HB 2373**, which was the order.

HB 2373, 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, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--46.

Excused: Morgan and Taylor.--2.

The bill passed.

HB 2373, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2619** was adopted upon motion of Senator Nichols.

HB 2619, 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, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Gumm, Morgan and Taylor.--3.

The bill passed.

HB 2619, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1792** was adopted upon motion of Senator Paddack.

SB 1792, 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, 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, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Wilcoxson and Williamson.--41.

Nay: Cain, Justice, Shurden, Wilson and Wyrick.--5.

Excused: Morgan and Taylor.--2.

The bill and emergency passed.

SB 1792, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 559
SB 1663

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2708** was adopted upon motion of Senator Laughlin.

HB 2708, 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, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--45.

Excused: Morgan, Myers and Taylor.--3.

The bill and emergency passed.

HB 2708, together with the conference committee report thereon, was ordered returned to the Honorable House.

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 2762 (2ND CCR)
HB 2906

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

MOTION TO SUSPEND SENATE RULE

Senator Fisher moved to suspend Senate Rule 5-7 as it pertains to **SB 1965** and **HB 2983**, which was the order.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 559** was adopted upon motion of Senator Shurden.

SB 559, as amended in conference, was read at length.

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

Aye: Adelson, Cain, Capps, Coates, Crutchfield, Easley, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Laughlin, Lerblance, Rabon, Shurden, Wilson and Wyrick.--18.

Nay: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coffee, Corn, Crain, Eason McIntyre, Ford, Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Mazzei, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Schulz, Wilcoxson and Williamson.--28.

Excused: Morgan and Taylor.--2.

The bill failed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 559** failed.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1947** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: **GCCA**.

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 1412 – Laughlin, Hobson, Taylor, Gumm, Corn, Eason McIntyre, Myers, Jolley

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2983** was adopted upon motion of Senator Garrison.

HB 2983, 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, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Justice, Laster, Lawler, Leftwich, Lerblance, Myers, Paddack, Rabon, Riley, Shurden, Wilson and Wyrick.--33.

Nay: Anderson, Brogdon, Crain, Jolley, Lamb, Laughlin, Mazzei, Nichols, Pruitt, Reynolds, Schulz, Wilcoxson and Williamson.--13.

Excused: Morgan and Taylor.--2.

The bill and emergency passed.

HB 2983, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

SB 1503 - coauthored by Dank of the House

The above-numbered measure, as amended in conference, was referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HB 2796**.

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 2397 - coauthored by Ford of the Senate

HB 2516

HB 2690 - coauthored by Morrissette of the House

HB 3024

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 1394, 1463, 1581, 1675 and 1919 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1965** was adopted upon motion of Senator Gumm.

SB 1965, 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, Pruitt, Rabon,

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

Excused: Morgan and Taylor.--2.

The bill and emergency passed.

SB 1965, 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.

*

The Senate reconvened with Senator Paddack presiding.

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

MESSAGES FROM THE HOUSE

Advising further conference granted and naming same House conferees on Engrossed:

SB 1947 - Calvey, Rousselot, Terrill, Adkins, Liotta and Dorman

Advising fourth reading of and returning Enrolled **SBs 1394, 1463, 1581, 1675** and **1919**.

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

INTRODUCTION

Senator Adelson introduced his brother, David, to the Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2867** was adopted upon motion of Senator Gumm.

HB 2867, as amended in conference, was read at length.

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

Aye: Adelson, Aldridge, Bass, Cain, Capps, Coates, Crain, Crutchfield, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Justice, Laster, Lawler, Leftwich, Lerblance, Mazzei, Myers, Paddack, Riley, Schulz, Shurden, Wilcoxson, Wilson and Wyrick.--30.

Nay: Anderson, Branan, Brogdon, Coffee, Johnson (M), Jolley, Lamb, Laughlin, Nichols, Pruitt, Reynolds and Williamson.--12.

Excused: Barrington, Corn, Easley, Morgan, Rabon and Taylor.--6.

The bill passed.

Senators Rabon, Anderson and Branan desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 10; Excused: 5.

The emergency passed.

HB 2867, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Gumm presiding.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Jolley asked unanimous consent to suspend Rule 5-4 and refer **HCR 1076** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1076 by Miller (Ken) and Morgan (Fred) of the House and Jolley of the Senate was called up for consideration.

HCR 1076 was adopted upon motion of Senator Jolley and properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2357** was adopted upon motion of Senator Nichols.

HB 2357, 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, 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, Pruitt, Rabon, Reynolds, Riley, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--44.

Excused: Barrington, Corn, Morgan and Taylor.--4.

The bill and emergency passed.

HB 2357, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2690** was adopted upon motion of Senator Capps.

HB 2690, as amended in conference, was read at length.

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

Aye: Adelson, Anderson, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Crain, Crutchfield, 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, Schulz, Shurden, Wilcoxson, Williamson, Wilson and Wyrick.--42.

Excused: Aldridge, Barrington, Corn, Easley, Morgan and Taylor.--6.

The bill passed.

HB 2690, together with the conference committee report thereon, was ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Shurden moved to reconsider the vote whereby **SB 559** failed, which motion was declared adopted upon roll call as follows:

Aye: Adelson, Anderson, 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, Lerblance, Mazzei, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Schulz, Shurden, Williamson and Wyrick.--38.

Nay: Aldridge, Corn, Lawler, Leftwich, Riley, Wilcoxson and Wilson.--7.

Excused: Barrington, Morgan and Taylor.--3.

FOURTH READING

SB 559, as amended in conference, was read at length.

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

Aye: Adelson, Bass, Brogdon, Cain, Capps, Coates, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Gumm, Harrison, Hobson, Johnson (C), Jolley, Justice, Laster, Laughlin, Lerblance, Paddack, Rabon, Shurden and Williamson.--24.

Nay: Aldridge, Anderson, Branan, Coffee, Corn, Crain, Garrison, Johnson (M), Lamb, Lawler, Leftwich, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley, Schulz, Wilcoxson, Wilson and Wyrick.--21.

Excused: Barrington, Morgan and Taylor.--3.

The bill failed.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

HB 2999 - coauthored by Balkman, Denney, Terrill and Shumate of the House

Conference committee report was read on the above-numbered bill.

MESSAGE FROM THE HOUSE

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

SB 1598

SB 1771

The above-numbered measures, as amended in conference, were referred for enrollment.

**BILL RELEASED
TIME EXPIRED TO RECONSIDER**

HB 2842, together with the conference committee report thereon, was ordered returned to the Honorable House

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 26, 2006, at 8:30 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 1056

SB 1097

SB 1406, remove Crutchfield and substitute Taylor as principal Senate author

SB 1412 (2ND CCR)

SB 1485

SB 1492

SB 1493 (2ND CCR)

FIRST READING

The following was introduced and read the first time:

SR 125 – By Lawler and Leftwich.

A Resolution creating the Task Force on Oklahoma Illegal Immigration Issues; stating purpose; designating members; providing for meetings; requiring compliance with Open Meeting Act and Open Records Act; requiring a report by a certain date; and providing for compensation of members.

Pursuant to the Fisher motion, the Senate adjourned at 5:55 p.m. to meet Friday, May 26, 2006, at 8:30 a.m.