

Senate Journal

First Regular Session of the Forty-ninth Legislature of the State of Oklahoma

Thirteenth Legislative Day, Thursday, February 20, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.—44.

Excused: Coffee, Ford, Taylor and Williamson.—4.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Oscar Aguero, Heart O-The Hills Baptist Church, Summerfield, the guest of Senator Corn.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Pruitt asked unanimous consent to suspend Rule 5-4 and refer **SR 7** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 7 by Pruitt et al was called up for consideration.

All other members of the Senate asked to coauthor **SR 7**, which was the order.

SR 7 was adopted upon motion of Senator Pruitt and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Monson asked unanimous consent to suspend Rule 5-4 and refer **SCR 7** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 7 by Monson of the Senate and Lindley of the House was called up for consideration.

Senator Robinson and all other members of the Senate asked to coauthor **SCR 7**, which was the order.

SCR 7 was adopted upon motion of Senator Monson and referred for engrossment.

INTRODUCTION

Senator Lawler introduced former Senator Carol Martin to the Senate.

CHANGE IN COMMITTEE ASSIGNMENT

Senator Fisher asked unanimous consent, which was granted, that the following bills be reassigned as follows:

SB 319 – Withdrawn from Sunset Review Committee and referred Direct to Calendar.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1053, 1301, 1309, 1343, 1485** and **1611**.

HB 1053 – By Bengé and Nance of the House and Riley of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1289.8, which relates to carrying concealed weapons; allowing retired fire marshal inspectors to carry concealed weapons; clarifying peace officer powers; and providing an effective date.

HB 1301 – By Bengé of the House and Smith of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 956.1, which relates to a county retirement system; modifying provisions related to prior service credit; providing an effective date; and declaring an emergency.

HB 1309 – By Bengé of the House and Lawler of the Senate.

An Act relating to the Teachers' Retirement System of Oklahoma; amending 70 O.S. 2001, Section 17-116.2, as amended by Section 1, Chapter 459, O.S.L. 2002 (70 O.S. Supp. 2002, Section 17-116.2), which relates to computation of benefits; modifying provisions related to sick leave and creditable service; prohibiting payment for unused sick leave under certain conditions; providing an effective date; and declaring an emergency.

HB 1343 – By Deutschendorf of the House and Robinson of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1-111, as amended by Section 1, Chapter 453, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1-111), which relates to school enrollment; adding certain criteria for Internet-based courses; requiring board of education approval for enrollment in Internet-based course; providing an effective date; and declaring an emergency.

HB 1485 – By Braddock of the House and Wilkerson of the Senate.

(drug offenses – amending 22 O.S., Section 471.4 – drug court investigation – amending 63 O.S., Section 2-307 – records of registrants – amending 21 O.S., Section 832 – poison or drugs – effective date)

HB 1611 – By Wilt of the House and Coffee of the Senate.

(public health and safety – amending 63 O.S., Section 3101.4- Rights of the Terminally Ill or Persistently Unconscious – effective date)

The above-numbered measures were read the first time.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 7 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

Senator Monson moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, February 24, 2003, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

SB 255 – Education, coauthored by Askins (principal House author)

SB 257 – Veterans, Military Affairs, and Public Safety, coauthored by Staggs (principal House author)

- SB 289** – Education, coauthored by Greenwood (principal House author)
- SB 296** – Appropriations, coauthored by Hefner (principal House author)
- SB 323** – Education, coauthored by Trebilcock (principal House author)
- SB 326** – Education, coauthored by Deutschendorf (principal House author)
- SB 409** – Retirement and Group Health, coauthored by Miller (Ray) (principal House author)
- SB 449** – Tourism and Wildlife, coauthored by Maddux (principal House author)
- SB 495** – Education, coauthored by Braddock (principal House author), and coauthored by Nance of the House
- SB 515** – Agriculture and Rural Development, coauthored by Covey (principal House author)
- SB 539** – Judiciary, coauthored by Morgan (Danny) (principal House author)
- SB 547** – Education, coauthored by Nations (principal House author)
- SB 584** – Agriculture and Rural Development, coauthored by Covey (principal House author)
- SB 628** – Education, coauthored by Wells (principal House author)
- SB 636** – Retirement and Group Health, coauthored by Brannon (principal House author)
- SB 639** – Retirement and Group Health, coauthored by Brannon (principal House author)
- SB 662** – Commerce, coauthored by Toure (principal House author)
- SB 665** – Retirement and Group Health, coauthored by Brannon (principal House author)
- SB 720** – Finance, coauthored by Rice (principal House author)
- SB 772** – Appropriations, coauthored by Askins (principal House author)
- SB 774** – Education, coauthored by Roberts (principal House author)
- SB 791** – Appropriations, coauthored by Askins (principal House author)
- SB 793** – General Government, coauthored by Paulk (principal House author)
- SB 799** – Education, coauthored by Blackburn (principal House author)

DO PASS, As Amended:

- CS for SB 1** – Education, coauthored by Riley of the Senate
- SB 6** – Education, coauthored by Pruitt of the Senate, and coauthored by McIntyre (principal House author)
- SB 12** – Education, coauthored by Phillips (principal House author)
- SB 16** – Veterans, Military Affairs, and Public Safety, coauthored by Lamons (principal House author)
- SB 216** – Education, coauthored by Coleman (principal House author)
- SB 232** – Judiciary, coauthored by Blackburn (principal House author)
- CS for SB 235** – Appropriations, coauthored by Pruitt of the Senate, and coauthored by McIntyre (principal House author)
- SB 238** – Aerospace and Technology, coauthored by Covey (principal House author)
- CS for SB 249** – Appropriations, coauthored by Boren (principal House author)

- SB 264** – Appropriations, coauthored by Askins (principal House author)
- CS for SB 272** – General Government, coauthored by Covey (principal House author)
- SB 278** – Finance, coauthored by Staggs (principal House author)
- SB 280** – Transportation, coauthored by Coleman (principal House author)
- SB 282** – Finance, coauthored by Staggs (principal House author)
- SB 284** – Finance, coauthored by Rice (principal House author)
- SB 286** – Retirement and Group Health, coauthored by Erwin (principal House author)
- CS for SB 287** – Appropriations, coauthored by Morgan (Fred) (principal House author)
- SB 311** – Education, coauthored by Easley (principal House author)
- SB 318** – Appropriations, remove Askins and add Brannon as principal House author, and coauthored by Askins of the House
- SB 324** – Appropriations, coauthored by Coffee of the Senate
- CS for SB 328** – Appropriations, coauthored by McCarter (principal House author)
- SB 329** – Finance, coauthored by Braddock (principal House author)
- SB 342** – Appropriations, coauthored by Capps, Price, Stipe, Harrison and Smith of the Senate, and coauthored by Covey (principal House author), and coauthored by Deuschendorf and Miller (Doug) of the House
- SB 343** – Education, coauthored by Easley of the Senate, and coauthored by Winchester (principal House author)
- SB 346** – Education, coauthored by Morgan (Fred) (principal House author)
- CS for SB 350** – Transportation, coauthored by Peterson (principal House author)
- CS for SB 353** – Finance, coauthored by Miller (Doug) (principal House author)
- CS for SB 363** – Tourism and Wildlife, coauthored by Wilson (principal House author)
- CS for SB 365** – Tourism and Wildlife, coauthored by Smith (Dale) (principal House author)
- SB 373** – Judiciary, coauthored by Nance (principal House author)
- SB 375** – Veterans, Military Affairs, and Public Safety, coauthored by Tyler (principal House author)
- SB 377** – Appropriations, coauthored by Rice (principal House author)
- SB 379** – Veterans, Military Affairs, and Public Safety, coauthored by McCarter (principal House author)
- CS for SB 380** – Transportation, coauthored by McCarter (principal House author)
- CS for SB 383** – Energy, Environment and Communications, coauthored by Rice (principal House author)
- CS for SB 386** – Appropriations, coauthored by Blackburn (principal House author)
- SB 395** – Veterans, Military Affairs, and Public Safety, coauthored by Winchester (principal House author)
- CS for SB 411** – Retirement and Group Health, coauthored by Ellis (principal House author)
- SB 416** – Judiciary, coauthored by Young (principal House author)
- SB 437** – Finance
- SB 440** – Finance

- SB 442** – Finance, coauthored by Littlefield of the Senate, and coauthored by Braddock (principal House author), and coauthored by Sweeden of the House
- CS for SB 451** – Energy, Environment and Communications, coauthored by Langmacher (principal House author)
- CS for SB 452** – Education, coauthored by Blackburn (principal House author)
- CS for SB 453** – General Government, coauthored by Askins (principal House author)
- SB 455** – Judiciary, coauthored by Gilbert (principal House author)
- CS for SB 479** – Appropriations, coauthored by Askins (principal House author)
- SB 490** – Appropriations, coauthored by Winchester (principal House author)
- SB 492** – Appropriations, coauthored by Winchester (principal House author)
- SB 493** – Judiciary, coauthored by Askins (principal House author)
- CS for SB 501** – Finance, coauthored by Turner (principal House author)
- SB 512** – Judiciary, coauthored by Hastings (principal House author)
- CS for SB 520** – Appropriations
- SB 534** – Judiciary, coauthored by Taylor (principal House author), and coauthored by Case of the House
- SB 542** – Appropriations, coauthored by Coleman (principal House author)
- CS for SB 553** – Judiciary, coauthored by Adair (principal House author)
- CS for SB 554** – Appropriations, coauthored by Cox (principal House author)
- CS for SB 557** – Agriculture and Rural Development, coauthored by Hiett (principal House author)
- SB 565** – Judiciary, coauthored by Reynolds (principal House author)
- CS for SB 576** – Appropriations, coauthored by Braddock (principal House author)
- SB 578** – Education, coauthored by Vaughn (principal House author)
- CS for SB 595** – Education, coauthored by Williams of the Senate, and coauthored by Lindley (principal House author)
- CS for SB 596** – Appropriations, coauthored by Lindley (principal House author)
- SB 598** – Education, coauthored by Coleman (principal House author)
- SB 601** – Judiciary, coauthored by Peters (principal House author)
- SB 603** – Judiciary, coauthored by Smithson (principal House author)
- CS for SB 605** – Judiciary, coauthored by Hastings (principal House author)
- CS for SB 606** – Agriculture and Rural Development, coauthored by Sweeden (principal House author)
- SB 607** – Appropriations, coauthored by Ingmire (principal House author)
- SB 616** – Judiciary, coauthored by Askins (principal House author)
- SB 622** – Appropriations, coauthored by Nance (principal House author)
- SB 631** – Judiciary, coauthored by Peters (principal House author)
- CS for SB 634** – Appropriations, coauthored by Balkman (principal House author)
- CS for SB 645** – Retirement and Group Health, coauthored by Roan (principal House author)
- SB 648** – Business and Labor, coauthored by Miller (Ray) (principal House author)
- CS for SB 663** – Education, coauthored by Deutschendorf (principal House author)
- CS for SB 668** – Retirement and Group Health, coauthored by Ferguson (principal House author)

CS for SB 670 – Retirement and Group Health, coauthored by Miller (Ray) (principal House author)

SB 671 – Commerce, coauthored by Pope (principal House author)

SB 679 – Education, coauthored by Cox (principal House author)

SB 681 – Appropriations, coauthored by Mitchell (principal House author)

SB 686 – Appropriations, coauthored by Williams of the Senate, and coauthored by McIntyre (principal House author)

SB 688 – Appropriations, coauthored by Covey (principal House author)

SB 695 – Judiciary, coauthored by Morgan (Fred) (principal House author)

SB 698 – Appropriations, coauthored by Askins (principal House author)

SB 699 – Judiciary, coauthored by Askins (principal House author)

CS for SB 700 – Appropriations, coauthored by Morgan (Fred) (principal House author)

CS for SB 701 – Appropriations, coauthored by McIntyre (principal House author) and coauthored by Gilbert of the House

CS for SB 702 – Veterans, Military Affairs, and Public Safety, coauthored by Maddux (principal House author)

CS for SB 704 – Appropriations, coauthored by Erwin (principal House author)

CS for SB 706 – Appropriations, coauthored by Smith (Hopper) (principal House author)

CS for SB 713 – Education, coauthored by Roberts (principal House author)

SB 715 – Education, coauthored by Miller (Ray) (principal House author)

SB 719 – Education, coauthored by Hefner (principal House author)

CS for SB 724 – Judiciary, coauthored by Askins (principal House author)

CS for SB 726 – Appropriations, coauthored by Leftwich, Easley, Horner and Monson of the Senate, and coauthored by Easley (principal House author), and coauthored by Gilbert, Brannon and Erwin of the House

CS for SB 733 – Appropriations, coauthored by Carey (principal House author)

SB 740 – Judiciary, coauthored by Morgan (Fred) (principal House author)

CS for SB 747 – Education, coauthored by Ford of the Senate, and coauthored by Liotta (principal House author), and coauthored by Rice of the House

SB 755 – Judiciary, coauthored by Smith (Hopper) (principal House author)

CS for SB 779 – Appropriations, coauthored by Nations (principal House author), and coauthored by Leist and Toure of the House

SB 786 – Appropriations, coauthored by Miller (Ray) (principal House author)

CS for SB 787 – Education, coauthored by Nations (principal House author)

CS for SB 803 – Appropriations, coauthored by Kirby (principal House author)

SB 806 – Education, coauthored by McIntyre (principal House author)

SB 826 – Veterans, Military Affairs, and Public Safety, coauthored by Paulk (principal House author)

CS for SB 834 – Veterans, Military Affairs, and Public Safety, coauthored by Stanley (principal House author)

SJR 12 – Commerce, coauthored by Pope (principal House author)

CS for SJR 22 – Judiciary, coauthored by Kirby (principal House author)

SECOND READING

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

HB 1240 – Direct To Calendar

Pursuant to the Monson motion, the Senate adjourned at 9:25 a.m. to meet Monday, February 24, 2003, at 1:30 p.m.