

Senate Journal

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

Seventeenth Legislative Day, Thursday, February 27, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, 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, Williams and Williamson.—44.

Excused: Dunlap, Ford, Harrison and Taylor.—4.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Trace Morgan, First Baptist Church, Stillwater, the guest of Senator Morgan.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 232, 238, 247, 253, 282, 312, 342, 354, 357, 360, 362, 386, 426, 431, 472, 476, 478, 493, 515, 520, 524, 561, 572, 595, 596, 601, 602, 614, 652, 675, 732, 742 and 776 and SJR 11 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

SR 8 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

SB 272 by Capps of the Senate and Covey of the House was called up for consideration.

Senator Capps moved to amend **SB 272**, Page 1, by striking the title, which amendment was declared adopted.

Senator Capps moved that **SB 272** be advanced, which motion was declared adopted.

THIRD READING

SB 272 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Smith, Snyder, Wilcoxson, Williams and Williamson.--38.

Nay: Rabon, Rozell, Shurden and Stipe.--4.

Excused: Dunlap, Ford, Harrison, Johnson, Taylor and Wilkerson.--6.

The bill passed.

SB 272 was referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Robinson asked unanimous consent to suspend Rule 5-4 and refer **SR 9** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 9 by Robinson was called up for consideration.

All other members of the Senate asked to coauthor **SR 9**, which was the order.

SR 9 was adopted upon motion of Senator Robinson and referred for enrollment.

GENERAL ORDER

SB 661 by Kerr et al of the Senate and Hutchison of the House was called up for consideration.

Senator Kerr moved that **SB 661** be advanced, which motion failed of adoption upon division of the question.

Senator Reynolds moved to amend **SB 661**, Page 2, Line 3 and Page 3, Line 9 by deleting the word “shall” and inserting in lieu thereof the word “may”.

Senator Kerr moved to table the Reynolds amendment, which tabling motion failed of adoption.

Senator Reynolds pressed the adoption of his amendment, which amendment was declared adopted.

Senator Kerr moved to amend **SB 661**, Page 1, by striking the title, which amendment was declared adopted.

Senator Kerr moved that **SB 661** be advanced, which motion was declared adopted.

THIRD READING

SB 661 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Corn, Crutchfield, Fair, Fisher, Gumm, Helton, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Rozell, Shurden, Smith, Snyder and Williams.--25.

Nay: Aldridge, Brogdon, Coates, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--13.

Excused: Coffee, Dunlap, Easley, Ford, Harrison, Hobson, Robinson, Stipe, Taylor and Wilkerson.--10.

The bill passed.

Senators Stipe and Williamson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 27; Nay: 12; Excused: 9.

The emergency failed.

SB 661 was referred for engrossment.

GENERAL ORDER

SB 549 by Morgan and Gumm of the Senate and Carey of the House was called up for consideration.

Senator Morgan moved that **SB 549** be advanced, which motion was declared adopted.

THIRD READING

SB 549 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Wilcoxson, Williams and Williamson.--37.

Excused: Dunlap, Ford, Harrison, Hobson, Littlefield, Maddox, Pruitt, Robinson, Stipe, Taylor and Wilkerson.--11.

The bill passed.

SB 549 was referred for engrossment.

GENERAL ORDER

SB 618 by Monson of the Senate and Paulk of the House was called up for consideration.

Senator Monson moved that **SB 618** be advanced, which motion was declared adopted.

THIRD READING

SB 618 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Williams and Williamson.--40.

Excused: Dunlap, Ford, Harrison, Hobson, Littlefield, Robinson, Taylor and Wilkerson.--8.

The bill passed.

SB 618 was referred for engrossment.

GENERAL ORDER

SB 620 by Monson of the Senate and Askins of the House was called up for consideration.

Senator Monson moved that **SB 620** be advanced, which motion was declared adopted.

THIRD READING

SB 620 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Stipe, Wilcoxson, Williams and Williamson.--41.

Excused: Dunlap, Ford, Harrison, Littlefield, Snyder, Taylor and Wilkerson.--7.

The bill passed.

SB 620 was referred for engrossment.

GENERAL ORDER

SB 621 by Monson of the Senate and Winchester of the House was called up for consideration.

Senator Monson moved that **SB 621** be advanced, which motion was declared adopted.

THIRD READING

SB 621 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Williams and Williamson.--41.

Excused: Dunlap, Ford, Harrison, Littlefield, Stipe, Taylor and Wilkerson.--7.

The bill passed.

SB 621 was referred for engrossment.

GENERAL ORDER

SB 617 by Morgan of the Senate and Wells of the House was called up for consideration.

Senators Fair, Corn and Gumm asked to coauthor **SB 617**, which was the order.

Senator Morgan moved that **SB 617** be advanced, which motion was declared adopted.

THIRD READING

SB 617 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Stipe, Wilcoxson, Williams and Williamson.--40.

Nay: Laster and Shurden.--2.

Excused: Dunlap, Ford, Harrison, Littlefield, Taylor and Wilkerson.--6.

The bill and emergency passed.

SB 617 was referred for engrossment.

GENERAL ORDER

SB 669 by Monson of the Senate and Toure of the House was called up for consideration.

Senator Monson moved that **SB 669** be advanced, which motion was declared adopted.

THIRD READING

SB 669 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Wilcoxson, Williams and Williamson.--40.

Nay: Robinson.--1.

Excused: Dunlap, Ford, Harrison, Littlefield, Stipe, Taylor and Wilkerson.--7.

The bill and emergency passed.

SB 669 was referred for engrossment.

GENERAL ORDER

SB 369 by Shurden of the Senate and Stanley of the House was called up for consideration.

Senator Shurden moved that **SB 369** be advanced, which motion was declared adopted.

THIRD READING

SB 369 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Williams and Williamson.--41.

Excused: Dunlap, Ford, Harrison, Littlefield, Stipe, Taylor and Wilkerson.--7.

The bill passed.

SB 369 was referred for engrossment.

GENERAL ORDER

SB 793 by Morgan of the Senate and Paulk of the House was called up for consideration.

Senator Morgan moved that **SB 793** be advanced, which motion was declared adopted.

THIRD READING

SB 793 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Williams and Williamson.--40.

Excused: Dunlap, Ford, Harrison, Hobson, Littlefield, Stipe, Taylor and Wilkerson.--8.

The bill and emergency passed.

SB 793 was referred for engrossment.

GENERAL ORDER

SB 371 by Shurden of the Senate and Wilson of the House was called up for consideration.

Representative Smith (Dale) asked to coauthor **SB 371**, which was the order.

Senator Shurden moved that **SB 371** be advanced, which motion was declared adopted.

THIRD READING

SB 371 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, 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, Williams and Williamson.--42.

Excused: Dunlap, Ford, Harrison, Hobson, Taylor and Wilkerson.--6.

The bill and emergency passed.

SB 371 was referred for engrossment.

GENERAL ORDER

SB 681 by Monson of the Senate and Mitchell of the House was called up for consideration.

Senator Monson moved that **SB 681** be advanced, which motion was declared adopted.

THIRD READING

SB 681 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, 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, Williams and Williamson.--42.

Excused: Dunlap, Ford, Harrison, Hobson, Taylor and Wilkerson.--6.

The bill passed.

SB 681 was referred for engrossment.

GENERAL ORDER

SB 786 by Shurden of the Senate and Miller (Ray) of the House was called up for consideration.

Senator Shurden moved that **SB 786** be advanced, which motion was declared adopted.

THIRD READING

SB 786 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Williams and Williamson.--40.

Excused: Capps, Dunlap, Ford, Harrison, Hobson, Maddox, Taylor and Wilkerson.--8.

The bill and emergency passed.

SB 786 was referred for engrossment.

GENERAL ORDER

SB 678 by Williams of the Senate and McCarter of the House was called up for consideration.

Senator Williams moved that **SB 678** be advanced, which motion was declared adopted.

THIRD READING

SB 678 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, 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, Williams and Williamson.--41.

Excused: Capps, Dunlap, Ford, Harrison, Hobson, Taylor and Wilkerson.--7.

The bill and emergency passed.

SB 678 was referred for engrossment.

GENERAL ORDER

SB 838 by Shurden of the Senate and Erwin of the House was called up for consideration.

Senator Shurden moved that **SB 838** be advanced, which motion was declared adopted.

THIRD READING

SB 838 was read for the third time at length.

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

Aye: Cain, Coates, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Robinson, Rozell, Shurden, Smith, Stipe, Williams and Williamson.--31.

Nay: Aldridge, Branan, Brogdon, Coffee, Nichols, Pruitt, Reynolds, Riley, Snyder and Wilcoxson.--10.

Excused: Capps, Dunlap, Ford, Harrison, Johnson, Taylor and Wilkerson.--7.

The bill passed.

Senator Snyder desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 9; Excused: 7.

The emergency passed.

SB 838 was referred for engrossment.

GENERAL ORDER

SB 747 by Williams and Ford of the Senate and Liotta and Rice of the House was called up for consideration.

Senator Williams moved that **SB 747** be advanced, which motion was declared adopted.

THIRD READING

SB 747 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, 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, Stipe, Wilcoxson, Williams and Williamson.--41.

Nay: Snyder.--1.

Excused: Capps, Dunlap, Ford, Harrison, Taylor and Wilkerson.--6.

The bill passed.

SB 747 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1008, 1019, 1030, 1084, 1109, 1110, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1263, 1311, 1313, 1319, 1358, 1359, 1465, 1476, 1501, 1535, 1580, 1609, 1666, 1691, 1721, 1748** and **1779** and **HJR 1015** and **HCR 1009**.

HB 1008 – By Leist, Adkins, Balkman, Blackwell, Dorman, Hefner, McClain, Peterson, Pope, Roan, Roggow, Tibbs, Trebilcock, Walker and Wright of the House and Rabon of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 8-77.3, as amended by Section 4, Chapter 383, O.S.L. 2002 (2 O.S. Supp. 2002, Section 8-77.3), which relates to the Oklahoma Fertilizer Act; modifying definition; and declaring an emergency.

HB 1019 – By Leist, Langmacher and Liotta of the House and Easley of the Senate.

An Act relating to environment and natural resources; amending 27A O.S. 2001, Section 1-1-201, which relates to the Oklahoma Environmental Quality Act; modifying definition; amending 27A O.S. 2001, Sections 2-4-101, 2-4-201, 2-4-301, 2-4-302, 2-4-303, 2-4-304 and 2-4-305, which relate to laboratory standards; modifying definitions; modifying terms; updating language; amending 27A O.S. 2001, Section 2-5-111, which relates to field citations; removing authority of certain councils; providing for hearings before administrative law judge; amending 27A O.S. 2001, Section 2-10-701, which relates to solid waste disposal sites; deleting reference to Oklahoma Landfill Closure Authority; repealing 27A O.S. 2001, Section 2-10-701.1, which relates to the Oklahoma Landfill Closure Authority; and declaring an emergency.

HB 1030 – By Piatt, Miller (Ray), Askins, Ingmire, Staggs, Tibbs, Tyler and Nance of the House and Robinson of the Senate.

An Act relating to schools; amending 25 O.S. 2001, Section 307.1, which relates to teleconferences by public bodies; updating statutory references; authorizing a board of education of a technology center school to hold meetings by videoconferencing; requiring each member be visible by certain means; providing certain restrictions; expanding prohibition related to executive sessions to videoconferencing; providing an effective date; and declaring an emergency.

HB 1084 – By Roan, Rice and Nance of the House and Wilkerson of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 6-115, which relates to renewal of licenses; requiring proof of current mailing address in application for renewal of license; amending 47 O.S. 2001, Section 6-205.1, as amended by Section 4, Chapter 86, O.S.L. 2002 (47 O.S. Supp. 2002, Section 6-205.1), which relates to driver licenses; prohibiting modification of certain driver license revocation; prohibiting inattentive driving; providing exception; providing for codification; and providing an effective date.

HB 1109 – By Turner of the House and Shurden of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Section 6536, as amended by Section 4, Chapter 439, O.S.L. 2002 (36 O.S. Supp. 2002, Section 6536), which relates to the Health Insurance High Risk Pool Act; adding certain duty for the Board of Directors of the Health Insurance High Risk Pool; providing an effective date; and declaring an emergency.

HB 1110 – By Lindley, Reynolds, Paulk and Calvey of the House and Reynolds of the Senate.

(prisons and reformatories - amending 57 O.S., Section 563 - correctional facilities - restrictions - effective date – emergency)

HB 1180 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Military Department of the State of Oklahoma - appropriation - budgetary limitations - effective date – emergency)

HB 1181 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Office of Personnel Management – appropriation - duties and compensation of employees - certain budget - effective date – emergency)

HB 1182 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Office of the Secretary of State – appropriation - budget procedures – effective date – emergency)

HB 1183 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Oklahoma State Senate – appropriation - effective date – emergency)

HB 1184 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Oklahoma Space Industry Development Authority – appropriation – budgetary limitations – effective date – emergency)

HB 1185 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Oklahoma Tax Commission – appropriation - duties and compensation of employees - effective date – emergency)

HB 1186 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Department of Transportation - appropriations - lapse dates - effective date – emergency)

HB 1187 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(Office of the State Treasurer – appropriations – duties and compensation of employees – effective date – emergency)

HB 1263 – By Nance of the House and Nichols of the Senate.

An Act relating to common carriers; amending 13 O.S. 2001, Section 176.3, which relates to intercepting communications; establishing venue for certain criminal prosecution; and providing an effective date.

HB 1311 – By Gilbert and Sweeden of the House and Horner of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Sections 2-104 and 3-101, which relate to municipal incorporation; providing an exception to territory that may incorporate as a municipality; requiring petition for incorporation of town to include certain information; and providing an effective date.

HB 1313 – By Paulk, Lamons and Nance of the House and Wilkerson of the Senate.

An Act relating to homeland security; amending 21 O.S. 2001, Section 1767.1, which relates to bombs and explosives; modifying punishable acts; amending 21 O.S. 2001, Section 1767.3, which relates to definitions of explosives; modifying definitions; establishing punishment for possession of explosives; creating Bomb Squad; amending 63 O.S. 2001, Section 122.2, which relates to jurisdictional areas of state agencies; modifying jurisdiction of certain agencies; amending 63 O.S. 2001, Section 123.8, which relates to application of Oklahoma Explosives and Blasting Regulation Act; modifying qualification of bomb squad; amending 70 O.S. 2001, Section 3311, as amended by Section 1, Chapter 62, O.S.L. 2002 (70 O.S. Supp. 2002, Section 3311), which relates to Council on Law Enforcement Education and Training; establishing criteria for canine units; establishing Drug Dog Advisory Council; establishing minimum standards; amending 74 O.S. 2001, Sections 324.7 and 324.7a, which relate to rules and regulations for liquefied petroleum gas and flammable liquids; modifying definitions; modifying scope; providing for codification; and providing an effective date.

HB 1319 – By Tibbs and Nance of the House and Brogdon of the Senate.

An Act relating to property; amending 60 O.S. 2001, Sections 833 and 837, which relate to the Residential Property Condition Disclosure Act; adding certain disclosure requirement; clarifying available remedies; and providing an effective date.

HB 1358 – By Vaughn of the House and Williamson of the Senate.

(marriage and divorce – amending 43 O.S., Sections 105, 106 and 110 – dissolution of marriage proceedings – amending 43 O.S., Sections 120.1, 120.2, 120.3, 120.4, 120.5 and 120.6 – Parenting Coordinator Act - name of act – emergency)

HB 1359 – By Vaughn of the House and Robinson of the Senate.

(tobacco – notice – Master Settlement Agreement – codification – effective date)

HB 1465 – By Askins of the House and Morgan of the Senate.

(schools - Uniform Athlete Agents Act - certificate of registration - cancel agency contract – administrative penalty – repealing eleven sections in Title 70 – codification - effective date)

HB 1476 – By Greenwood of the House and Wilcoxson of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 1210.541, which relates to student performance levels in the Oklahoma School Testing Program Act; specifying certain standards for student performance levels on criterion-referenced tests; updating language; providing an effective date; and declaring an emergency.

HB 1501 – By Cox of the House and Monson of the Senate.

An Act relating to the Sex Offenders Registration Act; restricting residency of persons required to register; providing an exception; providing penalty; providing for codification; and providing an effective date.

HB 1535 – By Covey of the House and Price of the Senate.

An Act relating to agriculture; amending 2 O.S. 2001, Section 1-3, as amended by Section 1, Chapter 187, O.S.L. 2002 (2 O.S. Supp. 2002, Section 1-3), which relates to the Oklahoma Agricultural Code; updating language; amending 2 O.S. 2001, Sections 5-302, 5-303, 5-304 and 5-307, which relate to the Oklahoma Organic Food Act; modifying purpose of act; adding, deleting and modifying definitions; modifying procedure for certification of organic agricultural products; requiring establishment of program; providing for issuance of a certain certificate; providing specifications; providing for promulgation of rules; specifying contents; authorizing fees; adding to powers and duties of the State Board of Agriculture; providing for certain inspections, sampling, analysis and examination; providing for consent; requiring certain testing; requiring verification of certain documents; authorizing certain licensing restrictions for certain violations; making certain actions unlawful; requiring promulgation of emergency rules; amending 2 O.S. 2001, Section 1950.2, which relates to the Oklahoma Ethanol Development Advisory Committee; modifying termination and reporting date of committee; authorizing promulgation of certain rules; repealing 2 O.S. 2001, Section 1-3, as amended by Section 2, Chapter 173, O.S.L. 2002 (2 O.S. Supp. 2002, Section 1-3), which is a duplicate section, and Sections 5-305 and 5-306, which relate to classes of certification and certain records; providing for noncodification; and declaring an emergency.

HB 1580 – By Askins of the House and Fisher of the Senate.

An Act relating to public funds; amending 20 O.S. 2001, Sections 1313.2, as amended by Section 5, Chapter 22, O.S.L. 2002, 1313.3, as amended by Section 6, Chapter 22, O.S.L. 2002 and 1313.4 (20 O.S. Supp. 2002, Sections 1313.2 and 1313.3), which relate to penalty assessments; clarifying status of certain fee; modifying procedure for deposit of certain monies; adding certain duties to court clerks; amending 60 O.S. 2001, Sections 656, 658, 661, 662, 663, 667, 668, as amended by Section 1, Chapter 95, O.S.L. 2002, 674 and 674.2 (60 O.S. Supp. 2002, Section 668), which relate to the Uniform Unclaimed Property Act; adding requirement that holders of certain abandoned property make annual reports and remittances; specifying when certain type of property is presumed abandoned;

clarifying certain reporting requirements; modifying certain notice requirements for notices published by the State Treasurer; modifying content of notice; modifying procedures; requiring certain filings; authorizing certain refunds; modifying certain time periods for retaining certain property; requiring the State Treasurer to provide electronic access to certain information; clarifying aggregate reporting requirement; modifying certain service charges; modifying requirements for paying over property by the State Treasurer; amending 62 O.S. 2001, Section 89.2, which relates to investments by the State Treasurer; modifying time period in which competitive bids must be done to select a custodial bank; amending Sections 2, 3 and 6, Chapter 287, O.S.L. 2002 (62 O.S. Supp. 2002, Sections 91.2, 91.3 and 91.6), which relate to the Oklahoma Rural and Affordable Housing Linked Deposit Act; modifying purpose of the act; modifying definition; modifying time frame for loans to be made pursuant to the act; amending 62 O.S. 2001, Sections 275.1, 275.2 and 275.8, which relate to records of certain warrants; clarifying when certain warrants may be destroyed; specifying procedures concerning furnishing of originals or copies of warrants by the State Treasurer; amending 63 O.S. 2001, Section 2-503.2, which relates to the Uniform Controlled Dangerous Substances Act; modifying procedure for deposit of certain monies; providing for codification; providing an effective date; and declaring an emergency.

HB 1609 – By Wilt of the House and Pruitt of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 7102, as amended by Section 1, Chapter 487, O.S.L. 2002 (10 O.S. Supp. 2002, Section 7102), which relates to the Oklahoma Child Abuse Reporting and Prevention Act; expanding definition; and declaring an emergency.

HB 1666 – By Young, Nance and Dorman of the House and Reynolds of the Senate.

An Act relating to state government; amending 74 O.S. 2001, Section 212, which relates to audits by the State Auditor and Inspector; authorizing the State Auditor and Inspector to perform certain audits; requiring scope to be determined by State Auditor and Inspector; specifying types of audits; providing for payment of costs; requiring submission of cost estimates; prohibiting certain actions; providing who may request an audit; providing for methods of payment; and providing an effective date.

HB 1691 – By Davis and Nance of the House and Coffee of the Senate.

An Act relating to technology; amending 15 O.S. 2001, Sections 776.1 and 776.4, which relate to fraudulent electronic mail; modifying civil penalty; making it unlawful to send a commercial electronic mail message without a return telephone number or e-mail address; requiring sender to remove certain e-mails from list upon notification; making it unlawful to assist in the transmission of certain unsolicited commercial electronic mail messages; defining term; adding definition of commercial electronic mail message; and providing an effective date.

HB 1721 – By Cox of the House and Robinson of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Section 311, as amended by Section 1, Chapter 307, O.S.L. 2002 (36 O.S. Supp. 2002, Section 311), which relates to annual statements; modifying filing requirements; amending 36 O.S. 2001, Section 902.1, which relates to limit changing property and casualty rates without prior approval;

modifying restrictions; amending 36 O.S. 2001, Sections 1435.7, as amended by Section 14, Chapter 307, O.S.L. 2002, 1435.20, 1435.29, as amended by Section 20, Chapter 307, O.S.L. 2002 and 1435.30 (36 O.S. Supp. 2002, Sections 1435.7 and 1435.29), which relate to the Oklahoma Producer Licensing Act; modifying acceptable application form; designating license holders for motor vehicle rental or leasing businesses; modifying certain continuing education credit; modifying duration and renewal period for insurance consultant licenses; amending 36 O.S. 2001, Section 6459, which relates to the Oklahoma Risk Retention Act; removing certain restriction on nonresidents; repealing 36 O.S. 2001, Section 611, which relates to expendable surplus funds; and providing an effective date.

HB 1748 – By Nations, Balkman, Blackwell, Miller (Doug), Wells, Morgan (Fred), Braddock, Deutschendorf, Ingmire and Adair of the House and Morgan of the Senate.

An Act relating to higher education; amending 70 O.S. 2001, Sections 3218.2, 3218.8, 3218.9, 3218.10 and 3218.12, which relate to resident and nonresident tuition and fees; enlarging distribution of report on tuition and fees; modifying contents of report; modifying certain limits set on the Oklahoma State Regents for Higher Education for certain increases in resident and nonresident tuition and fees; providing for mandatory fees; specifying criteria for use in determination of tuition and fee limits; deleting certain tuition and fee limits; deleting time limits set on the Oklahoma State Regents for Higher Education regarding increases in resident and nonresident tuition and fees; requiring the Oklahoma State Regents for Higher Education to take certain actions with regard to ensuring affordability and access to student aid when establishing tuition rates; authorizing institutional governing boards to establish academic service fees and specifying limit; modifying information to be maintained on fees; requiring the State Regents to maintain certain reports concerning tuition and fees for public inspection; requiring certain institutions to submit certain report to the United States Department of Education; requiring certain audit and specifying submission of audit for public inspection; amending 74 O.S. 2001, Section 3117, which relates to fee increases by state agencies; modifying description of higher education boards in exception to certain requirement on fees; modifying compliance standard for reporting to the Legislature on fee increases; changing name of certain legislative committee; repealing 70 O.S. 2001, Sections 3218.8a and 3218.11, which relate to tuition at Oklahoma State University Technical Branches at Okmulgee and Oklahoma City and to special fees; providing for codification; and declaring an emergency.

HB 1779 – By Smaligo of the House and Wilcoxson of the Senate.

(aging services – Department on Aging – members – report – codification – emergency)

HJR 1015 – By Hilliard of the House and Shurden of the Senate.

A Joint Resolution relating to a permanent rule of the Oklahoma State Board of Embalmers and Funeral Directors; disapproving, in part, permanent rule OAC 235:10-3-5 regarding supervision of an apprentice by a licensed embalmer or funeral director; directing distribution; and declaring an emergency.

HCR 1009 – By Bonny, Adair, Blackburn, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hutchison, Lamons, Leist, Lerblance, Lindley, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Pettigrew, Pope, Rice, Roan, Roberts, Roggow, Smith (Dale), Smithson, Staggs, Stanley, Taylor, Turner, Tyler, Walker, Wilson, Winchester and Young of the House and Johnson of the Senate.

A Concurrent Resolution applauding Historic Fort Reno, Inc., for their hard work and dedication; urging Oklahoma's Congressional Delegation to support certain federal funding; and directing distribution.

The above-numbered measures were read the first time.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, March 3, 2003, at 10:00 a.m., which motion prevailed.

Pursuant to the Fisher motion, the Senate adjourned at 10:35 a.m. to meet Monday, March 3, 2003, at 10:00 a.m.