

Senate Journal

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

Nineteenth Legislative Day, Tuesday, March 4, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—48.

Senator Rozell declared a quorum present.

The prayer was offered by Dr. Hance Dilbeck, First Baptist Church, Ponca City, the guest of Senator Myers.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 221, 246, 249, 274, 286, 300, 319, 326, 355, 423, 437, 438, 453, 512, 546, 576, 588, 589, 682 and 696 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 395 by Dunlap of the Senate and Winchester of the House was called up for consideration.

Senator Fair asked to coauthor **SB 395**, which was the order.

Senator Dunlap moved to amend **SB 395**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Dunlap moved to amend the floor substitute to **SB 395**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Dunlap moved that **SB 395** be advanced, which motion was declared adopted.

THIRD READING

SB 395 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Coffee, Easley, Helton, Hobson, Leftwich and Stipe.--6.

The bill and emergency passed.

SB 395 was referred for engrossment.

GENERAL ORDER

SB 230 by Crutchfield of the Senate and Stanley of the House was called up for consideration.

Senator Crutchfield moved that **SB 230** be advanced, which motion was declared adopted.

THIRD READING

SB 230 was read for the third time at length.

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

Aye: Aldridge, Cain, Capps, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--35.

Nay: Brogdon, Coates, Fair, Ford, Helton and Williamson.--6.

Excused: Branan, Coffee, Easley, Hobson, Laughlin, Leftwich and Stipe.--7.

The bill passed.

SB 230 was referred for engrossment.

GENERAL ORDER

SB 439 by Nichols of the Senate and Mitchell of the House was called up for consideration.

Senator Williams asked to coauthor **SB 439**, which was the order.

Senator Nichols moved that **SB 439** be advanced, which motion was declared adopted.

THIRD READING

SB 439 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Coffee, Easley, Hobson, Leftwich, Smith and Stipe.--6.

The bill passed.

SB 439 was referred for engrossment.

GENERAL ORDER

SB 584 by Price of the Senate and Covey of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 584**, which was the order.

Senator Price moved that **SB 584** be advanced, which motion was declared adopted.

THIRD READING

SB 584 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Easley, Leftwich and Stipe.--4.

The bill passed.

SB 584 was referred for engrossment.

GENERAL ORDER

SB 422 by Harrison of the Senate and Sweeden of the House was called up for consideration.

Senator Harrison moved that **SB 422** be advanced, which motion was declared adopted.

THIRD READING

SB 422 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Helton, Leftwich and Stipe.--4.

The bill and emergency passed.

SB 422 was referred for engrossment.

GENERAL ORDER

SB 280 by Reynolds of the Senate and Coleman of the House was called up for consideration.

Senator Riley moved to amend **SB 280**, Page 1, Line 22 ½, by inserting a new Section 2 to read as follows:

“Section 2. Any portion of Interstate Highway 412/64 in Tulsa County that is currently designated as the Keystone Expressway shall be renamed as the Sand Springs Expressway. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing such name.”, and by renumbering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Reynolds moved that **SB 280** be advanced, which motion was declared adopted.

THIRD READING

SB 280 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--44.

Nay: Williams.--1.

Excused: Coffee, Leftwich and Stipe.--3.

The bill and emergency passed.

SB 280 was referred for engrossment.

GENERAL ORDER

SB 440 by Rabon of the Senate and Pope of the House was called up for consideration.

Senator Rabon moved that **SB 440** be advanced, which motion was declared adopted.

THIRD READING

SB 440 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Coffee and Stipe.--2.

The bill and emergency passed.

SB 440 was referred for engrossment.

GENERAL ORDER

SB 444 by Morgan of the Senate and Rice of the House was called up for consideration.

Senator Morgan moved that **SB 444** be advanced, which motion was declared adopted.

THIRD READING

SB 444 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Nichols, Rabon and Stipe.--4.

The bill passed.

Senators Rabon and Nichols desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 46; Excused: 2.

The emergency passed.

SB 444 was referred for engrossment.

GENERAL ORDER

SB 607 by Smith of the Senate and Ingmire of the House was called up for consideration.

Senator Smith moved that **SB 607** be advanced, which motion was declared adopted.

THIRD READING

SB 607 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Excused: Coffee.--1.

The bill and emergency passed.

SB 607 was referred for engrossment.

GENERAL ORDER

SB 818 by Wilkerson of the Senate and Askins of the House was called up for consideration.

Senator Wilkerson moved that **SB 818** be advanced, which motion was declared adopted.

THIRD READING

SB 818 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Nay: Nichols.--1.

Excused: Dunlap and Easley.--2.

The bill and emergency passed.

SB 818 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Smith moved to reconsider the vote whereby **SB 479** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Laughlin and Lawler.--2.

Excused: Dunlap and Easley.--2.

SB 479 was placed on Third Reading.

GENERAL ORDER

SB 265 by Monson of the Senate and Askins of the House was called up for consideration.

Senator Monson moved that **SB 265** be advanced, which motion was declared adopted.

THIRD READING

SB 265 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, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Dunlap and Easley.--2.

The bill passed.

SB 265 was referred for engrossment.

GENERAL ORDER

SB 671 by Monson of the Senate and Pope of the House was called up for consideration.

Senator Monson moved that **SB 671** be advanced, which motion was declared adopted.

THIRD READING

SB 671 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, Corn, Crutchfield, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Coffee, Dunlap and Easley.--3.

The bill passed.

SB 671 was referred for engrossment.

GENERAL ORDER

SJR 12 by Monson of the Senate and Pope of the House was called up for consideration.

Senator Monson moved that **SJR 12** be advanced, which motion was declared adopted.

THIRD READING

SJR 12 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Nichols and Riley.--2.

Excused: Dunlap and Kerr.--2.

The resolution passed.

SJR 12 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Robinson moved to reconsider the vote whereby **SB 16** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Cain, Capps, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Laster, Lawler, Leftwich, Littlefield, Monson, Morgan, Nichols, Rabon, Robinson, Smith, Snyder, Stipe, Taylor, Wilkerson and Williams.--27.

Nay: Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Ford, Johnson, Kerr, Laughlin, Maddox, Milacek, Myers, Price, Pruitt, Reynolds, Riley, Rozell, Shurden, Wilcoxson and Williamson.--21.

THIRD READING

SB 16 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fisher, Helton, Hobson, Horner, Lawler, Leftwich, Monson, Morgan, Nichols, Robinson, Stipe, Taylor, Wilkerson and Williams.--19.

Nay: Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Ford, Gumm, Harrison, Johnson, Kerr, Laster, Laughlin, Littlefield, Maddox, Milacek, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Wilcoxson and Williamson.--28.

Excused: Aldridge.--1.

The bill failed.

GENERAL ORDER

SB 299 by Taylor of the Senate and Toure of the House was called up for consideration.

Senator Taylor moved that **SB 299** be advanced, which motion was declared adopted.

THIRD READING

SB 299 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Laughlin, Nichols and Pruitt.--3.

Excused: Harrison.--1.

The bill and emergency passed.

SB 299 was referred for engrossment.

GENERAL ORDER

SB 420 by Reynolds of the Senate and Dank of the House was called up for consideration.

Senator Reynolds moved to amend **SB 420**, Page 2, Line 6 ½, by inserting a new subsection D to read as follows:

“D. All information relating to voter complaints shall remain confidential until after the conclusion to fill each respective seat of each election.”, and by restoring the title, which amendment was declared adopted.

Senator Reynolds moved that **SB 420** be advanced, which motion was declared adopted.

Senator Rabon presiding.

THIRD READING

SB 420 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, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Cain, Gumm, Milacek, Rabon and Rozell.--5.

Excused: Easley and Ford.--2.

The bill and emergency passed.

SB 420 was referred for engrossment.

GENERAL ORDER

SB 443 by Morgan of the Senate and Ingmire of the House was called up for consideration.

Senator Morgan moved that **SB 443** be advanced, which motion was declared adopted.

THIRD READING

SB 443 was read for the third time at length.

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

Aye: Capps, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilkerson and Williams.--30.

Nay: Aldridge, Branan, Brogdon, Cain, Coffee, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Wilcoxson and Williamson.--16.

Excused: Easley and Ford.--2.

The bill passed.

SB 443 was referred for engrossment.

GENERAL ORDER

SB 566 by Robinson of the Senate and Vaughn of the House was called up for consideration.

Senator Gumm moved to amend **SB 566**, Page 4, Line 8, by inserting after the word "to" and before the word "stand-alone" the words "bowling alley or recreation center primarily devoted to the sport of bowling," which amendment was declared adopted.

Senator Robinson moved that **SB 566** be advanced, which motion was declared adopted.

THIRD READING

SB 566 was read for the third time at length.

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

Aye: Cain, Capps, Crutchfield, Easley, Fair, Fisher, Harrison, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Monson, Morgan, Nichols, Robinson, Rozell, Stipe, Taylor, Wilkerson and Williams.--22.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Corn, Dunlap, Ford, Gumm, Johnson, Laughlin, Littlefield, Maddox, Milacek, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Shurden, Snyder, Wilcoxson and Williamson.--24.

Excused: Helton and Smith.--2.

The bill failed.

Pursuant to Rule 12-23, Senator Fair served notice that the vote be reconsidered whereby **SB 566** failed.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1017, 1026, 1075, 1115, 1118, 1146, 1149, 1178, 1273, 1290, 1291, 1321, 1329, 1346, 1390, 1469, 1502, 1512, 1527, 1646 and 1756** and **HCRs 1005 and 1010**.

HB 1017 – By Leist, Harrison, McClain, Dorman and McIntyre of the House and Robinson of the Senate.

An Act relating to poor persons; amending 56 O.S. 2001, Section 222, which relates to certain audits; changing certain responsibility from Department of Public Welfare to the Oklahoma Health Care Authority; amending 56 O.S. 2001, Section 1010.13, which relates to persons authorized to enroll beneficiaries of Medicaid program; clarifying cite; amending 56 O.S. 2001, Section 1025.2, as amended by Section 2, Chapter 378, O.S.L. 2002 (56 O.S. Supp. 2002, Section 1025.2), which relates to community services and Medicaid personal care providers; authorizing Executive Director of Authority to make certain waivers and receive certain information; requiring Department of Human Services to disclose certain information to the State Medicaid Agency; authorizing the Oklahoma Health Care Authority to assess a quality assurance assessment fee on certain health maintenance organizations; providing percentage; providing procedures; providing certain dates for assessment; providing for calculations; limiting certain assessments; specifying uses for assessment; providing conditions which would make assessment null and void; providing for penalties; providing for deposits and expenditures; defining terms; providing for codification; and declaring an emergency.

HB 1026 – By Miller (Ray) of the House and Robinson of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 406, which relates to child care facilities; making certain actions and reports unlawful; providing for penalty and fees; and declaring an emergency.

HB 1075 – By Plunk and Liotta of the House and Maddox of the Senate.

An Act relating to statutes and reports; amending Section 3, Chapter 495, O.S.L. 2002, Section 4, Chapter 495, O.S.L. 2002, and 75 O.S. 2001, Section 303, as amended by Section 8, Chapter 495, O.S.L. 2002 (75 O.S. Supp. 2002, Sections 503, 504 and 303), which relate to the Small Business Regulatory Flexibility Act; modifying reference to

adverse impact; modifying provisions related to terms of members of Small Business Regulatory Review Committee; providing an effective date; and declaring an emergency.

HB 1115 – By Nations and Lindley of the House and Rabon of the Senate.

(state government - amending 74 O.S., Sections 588 and 589 - Oklahoma Privatization of State Functions Act - cost/benefit analysis - codification - effective date)

HB 1118 – By Nations of the House and Crutchfield of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 3002, as amended by Section 9, Chapter 98, O.S.L. 2002 (68 O.S. Supp. 2002, Section 3002), which relates to budget and financial statements of local governments; clarifying requirement for municipalities to adopt a budget; and declaring an emergency.

HB 1146 – By Balkman of the House and Reynolds of the Senate.

An Act relating to the Oklahoma Open Records Act; requiring certain state environmental agencies and public utilities to keep certain information confidential; defining term; providing for codification; and declaring an emergency.

HB 1149 – By Miller (Ray) of the House and Corn of the Senate.

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 339, as amended by Section 1, Chapter 142, O.S.L. 2002 (19 O.S. Supp. 2002, Section 339), which relate to the general powers of the board of county commissioners; allowing county equipment, labor, and supplies to be utilized by certain colleges; and providing an effective date.

HB 1178 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(chief executive offices – appropriation – effective date – emergency)

HB 1273 – By Perry of the House and Maddox of the Senate.

(insurance – notice – codification – effective date)

HB 1290 – By Nance of the House and Coffee of the Senate.

An Act relating to property; amending 60 O.S. 2001, Section 178.4, which relates to trust purposes; modifying authorized purposes; and providing an effective date.

HB 1291 – By Nance of the House and Wilcoxson of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Sections 3603, as amended by Section 1, Chapter 308, O.S.L. 2002, and 3604, as amended by Section 1, Chapter 21, O.S.L. 2002 (68 O.S. Supp. 2002, Sections 3603 and 3604), which relate to the Oklahoma Quality Jobs Program Act; modifying definitions; modifying reference to establishments qualifying for certain net benefit rate; providing for qualification of certain establishments for net benefit rate based upon satisfaction of certain requirements related to certain compensated employees; providing for codification; providing an effective date; and declaring an emergency.

HB 1321 – By Tibbs of the House and Williams of the Senate.

An Act relating to grandparent visitation rights; amending 10 O.S. 2001, Section 5, which relates to grandparent visitation; expanding conditions in determining the best interest of a minor child; requiring a showing of harm or potential harm in certain situations; defining terms; amending 10 O.S. 2001, Section 24, which relates to appointment of legal counsel; providing for assessment of legal fees under certain circumstances; and providing an effective date.

HB 1329 – By Perry of the House and Coffee of the Senate.

An Act relating to state government; enacting the Oklahoma Online Bidding Act; stating intent; defining terms; authorizing an online bidding process; providing requirements of the online bidding process; providing for rules; amending 61 O.S. 2001, Section 209, as amended by Section 33, Chapter 294, O.S.L. 2002 (61 O.S. Supp. 2002, Section 209), which relates to the Public Building Construction and Planning Act; clarifying certain duty of the Director of the Department of Central Services; amending 74 O.S. 2001, Section 85.5, as amended by Section 3, Chapter 483, O.S.L. 2002 (74 O.S. Supp. 2002, Section 85.5), which relates to duties of the State Purchasing Director and the Director of the Department of Central Services; clarifying duty of the State Purchasing Director; providing for codification; providing an effective date; and declaring an emergency.

HB 1346 – By Peters and Gilbert of the House and Reynolds of the Senate.

An Act relating to public health and safety; requiring the Oklahoma Health Care Authority to work with the State Department of Health to establish and submit a rule that will provide Medicaid funding for certain programs; authorizing the use of certain funds for Medicaid funding; providing for codification; and declaring an emergency.

HB 1390 – By Blackwell, Askins, Braddock, Rice, Wilson and Davis of the House and Brogdon of the Senate.

(schools - amending 70 O.S., Section 18-200.1 – State Aid formula – penalty – effective date – emergency)

HB 1469 – By Lerblance and Braddock of the House and Stipe of the Senate.

An Act relating to criminal history checks; amending 3A O.S. 2001, Sections 201, as amended by Section 2, Chapter 375, O.S.L. 2002 and 204.2 (3A O.S. Supp. 2002, Section 201), which relate to the Oklahoma Horse Racing Commission; adding requirement for certain criminal history checks; amending 5 O.S. 2001, Section 12, which relates to qualifications and fitness for admission to practice law; establishing criminal history record check; amending 37 O.S. 2001, Section 506.1, which relates to the Alcoholic Beverage Laws Enforcement Commission; establishing criminal history record check; amending 59 O.S. 2001, Section 1305, which relates to licensing of bail bondsman; establishing criminal history record check; amending 59 O.S. 2001, Section 1524, which relates to the Precious Metal and Gem Dealer Licensing Act; requiring criminal history record check; amending 59 O.S. 2001, Section 1750.6, which relates to the Oklahoma Security Guard and Private Investigator Act; adding requirement for certain criminal history record check; amending 59 O.S. 2001, Section 1800.8, which relates to alarm company licenses; requiring criminal

history record check; amending 70 O.S. 2001, Section 6-190, as amended by Section 3, Chapter 236, O.S.L. 2002 (70 O.S. Supp. 2002, Section 6-190), which relates to qualifications for teacher employment; clarifying requirement for criminal history record checks; amending 74 O.S. 2001, Section 150.9, which relates to criminal history records; adding definition; and providing an effective date.

HB 1502 – By Cox of the House and Crutchfield of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 942, which relates to acts by unlicensed persons concerning sales of optical goods and devices; adding to powers and duties of Board of Examiners in Optometry; adding restriction; defining term; and declaring an emergency.

HB 1512 – By Paulk of the House and Littlefield of the Senate.

(school buildings - amending fifty-five sections in Title 63 - loyalty oath – civil liability - Flood Hazard Mitigation Program - amending various sections in Titles 3, 21, 47, 74 and 85 - repealing seven sections in Title 63 – emergency)

HB 1527 – By Ericson, Coleman, Dank and Greenwood of the House and Reynolds of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 5-134.1, which relates to school district budget adoption procedures; updating statutory language; requiring school districts to transmit certain data to the State Department of Education; directing the Department to post certain data on a certain Internet website; providing an effective date; and declaring an emergency.

HB 1646 – By Ferguson of the House and Wilcoxson of the Senate.

An Act relating to school records; amending 51 O.S. 2001, Section 24A.16, which relates to confidentiality of educational records and material; updating statutory language; allowing the release of certain individual student records to certain school districts; amending 70 O.S. 2001, Section 6-115, which relates to information concerning pupils; clarifying statutory language; authorizing the release of certain information by a teacher if required by law; providing an effective date; and declaring an emergency.

HB 1756 – By Hefner and Adkins of the House and Easley of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-122.3, which relates to Alternative Placement teaching certificate; adding an alternative to certain examinations required for alternative certification for certain persons; authorizing the State Board of Education to determine comparability; and declaring an emergency.

HCR 1005 – By Hefner and Braddock of the House and Easley of the Senate.

A Concurrent Resolution directing the Department of Transportation to review transportation projects; and directing distribution.

HCR 1010 – By Turner, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, DeWitt, Deutschendorf, Dorman, Easley, Eddins,

Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Oneal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Wilkerson of the Senate.

A Concurrent Resolution memorializing Congress to pass certain legislation related to tax benefits in certain geographic areas of the State of Oklahoma; making findings regarding federal income tax laws; stating value of certain method of depreciation of business assets for federal tax purposes; stating value of certain federal income tax credits; requesting extension of time periods during which federal tax benefits applicable; and directing distribution.

The above-numbered measures were read the first time.

Senator Fisher moved that the Senate recess until 2:00 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Rozell presiding.

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

GENERAL ORDER

SB 688 by Price of the Senate and Covey of the House was called up for consideration.

Senator Price moved to amend **SB 688**, Page 1, Line 18 by inserting after the word “established” and before the word “prior” the words “and housed juveniles”, which amendment was declared adopted.

Senator Price moved that **SB 688** be advanced, which motion was declared adopted.

THIRD READING

SB 688 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, Dunlap, Easley, Fisher, Ford, Gumm, Harrison, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Fair, Helton and Snyder.--3.

The bill and emergency passed.

SB 688 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Monson moved to reconsider the vote whereby **SB 212** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Coffee, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Stipe, Taylor, Wilcoxson and Wilkerson.--33.

Nay: Aldridge, Branan, Brogdon, Coates, Dunlap, Fair, Ford, Myers, Nichols, Reynolds and Smith.--11.

Excused: Helton, Snyder, Williams and Williamson.--4.

SB 212 was placed on Third Reading.

MOTION TO RECONSIDER VOTE

Senator Monson moved to reconsider the vote whereby **SB 677** failed, which motion was declared adopted upon roll call as follows:

Aye: Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Hobson, Horner, Johnson, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Stipe, Taylor, Wilkerson and Williams.--32.

Nay: Aldridge, Brogdon, Dunlap, Fair, Ford, Laughlin, Milacek, Nichols, Price, Riley, Smith, Snyder, Wilcoxson and Williamson.--14.

Excused: Helton and Kerr.--2.

SB 677 was placed on Third Reading.

MOTION TO RECONSIDER VOTE

Senator Maddox moved to reconsider the vote whereby **SJR 8** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Coffee, Crutchfield, Easley, Fair, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Reynolds, Riley, Shurden, Smith, Stipe, Taylor, Wilkerson, Williams and Williamson.--27.

Nay: Aldridge, Branan, Brogdon, Coates, Corn, Dunlap, Fisher, Ford, Gumm, Laughlin, Lawler, Milacek, Myers, Nichols, Pruitt, Rabon, Rozell, Snyder and Wilcoxson.--19.

Excused: Helton and Robinson.--2.

THIRD READING

Senator Maddox moved to reconsider the vote whereby **SJR 8** was advanced, which motion was declared adopted.

GENERAL ORDER

SJR 8 was called up for further consideration.

Senator Easley moved to amend **SJR 8**, Page 1 , Line 24 through Page 2, Line 22, by deleting all language in Section 1 and inserting in lieu thereof the following:

“SECTION 1. It shall be a goal of the State of Oklahoma to encourage the development of renewable resources, which include wind, sun, geothermal, biomass/bioenergy and new hydroelectric sources. It shall further be a goal of this state to promote the use of renewable energy and encourage Oklahoma citizens to consider utilizing renewable energy sources in our homes and businesses.”, which amendment was declared adopted.

Senator Maddox moved that **SJR 8** be advanced, which motion was declared adopted.

THIRD READING

SJR 8 was read for the third time at length.

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

Aye: Cain, Capps, Coffee, Crutchfield, Easley, Fair, Fisher, Ford, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--35.

Nay: Aldridge, Branam, Brogdon, Coates, Corn, Dunlap, Gumm, Littlefield, Nichols, Pruitt and Riley.--11.

Excused: Helton and Hobson.--2.

The resolution passed.

SJR 8 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Wilkerson moved to reconsider the vote whereby **SB 565** passed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branam, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Nay: Brogdon.--1.

Excused: Helton and Maddox.--2.

SB 565 was placed on Third Reading.

INTRODUCTION

Senator Smith introduced his wife, Sally Howe Smith, to the Senate.

GENERAL ORDER

SB 260 by Leftwich of the Senate and Boren of the House was called up for consideration.

Senator Leftwich moved to amend **SB 260**, Page 1, Line 17, by deleting before the word "Monday" the word "last" and inserting in lieu thereof the word "third"; Page 1, Line 25, by deleting before the word "Tuesday" the word "first" and inserting in lieu thereof the word "last"; and Page 1, Line 25, by striking after the word "in" and before the word "of" the word "August" and inserting in lieu thereof the word "July", which amendment was declared adopted.

Senator Leftwich moved that **SB 260** be advanced, which motion was declared adopted.

THIRD READING

SB 260 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, 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.--45.

Excused: Easley, Helton and Taylor.--3.

The bill and emergency passed.

SB 260 was referred for engrossment.

GENERAL ORDER

SB 708 by Monson of the Senate and Pope of the House was called up for consideration.

Senator Monson moved that **SB 708** be advanced, which motion was declared adopted.

THIRD READING

SB 708 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox,

Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--34.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Laughlin, Myers, Nichols, Pruitt, Reynolds and Riley.--11.

Excused: Easley, Taylor and Williamson.--3.

The bill passed.

SB 708 was referred for engrossment.

GENERAL ORDER

SB 353 by Wilcoxson of the Senate and Miller (Doug) of the House was called up for consideration.

Senator Wilcoxson asked to be removed and Senator Ford asked to be named principal Senate author on **SB 353**, which was the order.

Senator Ford moved that **SB 353** be advanced, which motion was declared adopted.

THIRD READING

SB 353 was read for the third time at length.

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

Aye: Branan, Cain, Coffee, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--34.

Nay: Aldridge, Brogdon, Capps, Coates, Kerr, Laughlin, Myers, Nichols, Price, Pruitt and Rozell.--11.

Excused: Dunlap, Easley and Taylor.--3.

The bill passed.

SB 353 was referred for engrossment.

GENERAL ORDER

SB 4 by Lawler of the Senate and McCarter of the House was called up for consideration.

Senator Lawler moved that **SB 4** be advanced, which motion was declared adopted.

THIRD READING

SB 4 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Wilkerson and Williams.--29.

Nay: Aldridge, Branam, Brogdon, Coates, Coffee, Fair, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--14.

Excused: Dunlap, Easley, Ford, Stipe and Taylor.--5.

The bill passed.

Senators Stipe, Ford, Snyder, Branam, Myers and Coates desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 35; Nay: 10; Excused: 3.

The emergency passed.

SB 4 was referred for engrossment.

GENERAL ORDER

SB 5 by Wilcoxson et al of the Senate and Langmacher and Hefner of the House was called up for consideration.

Senator Wilcoxson moved to amend **SB 5**, Page 5, Line 7, by deleting after the word "No." and before the word "of" the numeral "444110" and inserting in lieu thereof the numeral "4441", which amendment was declared adopted.

Senator Wilcoxson moved that **SB 5** be advanced, which motion was declared adopted.

THIRD READING

SB 5 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Shurden and Stipe.--2.

Excused: Dunlap, Easley, Horner, Milacek and Taylor.--5.

The bill and emergency passed.

SB 5 was referred for engrossment.

INTRODUCTION

Senator Rozell introduced his son-in-law, Greg Mitchell, to the Senate.

Senator Robinson presiding.

GENERAL ORDER

SB 806 by Williams of the Senate and McIntyre of the House was called up for consideration.

Senator Williams moved to amend **SB 806**, Page 1, Line 10 through Page 5, Line 8, by deleting Section 1 and inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 70 O.S. 2001, Section 6-200, is amended to read as follows:

Section 6-200. A. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall have authority to develop and administer training for residency committees and training for professional development through professional development institutes. Included in the professional development institutes training shall be technology

training. Professional development institutes shall be accepted by the State Board of Education for professional development purposes and shall be defined as continuing education experiences which consist of a minimum of thirty (30) clock hours. The institutes shall be competency-based, emphasize effective learning practices, require collaboration among participants, and require each participant to prepare a work product which can be utilized in the classroom by the participant. Any state professional development institutes administered by the Commission shall be chosen through a competitive bid process and if funds are available subject to peer review. The Commission, prior to offering any professional development institute, shall promulgate rules related to administering state professional development institutes.

~~B. With the funds appropriated in House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature specifically for the purpose of funding professional development institutes in intensive elementary reading, the~~ The Oklahoma Commission for Teacher Preparation shall develop, offer and administer professional development institutes to train elementary school teachers in reading education. ~~The funds shall be used for the cost of developing, administering and contracting for the professional development institutes.~~ When possible, certified reading specialists shall be included as consultants. All costs of the institutes shall be included in the contract price and no tuition or registration fee shall be collected from teachers attending the institutes. The institutes shall be offered by or through the Commission. Working in conjunction with the State Department of Education, the Commission shall develop a state plan for administration of such institutes and shall report to the Governor and the Legislature on the format of and participation in the institutes. The State Department of Education shall cooperate with and provide any information requested to the Oklahoma Commission for Teacher Preparation as is necessary to carry out the provisions of this subsection. As additional funds become available for such purpose, the Commission shall develop and offer professional development institutes in mathematics for teachers in grades five through nine, the use of technology in the classroom, training of residency committee members in teacher mentoring and in hands-on inquiry-based science for elementary teachers. The Commission shall ensure training for mentor teachers is provided on a priority basis to teachers at schools identified by the State Board of Education as a school improvement site or a low-performing or high challenge school.

C. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall:

1. Make available in Fiscal Year 1999, a three-day follow-up professional development institute for teachers who participated in an elementary school reading professional development institute during Fiscal Year 1998;
2. Provide five-day initial professional development institutes in elementary school reading for elementary school teachers and instructional leaders;
3. Contract for an independent evaluation of the elementary school reading professional development institute; and
4. Provide continued support of the elementary school reading professional development institutes through ongoing teacher development at individual school sites. Funds may be used for the cost of mentor training, payment for substitute teachers, on-site facilitation, and any other costs necessary to ensure improved reading by students.”, which amendment was declared adopted.

Senator Williams moved that **SB 806** be advanced, which motion was declared adopted.

THIRD READING

SB 806 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Nay: Milacek.--1.

Excused: Easley and Taylor.--2.

The bill and emergency passed.

SB 806 was referred for engrossment.

GENERAL ORDER

SB 809 by Wilkerson of the Senate and Kirby of the House was called up for consideration.

Senator Wilkerson moved that **SB 809** be advanced, which motion was declared adopted.

THIRD READING

SB 809 was read for the third time at length.

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

Aye: Cain, Capps, Crutchfield, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilkerson and Williams.--29.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Corn, Dunlap, Fair, Johnson, Laughlin, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--17.

Excused: Easley and Taylor.--2.

The bill passed.

Senators Corn, Dunlap and Johnson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 14; Excused: 2.

The emergency passed.

SB 809 was referred for engrossment.

GENERAL ORDER

SB 820 by Shurden of the Senate and Leist of the House was called up for consideration.

Senator Shurden moved that **SB 820** be advanced, which motion was declared adopted.

THIRD READING

SB 820 was read for the third time at length.

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

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

Nay: Brogdon, Dunlap, Fair, Nichols and Riley.--5.

Excused: Easley and Taylor.--2.

The bill passed.

SB 820 was referred for engrossment.

GENERAL ORDER

SB 810 by Wilkerson of the Senate and Staggs of the House was called up for consideration.

Senator Wilkerson moved that **SB 810** be advanced, which motion was declared adopted.

THIRD READING

SB 810 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Nay: Coffee and Nichols.--2.

Excused: Easley, Helton and Taylor.--3.

The bill and emergency passed.

SB 810 was referred for engrossment.

GENERAL ORDER

SB 343 by Pruitt and Easley of the Senate and Winchester of the House was called up for consideration.

Senator Pruitt moved to amend **SB 343**, Page 2, Line 1, by inserting a new paragraph 3 to read as follows:

“3. The parent or guardian of the student to provide to the school an emergency supply of the student’s medication to be administered pursuant to the provisions of Section 1-116.2 of Title 70 of the Oklahoma Statutes;” and by relettering subsequent paragraphs, which amendment was declared adopted.

Senator Pruitt moved to amend **SB 343**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Pruitt moved that **SB 343** be advanced, which motion was declared adopted.

THIRD READING

SB 343 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, 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, Williams and Williamson.--45.

Nay: Coffee.--1.

Excused: Easley and Taylor.--2.

The bill and emergency passed.

SB 343 was referred for engrossment.

GENERAL ORDER

SB 539 by Coffee of the Senate and Morgan (Danny) of the House was called up for consideration.

Senator Horner asked to coauthor **SB 539**, which was the order.

Senator Coffee moved that **SB 539** be advanced, which motion was declared adopted.

THIRD READING

SB 539 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, Fair, Fisher, Ford, Gumm, Harrison, 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, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Dunlap, Easley, Littlefield and Taylor.--4.

The bill passed.

SB 539 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

SB 772 by Wilkerson of the Senate and Askins of the House was called up for consideration.

Senator Wilkerson moved that **SB 772** be advanced, which motion was declared adopted.

THIRD READING

SB 772 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, 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, Wilkerson, Williams and Williamson.--45.

Excused: Easley, Hobson and Taylor.--3.

The bill and emergency passed.

SB 772 was referred for engrossment.

Senator Fisher moved that the Senate recess until 5:00 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Price presiding.

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

GENERAL ORDER

SB 295 by Milacek of the Senate and DeWitt of the House was called up for consideration.

Senator Milacek moved that **SB 295** be advanced, which motion was declared adopted.

THIRD READING

SB 295 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, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Rabon, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--32.

Excused: Capps, Coffee, Easley, Fair, Hobson, Johnson, Laughlin, Leftwich, Monson, Morgan, Pruitt, Reynolds, Rozell, Stipe, Taylor and Williamson.--16.

The bill and emergency passed.

SB 295 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

SB 380 by Helton of the Senate and McCarter of the House was called up for consideration.

Senator Helton moved that **SB 380** be advanced, which motion was declared adopted.

THIRD READING

SB 380 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, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Shurden, Smith, Stipe, Wilcoxson, Wilkerson and Williams.--33.

Excused: Capps, Coffee, Easley, Fair, Hobson, Johnson, Laughlin, Leftwich, Monson, Morgan, Reynolds, Rozell, Snyder, Taylor and Williamson.--15.

The bill and emergency passed.

SB 380 was referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

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

GENERAL ORDER

SCR 9 by Harrison of the Senate and Ferguson of the House was called up for consideration.

SCR 9 was adopted upon motion of Senator Harrison and referred for engrossment.

GENERAL ORDER

SB 521 by Maddox of the Senate and Plunk of the House was called up for consideration.

Senator Maddox moved to amend **SB 521**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Maddox moved that **SB 521** be advanced, which motion was declared adopted.

THIRD READING

SB 521 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, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Capps, Coffee, Easley, Fair, Johnson, Laughlin, Leftwich, Monson and Taylor.--9.

The bill passed.

SB 521 was referred for engrossment.

GENERAL ORDER

SB 833 by Shurden of the Senate and Leist of the House was called up for consideration.

Senator Shurden moved that **SB 833** be advanced, which motion was declared adopted.

THIRD READING

SB 833 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, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Nay: Nichols.--1.

Excused: Capps, Coffee, Easley, Fair, Johnson, Laughlin, Monson and Taylor.--8.

The bill and emergency passed.

SB 833 was referred for engrossment.

GENERAL ORDER

SB 547 by Nichols of the Senate and Nations of the House was called up for consideration.

Senator Nichols moved to amend **SB 547**, Page 1, by striking the title, which amendment was declared adopted.

Senator Nichols moved that **SB 547** be advanced, which motion was declared adopted.

THIRD READING

SB 547 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, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Coffee, Easley, Fair, Johnson, Laughlin, Monson and Taylor.--7.

The bill and emergency passed.

SB 547 was referred for engrossment.

Senator Rozell presiding.

GENERAL ORDER

SB 234 by Reynolds of the Senate and Calvey of the House was called up for consideration.

Senator Reynolds moved to amend **SB 234**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Reynolds moved that **SB 234** be advanced, which motion was declared adopted.

THIRD READING

SB 234 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, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Fair, Monson and Taylor.--4.

The bill and emergency passed.

SB 234 was referred for engrossment.

GENERAL ORDER

SB 350 by Pruitt of the Senate and Peterson of the House was called up for consideration.

Senator Pruitt moved that **SB 350** be advanced, which motion was declared adopted.

THIRD READING

SB 350 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, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Rozell and Stipe.--2.

Excused: Easley, Fair, Monson and Taylor.--4.

The bill and emergency passed.

SB 350 was referred for engrossment.

GENERAL ORDER

SB 698 by Morgan of the Senate and Askins of the House was called up for consideration.

Senator Morgan moved that **SB 698** be advanced, which motion was declared adopted.

THIRD READING

SB 698 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Ford, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Stipe, Wilkerson and Williams.--27.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Johnson, Laughlin, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--16.

Excused: Easley, Fair, Hobson, Monson and Taylor.--5.

The bill passed.

Senator Hobson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 28; Nay: 16; Excused: 4.

The emergency failed.

SB 698 was referred for engrossment.

GENERAL ORDER

SB 585 by Wilkerson of the Senate and Askins of the House was called up for consideration.

Senator Wilkerson moved that **SB 585** be advanced, which motion was declared adopted.

THIRD READING

SB 585 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, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Fair, Monson and Taylor.--4.

The bill passed.

SB 585 was referred for engrossment.

GENERAL ORDER

SB 554 by Nichols of the Senate and Cox of the House was called up for consideration.

Senator Corn moved to amend **SB 554**, Page 1, Lines 14, by inserting after the comma and before the word "public" the words "licensed child care facilities"; and Page 1, Line 16, by inserting after the comma and before the word "public" the words "licensed child care facility", which amendment was declared adopted.

Senator Nichols moved that **SB 554** be advanced, which motion was declared adopted.

THIRD READING

SB 554 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, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Fair, Monson and Taylor.--4.

The bill and emergency passed.

SB 554 was referred for engrossment.

GENERAL ORDER

SJR 18 by Kerr of the Senate and Braddock of the House was called up for consideration.

Senator Kerr moved that **SJR 18** be advanced, which motion was declared adopted.

THIRD READING

SJR 18 was read for the third time at length.

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

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

Excused: Easley, Fair, Monson and Taylor.--4.

The resolution passed.

SJR 18 was referred for engrossment.

GENERAL ORDER

SB 289 by Riley of the Senate and Greenwood of the House was called up for consideration.

Senator Riley moved that **SB 289** be advanced, which motion was declared adopted.

THIRD READING

SB 289 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, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster,

Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Laughlin, Shurden and Stipe.--3.

Excused: Easley, Fair, Monson and Taylor.--4.

The bill and emergency passed.

SB 289 was referred for engrossment.

GENERAL ORDER

SB 12 by Coffee of the Senate and Phillips of the House was called up for consideration.

Senator Coffee moved that **SB 12** be advanced, which motion was declared adopted.

THIRD READING

SB 12 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, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Cain and Snyder.--2.

Excused: Easley, Fair, Monson, Morgan and Taylor.--5.

The bill and emergency passed.

SB 12 was referred for engrossment.

GENERAL ORDER

SB 264 by Leftwich of the Senate and Askins of the House was called up for consideration.

Senator Leftwich moved that **SB 264** be advanced, which motion was declared adopted.

THIRD READING

SB 264 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Leftwich, Littlefield, Morgan, Rabon, Robinson, Rozell, Shurden, Stipe, Wilkerson and Williams.--19.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Crutchfield, Dunlap, Ford, Helton, Johnson, Laster, Laughlin, Lawler, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--25.

Excused: Easley, Fair, Monson and Taylor.--4.

The bill failed.

Pursuant to Rule 12-23, Senator Leftwich served notice that the vote be reconsidered whereby **SB 264** failed.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, March 5, 2003, at 9:00 a.m., which motion prevailed.

**BILL RELEASED
TIME EXPIRED TO RECONSIDER**

SB 594 was referred for engrossment.

SECOND READING

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

SCR 8 – Rules

FIRST READING

The following was introduced and read the first time:

SCR 11 – By Monson of the Senate and Leist of the House

A Concurrent Resolution designating March 10-16, 2003, “Cover the Uninsured Week” in the State of Oklahoma; encouraging widespread participation; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 6:25 p.m. to meet Wednesday, March 5, 2003, at 9:00 a.m.