

Senate Journal

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

Twenty-first Legislative Day, Thursday, March 6, 2003

The Senate was called to order by Senator Gumm.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.—40.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell and Taylor.—8.

Senator Gumm 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 231, 235, 243, 251, 257, 263, 281, 325, 379, 391, 429, 436, 442, 448, 449, 454, 455, 479, 495, 509, 531, 543, 564, 565, 571, 591, 605, 611, 616, 622, 631, 634, 647, 674, 680, 700, 703, 705, 721, 724, 726, 733, 788, 817, 834 and 837 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 586 by Harrison et al of the Senate and Staggs et al of the House was called up for consideration.

Senators Morgan, Fisher, Littlefield, Milacek, Price, Rabon, Monson, Lawler, Wilkerson, Capps, Corn, Kerr, Rozell, Nichols and Crutchfield and Representatives

Sweeden, Ingmire, Rice, Wilson, Pettigrew, Toure, Vaughn and Pope asked to coauthor **SB 586**, which was the order.

Senator Harrison moved that **SB 586** be advanced, which motion was declared adopted.

THIRD READING

SB 586 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Stipe, Wilcoxson, Wilkerson and Williamson.--38.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Snyder, Taylor and Williams.--10.

The bill and emergency passed.

SB 586 was referred for engrossment.

GENERAL ORDER

SB 686 by Smith and Williams of the Senate and McIntyre of the House was called up for consideration.

Senator Smith moved to amend **SB 686**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Smith moved that **SB 686** be advanced, which motion was declared adopted.

THIRD READING

SB 686 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds,

Riley, Robinson, Shurden, Smith, Stipe, Wilcoxson, Wilkerson and Williamson.--38.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Snyder, Taylor and Williams.--10.

The bill passed.

SB 686 was referred for engrossment.

GENERAL ORDER

SB 409 by Corn of the Senate and Miller (Ray) of the House was called up for consideration.

Senator Corn moved to amend **SB 409**, Page 1, by striking the title, which amendment was declared adopted.

Senator Corn moved that **SB 409** be advanced, which motion was declared adopted.

THIRD READING

SB 409 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Stipe, Wilcoxson, Wilkerson and Williamson.--38.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Snyder, Taylor and Williams.--10.

The bill and emergency passed.

SB 409 was referred for engrossment.

GENERAL ORDER

SB 639 by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved that **SB 639** be advanced, which motion was declared adopted.

THIRD READING

SB 639 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, Fisher, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williamson.--38.

Excused: Dunlap, Easley, Fair, Ford, Horner, Monson, Morgan, Rozell, Taylor and Williams.--10.

The bill and emergency passed.

SB 639 was referred for engrossment.

GENERAL ORDER

SB 643 by Corn of the Senate and Ferguson of the House was called up for consideration.

Senator Corn moved that **SB 643** be advanced, which motion was declared adopted.

THIRD READING

SB 643 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Pruitt, Rozell and Taylor.--9.

The bill passed.

SB 643 was referred for engrossment.

GENERAL ORDER

SB 645 by Corn of the Senate and Roan of the House was called up for consideration.

Senator Corn moved that **SB 645** be advanced, which motion was declared adopted.

THIRD READING

SB 645 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Maddox, Monson, Morgan, Rozell and Taylor.--9.

The bill and emergency passed.

SB 645 was referred for engrossment.

GENERAL ORDER

HB 1017 by Leist et al of the House and Robinson of the Senate was called up for consideration.

Senator Robinson moved that **HB 1017** be advanced, which motion was declared adopted.

THIRD READING

HB 1017 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, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Price, Rabon, Riley, Robinson, Shurden, Smith, Wilkerson, Williams and Williamson.--28.

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

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill passed.

Senators Nichols, Coffee, Reynolds and Laughlin desired to vote Aye on the emergency.

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

The emergency passed.

HB 1017 was referred for engrossment.

GENERAL ORDER

SB 665 by Corn of the Senate and Brannon of the House was called up for consideration.

Senator Corn moved that **SB 665** be advanced, which motion was declared adopted.

THIRD READING

SB 665 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill and emergency passed.

SB 665 was referred for engrossment.

GENERAL ORDER

SB 668 by Corn of the Senate and Ferguson of the House was called up for consideration.

Senator Corn moved that **SB 668** be advanced, which motion was declared adopted.

THIRD READING

SB 668 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, Coates, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Price, Pruitt, Rabon, Reynolds, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--35.

Nay: Branan, Brogdon, Nichols and Riley.--4.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill passed.

Senator Branan desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 36; Nay: 3; Excused: 9.

The emergency passed.

SB 668 was referred for engrossment.

GENERAL ORDER

SB 363 by Shurden of the Senate and Wilson of the House was called up for consideration.

Senator Shurden moved to amend **SB 363**, Page 1, Line 16, by inserting after the word "in" and before the word "positions" the words "newly created", which amendment was declared adopted.

Senator Shurden moved that **SB 363** be advanced, which motion was declared adopted.

THIRD READING

SB 363 was read for the third time at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Lawler, Leftwich, Littlefield, Maddox, Price, Rabon, Robinson, Shurden and Wilkerson.--21.

Nay: Aldridge, Branan, Brogdon, Coffee, Johnson, Laster, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson, Williams and Williamson.--18.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill failed.

Pursuant to Rule 12-23, Senator Shurden served notice that the vote be reconsidered whereby **SB 363** failed.

GENERAL ORDER

SB 318 by Helton of the Senate and Brannon and Askins of the House was called up for consideration.

Senator Helton moved to amend **SB 318**, 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 Helton moved that **SB 318** be advanced, which motion was declared adopted.

THIRD READING

SB 318 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill and emergency passed.

SB 318 was referred for engrossment.

GENERAL ORDER

SB 525 by Maddox of the Senate and Stanley of the House was called up for consideration.

Senator Maddox moved that **SB 525** be advanced, which motion was declared adopted.

THIRD READING

SB 525 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill passed.

SB 525 was referred for engrossment.

GENERAL ORDER

SB 807 by Laughlin of the Senate and Nance of the House was called up for consideration.

Senator Laughlin moved that **SB 807** be advanced, which motion was declared adopted.

THIRD READING

SB 807 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--37.

Nay: Robinson.--1.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Shurden, Stipe and Taylor.--10.

The bill and emergency passed.

SB 807 was referred for engrossment.

GENERAL ORDER

SB 401 by Corn of the Senate and Smithson of the House was called up for consideration.

Senator Corn moved that **SB 401** be advanced, which motion was declared adopted.

THIRD READING

SB 401 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Shurden, Stipe and Taylor.--10.

The bill passed.

SB 401 was referred for engrossment.

GENERAL ORDER

SB 338 by Robinson of the Senate and Eddins of the House was called up for consideration.

Senator Robinson moved to amend **SB 338**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Robinson moved that **SB 338** be advanced, which motion was declared adopted.

THIRD READING

SB 338 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill passed.

SB 338 was referred for engrossment.

GENERAL ORDER

SB 340 by Robinson of the Senate and Askins of the House was called up for consideration.

Senator Robinson moved that **SB 340** be advanced, which motion was declared adopted.

THIRD READING

SB 340 was read for the third time at length.

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

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

Nay: Aldridge.--1.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill and emergency passed.

SB 340 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1004, 1085, 1086, 1117, 1366, 1397, 1401, 1403, 1438, 1475, 1561, 1562, 1565, 1590, 1599, 1607, 1707, 1708, 1738, 1781, 1800, 1801** and **1814**.

HB 1004 – By Plunk, Mitchell and Davis of the House and Wilkerson of the Senate.
(cities and towns - amending 11 O.S., Section 21-103 - city annexation procedure - farming units - effective date – emergency)

HB 1085 – By Bonny of the House and Gumm of the Senate.
An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 2357.41, which relates to credits against state income tax; modifying applicability of certain tax credit; and providing an effective date.

HB 1086 – By Carey of the House and Gumm of the Senate.
An Act relating to state government; amending 74 O.S. 2001, Sections 840-2.27B and 840-2.27D, which relate to the State Government Reduction-in-Force and Severance Benefits Act; adding a definition; modifying scope of employees eligible for severance benefits; and declaring an emergency.

HB 1117 – By Nations of the House and Nichols of the Senate.
An Act relating to the Service Warranty Insurance Act; amending 36 O.S. 2001, Section 6602, as last amended by Section 3, Chapter 409, O.S.L. 2002 (36 O.S. Supp. 2002, Section 6602), which relates to definitions; modifying definitions; and declaring an emergency.

HB 1366 – By Jones of the House and Littlefield of the Senate.
An Act relating to public health and safety; amending 10 O.S. 2001, Section 70, as amended by Section 1, Chapter 314, O.S.L. 2002 (10 O.S. Supp. 2002, Section 70), which relates to paternity; modifying process and procedures; updating language; amending 63 O.S. 2001, Sections 1-311.3 and 1-321, which relate to birth certificates; requiring certain affidavits to be filed with the Office of the State Registrar of Vital Statistics; requiring certain information to be given to biological father; making certain information available to certain persons; updating language; requiring certain training; requiring certain facilities to present information to certain persons; providing for immunity; requiring promulgation of rules; enacting the Woman's Right to Know/Fetal Pain Prevention Act; defining terms;

requiring certain persons to receive specified information; specifying certain requirements; providing exceptions; specifying time limitations; providing restrictions; requiring certification; specifying procedures and contents; making certain acts unlawful; providing for information to be given regarding pain to the unborn child; requiring publication; requiring warnings; providing for contents and form; requiring maintenance of a web site; providing for emergency abortions; requiring reporting; requiring notices at certain facilities; providing for contents; requiring the State Department of Health to make certain abortion reports; providing for contents; requiring certain reporting; specifying penalties; providing for publication; providing for confidentiality and anonymity; providing for construction of act; providing for liability; authorizing certain actions; providing for attorney fees; authorizing intervention; making certain acts unlawful; providing exception; providing for additional remedies; providing for severability; providing for codification; and declaring an emergency.

HB 1397 – By Braddock, Armes, Calvey, Cargill, Case, Claunch, O’Neal, Pettigrew and Reynolds of the House and Leftwich of the Senate.

(public finance – Oklahoma Military Asset Realignment and Closure Prevention Finance Act – noncodification – emergency)

HB 1401 – By Smith (Hopper) of the House and Maddox of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 2358, as amended by Section 1, Chapter 372, O.S.L. 2002 (68 O.S. Supp. 2002, Section 2358), which relates to computation of taxable income; providing exemption for gain on sale of certain assets; and providing an effective date.

HB 1403 – By Smith (Hopper) of the House and Pruitt of the Senate.

(public health and safety – amending 63 O.S., Section 1-2503 – Emergency Response Systems Development Act – effective date)

HB 1438 – By Brannon of the House and Corn of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 6-189, which relates to the licensure and certification system; modifying certification requirements for superintendents and principals; and providing an effective date.

HB 1475 – By Rice of the House and Easley of the Senate.

(cities and towns – amending 11 O.S., Sections 22-105.1 and 39-104 – solid waste collection – effective date)

HB 1561 – By Calvey of the House and Reynolds of the Senate.

(low-income housing tax credits – credits – tax-exempt bond – amending 27 O.S., Section 16 – just compensation – codification)

HB 1562 – By Perry of the House and Snyder of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1021, as amended by Section 1, Chapter 20, O.S.L. 2002 (21 O.S. Supp. 2002, Section 1021), which

relates to obscene material; making certain activity a felony; defining term; and declaring an emergency.

HB 1565 – By Boren, Blackburn, Deutschendorf, Erwin, Hamilton, Hutchison, Lerblance, Miller (Ray), Morgan (Danny), Roan, Smith (Dale) and Walker of the House and Shurden of the Senate.

An Act relating to game and fish; amending 29 O.S. 2001, Section 7-503, which relates to the prohibition on buying or selling certain fish or wildlife; allowing for the buying and selling of squirrel fur or pelt; and providing an effective date.

HB 1590 – By Kirby and Leist of the House and Shurden of the Senate.

(prisons and reformatories – Inmate Phones Act – security safeguards – codification – effective date – emergency)

HB 1599 – By Pope of the House and Rabon of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 1136, as last amended by Section 1, Chapter 319, O.S.L. 2002 (47 O.S. Supp. 2002, Section 1136), which relates to special license plates; creating the Lions Club special license plate; providing for apportionment of monies generated from issuance of plates; and providing an effective date.

HB 1607 – By Roggow, Braddock and O’Neal of the House and Milacek of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 11-103.6, as last amended by Section 4, Chapter 453, O.S.L. 2002 (70 O.S. Supp. 2002, Section 11-103.6), which relates to high school graduation standards; providing for certain exception to requirement for Oklahoma History; and declaring an emergency.

HB 1707 – By Turner of the House and Wilkerson of the Senate.

(schools – amending 70 O.S., Section 5-144 – indictment – rights to privacy – effective date – emergency)

HB 1708 – By Turner of the House and Wilkerson of the Senate.

(economic development – amending 68 O.S., Section 2902 – exemption – manufacturing facility property - emergency)

HB 1738 – By Morgan (Danny) and Wells of the House and Lawler of the Senate.

An Act relating to oil and gas; amending 52 O.S. 2001, Section 570.12, which relates to the Production Revenue Standards Act; requiring certain information be provided with payments; modifying certain information; requiring certain information be provided to the owner upon request; providing an exemption to certain information requirement under certain circumstances; requiring certain information be provided when certain changes are made; and providing an effective date.

HB 1781 – By Smaligo, Coleman, Perry, Peterson, Pettigrew, Piatt, Ingmire and Nance of the House and Brogdon of the Senate.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 540A, which relates to eluding peace officer; prohibiting certain civil damages lawsuits; and providing an effective date.

HB 1800 – By Carey and Askins of the House and Monson of the Senate.

An Act relating to state government; creating the State Classification Task Force; stating purpose; providing for membership, terms, tenure, officers, staffing, compensation restrictions, travel reimbursement, meetings, duties, and responsibilities of the Task Force; providing for codification; and providing an effective date.

HB 1801 – By Askins, Easley, Wilt and Piatt of the House and Corn and Shurden of the Senate.

(domestic violence - Domestic Violence and Sexual Assault Unit - Advisory Council - amending 43A O.S., Sections 3-313a and 3-314 - amending 63 O.S., Section 1-227.4 - codification - effective date)

HB 1814 – By Hilliard of the House and Crutchfield of the Senate.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Sections 301, 304, 305, 312 and 316, which relate to the Cigarette Stamp Tax; defining terms; providing restrictions on renewal of license; providing for revocation or suspension of license; requiring Tax Commission to maintain website with current licensees listed; requiring application of tax stamps; requiring retailer to report certain sales; requiring retailers, distributors, and manufacturers to submit periodic reports with certain information; requiring manufacturers to maintain certain records; providing penalties for certain actions; providing penalties for sale or possession of counterfeit cigarettes; providing requirements for delivery of sales of cigarettes; requiring confirmation of certain information before mailing of shipment; providing requirements for notice required to be filed; providing mailing requirements; requiring filing with Tax Commission prior to delivery sales; requiring person to collect and remit taxes for such sales; providing for penalties for violations of provisions related to delivery sales; providing for enforcement of provisions related to delivery sales; providing for codification; and providing an effective date.

The above-numbered measures were read the first time.

GENERAL ORDER

SB 552 by Reynolds of the Senate and Reynolds of the House was called up for consideration.

Senator Reynolds moved to amend **SB 552**, Page 1, by restoring the title, to which request objection was heard.

Senator Reynolds pressed his motion to restore the title on **SB 552**, which amendment was declared adopted upon division of the question.

Senator Reynolds moved that **SB 552** be advanced, which motion was declared adopted.

THIRD READING

SB 552 was read for the third time at length.

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

Aye: Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Shurden, Smith, Snyder, Wilkerson, Williams and Williamson.--31.

Nay: Aldridge, Coffee, Fisher, Helton, Johnson, Milacek, Robinson and Wilcoxson.--8.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill passed.

SB 552 was referred for engrossment.

GENERAL ORDER

SB 527 by Littlefield of the Senate and Pope of the House was called up for consideration.

Senator Littlefield moved that **SB 527** be advanced, which motion was declared adopted.

THIRD READING

SB 527 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, Laster, Laughlin, Leftwich, Littlefield, Maddox, Milacek, Price, Rabon, Riley, Robinson, Shurden, Smith, Wilcoxson, Wilkerson and Williams.--26.

Nay: Branan, Brogdon, Coates, Coffee, Kerr, Myers, Nichols, Pruitt, Reynolds and Snyder.--10.

Excused: Aldridge, Dunlap, Easley, Fair, Ford, Lawler, Monson, Morgan, Rozell, Stipe, Taylor and Williamson.--12.

The bill passed.

SB 527 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Williams moved to reconsider the vote whereby **SB 799** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Leftwich, Littlefield, Maddox, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--29.

Nay: Aldridge, Branan, Brogdon, Coates, Johnson, Laughlin, Milacek and Myers.--8.

Excused: Dunlap, Easley, Fair, Ford, Lawler, Monson, Morgan, Rozell, Stipe, Taylor and Williamson.--11.

THIRD READING

SB 799 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Leftwich, Littlefield, Maddox, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Shurden, Wilcoxson, Wilkerson and Williams.--27.

Nay: Aldridge, Brogdon, Coates, Johnson, Laughlin, Milacek, Myers, Reynolds, Smith, Snyder and Williamson.--11.

Excused: Dunlap, Easley, Fair, Ford, Lawler, Monson, Morgan, Rozell, Stipe and Taylor.--10.

The bill passed and the emergency failed.

Pursuant to Rule 12-23, Senator Williams served notice that the vote be reconsidered whereby the emergency on **SB 799** failed.

GENERAL ORDER

SB 323 by Pruitt of the Senate and Trebilcock of the House was called up for consideration.

Senator Pruitt moved that **SB 323** be advanced, which motion was declared adopted.

THIRD READING

SB 323 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill and emergency passed.

SB 323 was referred for engrossment.

GENERAL ORDER

SB 492 by Pruitt of the Senate and Winchester of the House was called up for consideration.

Representative Braddock asked to coauthor **SB 492**, which was the order.

Senator Pruitt moved to amend **SB 492**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Pruitt moved that **SB 492** be advanced, which motion was declared adopted.

THIRD READING

SB 492 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill passed.

SB 492 was referred for engrossment.

GENERAL ORDER

SB 610 by Robinson of the Senate and Leist of the House was called up for consideration.

Senator Robinson moved to amend **SB 610**, 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 Robinson moved that **SB 610** be advanced, which motion was declared adopted.

THIRD READING

SB 610 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, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

The bill and emergency passed.

SB 610 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Leftwich moved to reconsider the vote whereby **SB 258** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Myers, Price, Rabon, Riley, Robinson, Shurden, Smith, Wilkerson and Williams.--27.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Milacek, Nichols, Pruitt, Reynolds, Snyder, Wilcoxson and Williamson.--12.

Excused: Dunlap, Easley, Fair, Ford, Monson, Morgan, Rozell, Stipe and Taylor.--9.

SB 258 was placed on Third Reading.

GENERAL ORDER

SB 792 by Wilkerson of the Senate and Braddock of the House was called up for consideration.

Senator Wilkerson asked that **SB 792** be laid over for this legislative day, which was the order.

SB 792 remains on General Order.

REPORT OF ENGROSSED AND ENROLLED MEASURE

HB 1017 was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

EXECUTIVE NOMINATIONS

The following executive nominations were read and referred to committee as indicated:

Savage, M. Susan, Tulsa, as Cabinet Secretary of State - General Government

Savage, M. Susan, Tulsa, as Secretary of State - General Government

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

Pursuant to the Fisher motion, the Senate adjourned at 11:00 a.m. to meet Monday, March 10, 2003, at 10:00 a.m.