

# Senate Journal

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

**Thirtieth Legislative Day, Monday, March 24, 2003**

The Senate was called to order by Senator Rozell.

Roll Call:

Present: 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.—44.

Excused: Aldridge, Easley and Taylor.—3.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Marty Ingram, Binger Baptist Church, Binger, the guest of Senator Price.

### GENERAL ORDER

**HB 1114** by Erwin of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1114** be advanced, which motion was declared adopted.

### THIRD READING

**HB 1114** was read for the third time at length.

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

The bill and emergency passed.

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

Nay: Brogdon, Ford and Snyder.--3.

Excused: Aldridge, Dunlap, Easley, Johnson, Laughlin and Taylor.--6.

Vacancy: District 7.--1.

**HB 1114** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1467** by Paulk of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1467** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1467** 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, Kerr, Laster, Lawler, Leftwich, Littlefield, Monson, Morgan, Price, Rabon, Robinson, Rozell, Smith, Wilkerson and Williams.--24.

Nay: Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Ford, Johnson, Laughlin, Maddox, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Shurden, Snyder, Wilcoxson and Williamson.--20.

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

Vacancy: District 7.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Monson served notice that the vote be reconsidered whereby **HB 1467** failed.

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HB 1748**.

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

Advising passage of and returning the following Engrossed bills:

**SB 279**

**SB 431**

**SB 614**

**SCR 14** - coauthored by all other House members

The above-numbered measures were referred for enrollment.

#### **MESSAGE FROM THE HOUSE HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bill as amended:

**SB 476** – coauthored by Davis, Lerblance, Brannon, Sweeden, and McClain of the House and Corn and Laster of the Senate

House amendments were read on the above-numbered bill.

#### **GENERAL ORDER**

**HB 1241** by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Morgan moved to amend **HB 1241**, 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 Morgan moved that **HB 1241** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1241** 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, 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, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Helton and Shurden.--2.

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

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1241** was referred for engrossment.

**GENERAL ORDER**

**HB 1245** by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Wilkerson moved to amend **HB 1245**, 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 Wilkerson moved that **HB 1245** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1245** 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, 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, Wilcoxson, Wilkerson,

Williams and Williamson.--43.

Excused: Aldridge, Coffee, Easley and Taylor.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1245** was referred for engrossment.

### **GENERAL ORDER**

**HB 1246** by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Robinson moved to amend **HB 1246**, 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 **HB 1246** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1246** 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, 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, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Nay: Snyder.--1.

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

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1246** was referred for engrossment.

**Senator Rabon presiding.**

### **GENERAL ORDER**

**HB 1279** by Hutchison et al of the House and Kerr et al of the Senate was called up for consideration.

Senator Kerr moved that **HB 1279** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1279** 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, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Wilkerson and Williams.--27.

Nay: Branan, Brogdon, Cain, Coffee, Dunlap, Ford, Johnson, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder and Wilcoxson.--15.

Excused: Aldridge, Easley, Maddox, Taylor and Williamson.--5.

Vacancy: District 7.--1.

The bill passed.

Senators Dunlap, Nichols, Cain, Smith and Riley desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 10; Excused: 5; Vacancy: 1.

The emergency passed.

Pursuant to Rule 12-23, Senator Snyder served notice that the vote be reconsidered whereby **HB 1279** passed.

**CHANGE IN COMMITTEE ASSIGNMENT**

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

**HB 1522** – Withdrawn from Finance Committee and referred to Appropriations.

**GENERAL ORDER**

**HB 1127** by Lerblance of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1127** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1127** 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, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Nichols, Price, Rabon, Robinson, Rozell, Shurden, Smith, Wilkerson and Williams.--29.

Nay: Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Laughlin, Myers, Pruitt, Reynolds, Riley, Snyder and Wilcoxson.--13.

Excused: Aldridge, Easley, Johnson, Taylor and Williamson.--5.

Vacancy: District 7.--1.

The bill passed.

Senators Dunlap, Myers 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: 10; Excused: 5; Vacancy: 1.

The emergency passed.

**HB 1127** was properly signed and ordered returned to the Honorable House.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, March 25, 2003, at 1:30 p.m., which motion prevailed.

### **COMMITTEE REPORTS**

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

DO PASS:

**HB 1103** – Human Resources

DO PASS, As Amended:

**HB 1140** – Human Resources, coauthored by Williams of the Senate  
CS for **HB 1366** – Human Resources

### **SECOND READING**

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

**HCR 1004** – Appropriations

**HCR 1005** – Appropriations

Pursuant to the Fisher motion, the Senate adjourned at 3:20 p.m. to meet Tuesday, March 25, 2003, at 1:30 p.m.