

Senate Journal

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

Thirty-second Legislative Day, Wednesday, March 26, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Senator Price.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 444, 455 and 833 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Myers asked unanimous consent to suspend Rule 5-4 and refer **SCR 16** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 16 by Myers of the Senate and DeWitt and Newport of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 16**, which was the order.

SCR 16 was adopted upon motion of Senator Myers and referred for engrossment.

GENERAL ORDER

HB 1542 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1542** be advanced, which motion was declared adopted.

THIRD READING

HB 1542 was read for the third time at length.

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

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

Excused: Dunlap, Fair, Hobson, Maddox, Monson and Williams.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1542 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1543 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1543** be advanced, which motion was declared adopted.

THIRD READING

HB 1543 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, Easley, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--41.

Excused: Fair, Hobson, Maddox, Monson, Morgan and Williamson.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1543 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1545 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1545** be advanced, which motion was declared adopted.

THIRD READING

HB 1545 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, Easley, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--43.

Excused: Fair, Maddox, Morgan and Williamson.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1545 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1278 by Kirby and Cox of the House and Hobson of the Senate was called up for consideration.

Senator Monson moved to amend **HB 1278**, 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 **HB 1278**, Page 5, Lines 20 and 21, by deleting after the word “of” on Line 20 and before the first comma on Line 21 the words and numeral “Seventy-five Thousand Dollars (\$75,000.00)” and inserting in lieu thereof the words and numeral “Twenty-five Thousand Dollars (\$25,000.00)”, and by amending the title to conform, which amendment was declared adopted.

Senator Monson moved that **HB 1278** be advanced, which motion was declared adopted.

THIRD READING

HB 1278 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, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--26.

Nay: Aldridge, Branan, Brogdon, Coffee, Corn, Dunlap, Ford, Kerr, Laughlin, Lawler, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--19.

Excused: Fair and Smith.--2.

Vacancy: District 7.--1.

The bill passed.

Pursuant to Rule 12-23, Senator Fair served notice that the vote be reconsidered whereby **HB 1278** passed.

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

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The Senate reconvened with Senator Rabon presiding.

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

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1495, 1537, 1538, 1539, 1540 and 1541**.

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

Advising fourth reading of and returning Enrolled **SBs 444, 455 and 833**.

The above-numbered enrolled measures were referred to the Governor.

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

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

SB 40

SB 41

SB 42

SB 43

SB 44

SB 45

SB 281

SB 534

SB 652 - coauthored by Peters, Bengel, Calvey, Jones of the House

House amendments were read on the above-numbered bills.

GENERAL ORDER

HB 1546 by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1546** be advanced, which motion was declared adopted.

THIRD READING

HB 1546 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, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, 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 and Williams.--43.

Excused: Coates, Dunlap, Johnson and Williamson.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1546 was properly signed and ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Monson moved to reconsider the vote whereby **HB 1467** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Cain, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--33.

Nay: Branan, Brogdon, Coffee, Myers, Nichols, Pruitt and Riley.--7.

Excused: Capps, Coates, Dunlap, Johnson, Littlefield, Reynolds and Williamson.--7.

Vacancy: District 7.--1.

THIRD READING

Senator Monson moved to reconsider the vote whereby **HB 1467** was advanced, which motion was declared adopted.

GENERAL ORDER

HB 1467 was called up for further consideration.

Senator Monson asked that **HB 1467** be laid over for this legislative day, which was the order.

HB 1467 remains on General Order.

MOTION TO RECONSIDER VOTE

Senator Snyder moved to reconsider the vote whereby **HB 1279** passed.

Senator Kerr moved to table the Snyder motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Price, Rabon, Robinson, Rozell, Shurden, Taylor and Wilkerson.--26.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Ford, Laughlin, Milacek, Morgan, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williams.--18.

Excused: Dunlap, Johnson and Williamson.--3.

Vacancy: District 7.--1.

HB 1279 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bill:

SB 443 - coauthored by Sweeden, Miller (Ray) of the House

The above-numbered measure was referred for enrollment.

CHANGE IN COMMITTEE ASSIGNMENT

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

HB 1680 – Withdrawn from Judiciary Committee and referred to Finance.

EXECUTIVE NOMINATIONS

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

Hall, Joe Duke, Elk City, as a member of the Board of Regents for the Agricultural and Mechanical Colleges - Education

Leonard, Sonia Diane, Edmond, as a member of the Crime Victims Compensation Board - Judiciary

Weitzenhoffer, Jr., Aaron Max, Norman, as a member of the Board of Regents of the University of Oklahoma - Education

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 27, 2003, at 9:00 a.m., which motion prevailed.

COMMITTEE REPORTS

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

DO PASS:

HB 1067 – Retirement and Group Health

HB 1085 – Finance

HB 1088 – Retirement and Group Health

HB 1105 – Veterans, Military Affairs, and Public Safety

HB 1263 – Judiciary

HB 1394 – Finance, coauthored by Gumm of the Senate

HB 1416 – Retirement and Group Health

HB 1433 – Veterans, Military Affairs, and Public Safety, coauthored by Gumm of the Senate

HB 1469 – Judiciary, remove Stipe and add Smith as principal Senate author, and coauthored by Gumm of the Senate

HB 1474 – Finance

HB 1481 – Veterans, Military Affairs, and Public Safety

HB 1597 – Finance

HB 1599 – Finance

DO PASS, As Amended:

CS for HB 1002 – Finance

HB 1014 – Finance, coauthored by Aldridge, Gumm, Johnson of the Senate

HB 1052 – Judiciary

HB 1146 – Veterans, Military Affairs, and Public Safety

CS for HB 1292 – Finance

HB 1368 – Veterans, Military Affairs, and Public Safety, coauthored by Gumm of the Senate

HB 1403 – Veterans, Military Affairs, and Public Safety, coauthored by Corn of the Senate

HB 1415 – Judiciary

HB 1418 – Veterans, Military Affairs, and Public Safety

HB 1456 – Veterans, Military Affairs, and Public Safety

HB 1500 – Judiciary

HB 1503 – Finance

HB 1512 – Veterans, Military Affairs, and Public Safety

HB 1585 – Finance

HB 1615 – Veterans, Military Affairs, and Public Safety

HB 1635 – Judiciary

CS for HB 1647 – Retirement and Group Health

HB 1667 – Judiciary

HB 1690 – Veterans, Military Affairs, and Public Safety

HB 1707 – Judiciary

CS for HB 1724 – Finance

HB 1734 – Judiciary, coauthored by Adair, Adkins, Askins, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Case, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Ericson, Gilbert, Hamilton, Harrison, Hefner, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, McCarter, McClain, McIntyre, Mitchell, Morgan (Danny), Nance, Nations, O’Neal, Plunk, Roan, Roberts, Smaligo, Smith (Dale), Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Trebilcock, Turner, Tyler, Walker, Wilson of the House

HB 1802 – Veterans, Military Affairs, and Public Safety

Pursuant to the Fisher motion, the Senate adjourned at 2:30 p.m. to meet Thursday, March 27, 2003, at 9:00 a.m.