

Senate Journal

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

Thirty-fourth Legislative Day, Monday, March 31, 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, Wilcoxson, Wilkerson, Williams and Williamson.—46.

Excused: Taylor.—1.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Craig Christina, First Baptist Church, Duncan, the guest of Senator Lawler.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 518 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

FIRST READING

The following were introduced and read the first time:

SCR 17 – By Wilkerson of the Senate and Boren of the House.

A Concurrent Resolution authorizing the Department of Corrections to dispose of unnecessary or burdensome assets; and directing distribution.

SR 12 – By Dunlap.

A Resolution urging Congress to enact certain outpatient prescription drug coverage benefit program as part of a comprehensive reform of the federal Medicare program; and directing distribution.

SR 13 – By Easley.

A Resolution declaring Wednesday, April 2, 2003, “Mayor Jim Reynolds Day” in the State of Oklahoma; commending him for his many accomplishments in education, local government, and community service; and directing distribution.

SR 14 – By Hobson, Capps and Crutchfield.

A Resolution commending Donna Lee Shirley upon her many accomplishments; congratulating her upon the occasion of being inducted into the Oklahoma Women’s Hall of Fame; and directing distribution.

SR 15 – By Fisher and Robinson.

A Resolution authorizing the Office of State Finance to enter into certain agreement or agreements; specifying certain provision related thereto; and directing distribution.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Easley asked unanimous consent to suspend Rule 5-4 and refer **SR 13** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 13 by Easley was called up for consideration.

All other members of the Senate asked to coauthor **SR 13**, which was the order.

SR 13 was adopted upon motion of Senator Easley and referred for enrollment.

GENERAL ORDER

HB 1261 by Adkins and Sullivan of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 1261** be advanced, which motion was declared adopted.

THIRD READING

HB 1261 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Fair, Johnson, Robinson and Taylor.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1261 was properly signed and ordered returned to the Honorable House.

DEDICATION

Senator Ford presented the painting "President Teddy Roosevelt Signing Statehood Proclamation". Senator Ford introduced the artist, Mike Wimmer. Mr. Wimmer addressed the Senate.

Senator Ford introduced Walt and Peggy Helmerich. Mr. and Mrs. Helmerich, on behalf of the Helmerich Foundation, presented the painting to the Senate as a gift.

GENERAL ORDER

HB 1105 by Balkman et al of the House and Horner of the Senate was called up for consideration.

Senator Horner moved that **HB 1105** be advanced, which motion was declared adopted.

THIRD READING

HB 1105 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Harrison, Helton, Hobson, Horner, Kerr, Laster, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Pruitt, Rabon, Riley, Rozell, Shurden, Smith, Wilcoxson, Wilkerson, Williams and Williamson.--31.

Nay: Aldridge, Brogdon, Coates, Gumm, Laughlin, Lawler, Myers, Nichols, Price, Reynolds and Snyder.--11.

Excused: Easley, Ford, Johnson, Robinson and Taylor.--5.

Vacancy: District 7.--1.

The bill passed.

Senator Gumm 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 1105 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1342 by Deutschendorf and Nance of the House and Capps of the Senate was called up for consideration.

Senator Capps moved that **HB 1342** be advanced, which motion was declared adopted.

THIRD READING

HB 1342 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, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Easley, Ford, Johnson, Laughlin, Robinson and Taylor.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1342 was properly signed and ordered returned to the Honorable House.

Senator Fisher moved that the Senate recess to the call of the Chair, which motion was declared adopted.

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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

HB 1481 by Walker of the House and Capps of the Senate was called up for consideration.

Senator Capps moved that **HB 1481** be advanced, which motion was declared adopted.

THIRD READING

HB 1481 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, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--38.

Nay: Cain, Fair and Rabon.--3.

Excused: Easley, Ford, Johnson, Laughlin, Taylor and Williamson.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1481 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Fisher asked unanimous consent to suspend Rule 5-4 and refer **SR 15** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 15 by Fisher and Robinson was called up for consideration.

SR 15 was adopted upon motion of Senator Fisher and referred for enrollment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Wilkerson asked unanimous consent to suspend Rule 5-4 and refer **SCR 17** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 17 by Wilkerson of the Senate and Boren of the House was called up for consideration.

SCR 17 was adopted upon motion of Senator Wilkerson and referred for engrossment.

GENERAL ORDER

HB 1688 by Steele of the House and Brogdon of the Senate was called up for consideration.

Senator Brogdon moved that **HB 1688** be advanced, which motion was declared adopted.

THIRD READING

HB 1688 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, Fair, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--35.

Nay: Fisher, Monson, Robinson and Rozell.--4.

Excused: Easley, Ford, Johnson, Laughlin, Morgan, Rabon, Taylor and Williamson.--8.

Vacancy: District 7.--1.

The bill passed.

The Chair advised that Senator Morgan, having been present in the Chamber during the vote on **HB 1688** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 35; Nay: 5; Excused: 7; Vacancy: 1.

HB 1688 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1246, 1544, 1547 and 1548**.

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 **SB 518**.

The above-numbered enrolled measure was referred to the Governor.

Advising passage of and returning the following Engrossed measures:

SB 237
SCR 16

The above-numbered measures were referred for enrollment.

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

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

SB 46
SB 47
SB 48
SB 49
SB 50
SB 51
SB 156
SB 157
SB 158
SB 159
SB 160
SB 161
SB 190 - coauthored by Nance of the House
SB 205
SB 238

House amendments were read on the above-numbered bills.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 1, 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 1019 – Energy, Environment and Communications
HB 1126 – Appropriations
HB 1266 – Appropriations, coauthored by Robinson of the Senate
HB 1485 – Appropriations
HB 1502 – Business and Labor
HB 1528 – Energy, Environment and Communications
HB 1556 – Appropriations, coauthored by Horner of the Senate
HB 1654 – Appropriations
HB 1658 – Business and Labor
HB 1669 – Appropriations
HB 1691 – Energy, Environment and Communications

HB 1800 – Appropriations

DO PASS, As Amended:

HB 1051 – Energy, Environment and Communications

CS for HB 1061 – Appropriations, coauthored by Capps, Lawler of the Senate

CS for HB 1083 – Energy, Environment and Communications

HB 1099 – Appropriations

CS for HB 1108 – Energy, Environment and Communications

HB 1110 – Appropriations

HB 1115 – Appropriations

HB 1143 – Business and Labor

HB 1153 – Appropriations, remove Riley and substitute Ford as principal Senate author

CS for HB 1268 – Human Resources

HB 1271 – Business and Labor

CS for HB 1382 – Appropriations

HB 1408 – Appropriations

HB 1422 – Energy, Environment and Communications

CS for HB 1443 – Human Resources

CS for HB 1445 – Human Resources

HB 1455 – Appropriations, coauthored by Lawler of the Senate

HB 1496 – General Government

HB 1526 – Human Resources

HB 1530 – Business and Labor, remove Stipe and substitute Gumm as principal Senate author

CS for HB 1572 – Appropriations, coauthored by Lawler of the Senate

CS for HB 1640 – Business and Labor

CS for HB 1675 – Appropriations, coauthored by Lawler

CS for HB 1681 – Human Resources

HB 1764 – Appropriations

HB 1779 – Appropriations

CS for HJR 1011 – Human Resources

MESSAGES FROM THE GOVERNOR

Advising his approval March 28, 2003, of Enrolled **SB 476**.

Advising his approval March 31, 2003, of Enrolled **SBs 279, 431, 444, 455, 614 and 833**.

Pursuant to the Fisher motion, the Senate adjourned at 2:40 p.m. to meet Tuesday, April 1, 2003, at 1:30 p.m.