

Senate Journal

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

Thirty-ninth Legislative Day, Tuesday, April 8, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Dunlap, Easley, Fair, Fisher, Ford, Gumm, 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.—45.

Excused: Crutchfield and Harrison.—2.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Jim Crain, Del City Church of Christ, Del City, the guest of Senator Aldridge.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1650 and 1691 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 329, 349, 489, 584 and 658 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

PENDING CONSIDERATION OF HAS

HAs to SB 288 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate that the House of Representatives is ready to convene in Joint Session.

Senator Fisher moved that the Senate meet with the House in Joint Session, and that the Senate recess to the call of the Chair, which motion was declared adopted.

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JOINT SESSION

The Third Joint Session of the First Regular Session of the Forty-ninth Legislature was called to order by Speaker Pro Tempore Danny Hilliard.

Senator Fisher moved that the attendance roll call of the Senate be considered the attendance roll call of the Senate in Joint Session, which motion was declared adopted.

Representative Rice moved that the attendance roll call of the House of Representatives be considered the attendance roll call of the House in Joint Session, which motion was declared adopted.

Speaker Pro Tempore Hilliard declared quorums of the Senate and House present and Joint Session duly assembled.

The invocation was offered by Reverend Kevin Clouse, First Church of God of Cushing.

Colonel Dale Carney of the Oklahoma Army National Guard addressed the Joint Session commemorating the 45th Infantry Division.

Colonel Carney introduced Adjutant General Bud Wyatt who addressed the Joint Session. General Wyatt presented the Charles Dick Medal of Merit to Senate President Pro Tempore Hobson and Representative Hefner.

A formal proclamation from Governor Henry was read by Secretary of Veterans Affairs, Norman Lamb.

Upon motion of Representative Rice, the Joint Session was ordered dissolved at the hour of 9:30 a.m.

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The Senate reconvened with Senator Gumm presiding.

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

GENERAL ORDER

HB 1393 by Reynolds et al of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved to amend **HB 1393**, Page 10, Line 11 by inserting after the period the language “The provisions of this subsection shall be applicable only if the contract amount is Twenty-five Thousand Dollars (\$25,000.00) or greater.” and by amending the title to conform, which amendment was declared adopted.

Senator Aldridge moved that **HB 1393** be advanced, which motion was declared adopted.

THIRD READING

HB 1393 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, Dunlap, Easley, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Crutchfield, Fair, Ford, Harrison, Maddox, Morgan, Robinson and Shurden.--8.

Vacancy: District 7.--1.

The bill passed.

HB 1393 was referred for engrossment.

GENERAL ORDER

HB 1123 by Greenwood of the House and Dunlap and Riley of the Senate was called up for consideration.

Senator Dunlap moved that **HB 1123** be advanced, which motion was declared adopted.

THIRD READING

HB 1123 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, Dunlap, Easley, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Crutchfield, Fair, Ford, Harrison, Leftwich, Morgan, Robinson and Shurden.--8.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1123 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Cain asked unanimous consent to suspend Rule 5-4 and refer **HCR 1008** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1008 by Lindley et al of the House and Cain of the Senate was called up for consideration.

All other members of the Senate, except Senators Pruitt, Riley, Laughlin, Brogdon, Wilcoxson, Johnson, Coates, Reynolds, Aldridge, Williamson and Myers, asked to coauthor **HCR 1008**, which was the order.

HCR 1008 was adopted upon motion of Senator Cain and properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1464 by Askins et al of the House and Monson of the Senate was called up for consideration.

Senator Gumm asked to coauthor **HB 1464**, which was the order.

Senator Monson moved that **HB 1464** be advanced, which motion was declared adopted.

THIRD READING

HB 1464 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, Dunlap, Easley, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Crutchfield, Fair, Ford, Harrison and Shurden.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1464 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1126 by Hilliard of the House and Helton of the Senate was called up for consideration.

Senator Helton moved that **HB 1126** be advanced, which motion was declared adopted.

THIRD READING

HB 1126 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, Dunlap, Easley, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Excused: Crutchfield, Fair, Ford, Harrison, Leftwich, Morgan, Rozell and Shurden.--8.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1126 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1087 by Lindley of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1087** be advanced, which motion was declared adopted.

THIRD READING

HB 1087 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, Corn, Dunlap, Easley, Fisher, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Rabon, Riley, Robinson, Smith, Taylor, Wilkerson, Williams and Williamson.--28.

Nay: Branan, Brogdon, Coffee, Myers, Nichols, Price, Pruitt, Reynolds, Snyder and Wilcoxson.--10.

Excused: Crutchfield, Fair, Ford, Harrison, Hobson, Maddox, Morgan, Rozell and Shurden.--9.

Vacancy: District 7.--1.

The bill passed.

HB 1087 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1268 by Gilbert and Lindley of the House and Cain of the Senate was called up for consideration.

Senator Cain moved that **HB 1268** be advanced, which motion was declared adopted.

THIRD READING

HB 1268 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, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--39.

Excused: Crutchfield, Ford, Harrison, Maddox, Morgan, Rozell, Shurden and Williams.--8.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1268 was referred for engrossment.

GENERAL ORDER

HB 1528 by Perry et al of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved to amend **HB 1528**, Page 1, by striking the title, which amendment was declared adopted.

Senator Coffee moved that **HB 1528** be advanced, which motion was declared adopted.

THIRD READING

HB 1528 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, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Crutchfield, Ford, Harrison, Maddox and Shurden.--5.

Vacancy: District 7.--1.

The bill passed.

HB 1528 was referred for engrossment.

GENERAL ORDER

HB 1669 by Armes of the House and Helton of the Senate was called up for consideration.

Senator Helton moved that **HB 1669** be advanced, which motion was declared adopted.

THIRD READING

HB 1669 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, Cain, Capps, Corn, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--35.

Nay: Branan, Brogdon, Coates, Coffee, Laughlin, Pruitt and Wilcoxson.--7.

Excused: Crutchfield, Ford, Harrison, Milacek and Shurden.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1669 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1667 by Vaughn and Peters of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 1667** be advanced, which motion was declared adopted.

THIRD READING

HB 1667 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, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Crutchfield, Dunlap, Ford, Harrison, Milacek and Shurden.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1667 was referred for engrossment.

GENERAL ORDER

HB 1075 by Plunk and Liotta of the House and Maddox of the Senate was called up for consideration.

Senator Maddox moved that **HB 1075** be advanced, which motion was declared adopted.

THIRD READING

HB 1075 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin,

Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Crutchfield, Harrison and Shurden.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1075 was properly signed and ordered returned to the Honorable House.

FIRST READING

The following was introduced and read the first time:

SR 17 – By Rabon and Gumm.

A Resolution commending the workers at the McAlester Ammunition Depot and the Choctaw Manufacturing and Development Corporation (CMDC); recognizing the importance of their work; and directing distribution.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

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

GENERAL ORDER

SR 17 by Rabon and Gumm was called up for consideration.

All other members of the Senate asked to coauthor **SR 17**, which was the order.

SR 17 was adopted upon motion of Senator Rabon and referred for enrollment.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1005, 1053 and 1270** and **HJR 1015**.

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 329, 349, 489, 584** and **658**.

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 130

SB 131

SB 136

SB 137

SB 138

SB 139

SB 174

SB 175

SB 178

SB 179

SB 180

SB 181

SB 319

SB 322

SB 357

SB 437 - coauthored by Adkins of the House

SB 447 - coauthored by Pettigrew of the House

SB 543

SB 606

SB 646 – remove Askins and substitute Wilson as principal House author and coauthored by Askins of the House

SB 704

SB 722

House amendments were read on the above-numbered bills.

GENERAL ORDER

HB 1605 by Roggow of the House and Maddox of the Senate was called up for consideration.

Senator Maddox moved to amend **HB 1605**, Page 1, by striking the title, to which request objection was heard.

Senator Maddox pressed his motion to amend **HB 1605**, by striking the title, which motion was declared adopted upon roll call as follows;

Aye: Cain, Capps, Corn, Easley, Fisher, Gumm, Helton, Hobson, Horner, Kerr, Laster, Lawler, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Robinson, Rozell, Taylor and Wilkerson.--22.

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

Excused: Crutchfield, Harrison, Leftwich, Shurden and Williams.--5.

Vacancy: District 7.--1.

Senator Maddox moved that **HB 1605** be advanced, which motion was declared adopted.

THIRD READING

HB 1605 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Crutchfield, Harrison and Shurden.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1605 was referred for engrossment.

GENERAL ORDER

HB 1408 by Winchester and Adair of the House and Cain of the Senate was called up for consideration.

Senator Cain moved that **HB 1408** be advanced, which motion was declared adopted.

THIRD READING

HB 1408 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Crutchfield, Harrison and Shurden.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1408 was referred for engrossment.

GENERAL ORDER

HB 1712 by Pope of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1712** be advanced, which motion was declared adopted.

THIRD READING

HB 1712 was read for the third time at length.

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

Aye: Cain, Coates, Corn, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--32.

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

Excused: Capps, Crutchfield, Harrison and Shurden.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1712 was referred for engrossment.

GENERAL ORDER

HB 1713 by Bengé of the House and Robinson of the Senate was called up for consideration.

Senator Robinson moved that **HB 1713** be advanced, which motion was declared adopted.

THIRD READING

HB 1713 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, Coffee, Corn, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Capps, Crutchfield, Harrison and Shurden.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1713 was referred for engrossment.

GENERAL ORDER

HB 1474 by Rice of the House and Fisher of the Senate was called up for consideration.

Senator Fisher moved that **HB 1474** be advanced, which motion was declared adopted.

THIRD READING

HB 1474 was read for the third time at length.

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

Aye: Cain, Coates, Coffee, Corn, Dunlap, Easley, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Riley, Robinson, Rozell, Smith, Taylor, Wilkerson, Williams and Williamson.--33.

Nay: Aldridge, Branan, Brogdon, Fair, Laughlin, Nichols, Pruitt, Reynolds, Snyder and Wilcoxson.--10.

Excused: Capps, Crutchfield, Harrison and Shurden.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1474 was properly signed and ordered returned to the Honorable House.

Senator Rozell presiding.

GENERAL ORDER

HB 1770 by Rice et al of the House and Fisher of the Senate was called up for consideration.

Senator Gumm asked to coauthor **HB 1770**, which was the order.

Senator Reynolds moved to amend **HB 1770**, Page 1, Line 13 by inserting after the word "created" and before the word "the" the words "until December 31, 2003", which amendment was declared adopted.

Senator Fisher moved that **HB 1770** be advanced, which motion was declared adopted.

THIRD READING

HB 1770 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Crutchfield, Harrison, Hobson and Pruitt.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1770 was referred for engrossment.

GENERAL ORDER

HB 1716 by Deutschendorf of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1716** be advanced, which motion was declared adopted.

THIRD READING

HB 1716 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, Easley, Fisher, Gumm, Helton, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Rabon, Robinson, Rozell, Shurden, Smith, Taylor, Wilkerson and Williams.--26.

Nay: Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Ford, Johnson, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--17.

Excused: Crutchfield, Harrison, Hobson and Littlefield.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1716 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to SB 652 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 1008 by Leist et al of the House and Rabon of the Senate was called up for consideration.

Senator Rabon moved that **HB 1008** be advanced, which motion was declared adopted.

THIRD READING

HB 1008 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Pruitt.--1.

Excused: Crutchfield, Harrison, Hobson, Littlefield and Smith.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Rabon served notice that the vote be reconsidered whereby **HB 1008** passed.

GENERAL ORDER

HJR 1011 by Vaughn and Nance of the House and Robinson of the Senate was called up for consideration.

Senator Robinson moved to amend **HJR 1011**, Page 5, Line 17 by inserting after the word "residence" and before the word "that" the words "during hours"; and Page 5, Line 17

by inserting after the word “that” and before the word “is” the word “it”, which amendment was declared adopted.

Senator Robinson moved to amend **HJR 1011**, Page 5, Line 20 ½, by inserting a new paragraph 9 to read as follows:

“9. Any restaurant with fewer than twenty-five (25) seats.”, which amendment was declared adopted.

Senator Riley moved to amend **HJR 1011**, Page 5, Line 20 ½ by inserting after the word “seats” in the above amendment the words “and any veterans organizations”, which amendment was declared adopted.

Senator Robinson moved that **HJR 1011** be advanced, which motion was declared adopted.

THIRD READING

HJR 1011 was read for the third time at length.

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

Aye: Aldridge, Cain, Capps, Easley, Fair, Gumm, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Rabon, Robinson, Rozell, Taylor, Wilkerson and Williams.--25.

Nay: Branan, Brogdon, Coates, Coffee, Corn, Dunlap, Fisher, Ford, Johnson, Milacek, Price, Pruitt, Reynolds, Riley, Shurden, Smith, Snyder, Wilcoxson and Williamson.--19.

Excused: Crutchfield, Harrison and Littlefield.--3.

Vacancy: District 7.--1.

The resolution passed.

Pursuant to Rule 12-23, Senator Robinson served notice that the vote be reconsidered whereby **HJR 1011** passed.

MESSAGE FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 280 - coauthored by Lamons, Greenwood, Dank, Bengé of the House
SB 393

SB 484
SB 515

The above-numbered measures were referred for enrollment.

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 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 1562 by Perry of the House and Snyder and Lawler of the Senate was called up for consideration.

Senator Snyder asked that **HB 1562** be laid over for this legislative day, which was the order.

HB 1562 remains on General Order.

PENDING CONSIDERATION OF HAS

HAs to **SB 325** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 1396 by Braddock et al of the House and Leftwich et al of the Senate was called up for consideration.

Senator Leftwich moved that **HB 1396** be advanced, which motion was declared adopted.

THIRD READING

HB 1396 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Crutchfield, Harrison, Helton, Littlefield, Riley and Robinson.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1396 was referred for engrossment.

GENERAL ORDER

HB 1397 by Braddock et al of the House and Leftwich et al of the Senate was called up for consideration.

Senator Leftwich moved to amend **HB 1397**, Page 1, by striking the enacting clause, which amendment was declared adopted.

Senator Leftwich moved that **HB 1397** be advanced, which motion was declared adopted.

THIRD READING

HB 1397 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Crutchfield, Harrison, Riley and Robinson.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1397 was referred for engrossment.

Senator Gumm presiding.

GENERAL ORDER

HB 1442 by Stanley of the House and Shurden and Lawler of the Senate was called up for consideration.

Senator Shurden moved that **HB 1442** be advanced, which motion was declared adopted.

THIRD READING

HB 1442 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Crutchfield, Harrison, Monson and Robinson.--4.

Vacancy: District 7.--1.

The bill passed.

Senator Monson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44; Excused: 3; Vacancy: 1.

The emergency passed.

HB 1442 was referred for engrossment.

GENERAL ORDER

HB 1043 by Leist of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved that **HB 1043** be advanced, which motion was declared adopted.

THIRD READING

HB 1043 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, Corn, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--36.

Nay: Brogdon, Johnson, Laughlin, Nichols and Williamson.--5.

Excused: Coffee, Crutchfield, Ford, Harrison, Milacek and Rozell.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1043 was referred for engrossment.

GENERAL ORDER

HB 1034 by Lerblance of the House and Helton and Gumm of the Senate was called up for consideration.

Senator Helton moved to amend **HB 1034**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Helton moved that **HB 1034** be advanced, which motion was declared adopted.

THIRD READING

HB 1034 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, Dunlap, Easley, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--39.

Nay: Cain, Fair, Nichols, Rabon and Williams.--5.

Excused: Crutchfield, Harrison and Smith.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1034 was referred for engrossment.

PENDING CONSIDERATION OF HAS

HAs to **SB 742** were called up for consideration.

Senator Morgan asked that **SB 742** be laid over for this legislative day, pending consideration of **HAs**, which was the order.

GENERAL ORDER

HB 1051 by Pope and Liotta of the House and Price of the Senate was called up for consideration.

Senator Price moved that **HB 1051** be advanced, which motion was declared adopted.

THIRD READING

HB 1051 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, Dunlap, Easley, Fair, Fisher, Gumm, 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: Crutchfield, Ford, Harrison and Taylor.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1051 was referred for engrossment.

GENERAL ORDER

HB 1577 by Dorman et al of the House and Leftwich of the Senate was called up for consideration.

Senator Williamson moved to amend **HB 1577**, Page 2, Lines 2 through 11 by restoring the stricken language.

Senator Leftwich asked that **HB 1577** be laid over for this legislative day, which was the order.

HB 1577 remains on General Order pending consideration of the Williamson amendment.

GENERAL ORDER

HB 1592 by Pope and Hilliard of the House and Price of the Senate was called up for consideration.

Senator Price moved that **HB 1592** be advanced, which motion was declared adopted.

THIRD READING

HB 1592 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, Dunlap, Easley, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--41.

Nay: Fair, Nichols and Wilcoxson.--3.

Excused: Crutchfield, Harrison and Morgan.--3.

Vacancy: District 7.--1.

The bill passed.

HB 1592 was referred for engrossment.

GENERAL ORDER

HB 1522 by Easley et al of the House and Rabon of the Senate was called up for consideration.

Senator Rabon moved that **HB 1522** be advanced, which motion was declared adopted.

THIRD READING

HB 1522 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, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Crutchfield, Ford, Harrison and Riley.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1522 was referred for engrossment.

GENERAL ORDER

HB 1147 by Kirby of the House and Helton of the Senate was called up for consideration.

Senator Helton moved that **HB 1147** be advanced, which motion was declared adopted.

THIRD READING

HB 1147 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, Dunlap, Easley, Fair, Fisher, Gumm, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Crutchfield, Ford, Harrison and Hobson.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1147 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HCR 1017**.

HCR 1017 – By Tibbs of the House and Brogdon of the Senate
A Concurrent Resolution recalling from the Office of the Governor Enrolled House Bill No. 1319, passed by the 1st Session of the 49th Oklahoma Legislature.

The above-numbered measure was read the first time.

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.

MESSAGES FROM THE HOUSE

Advising rejection of **SAs** to **HB 1503**, requesting conference and House conferees to be named later.

Advising passage of and returning the following Engrossed bill:

SB 493

The above-numbered measure was referred for enrollment.

GENERAL ORDER

HB 1299 by Turner of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1299** be advanced, which motion was declared adopted.

THIRD READING

HB 1299 was read for the third time at length.

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

Aye: Brogdon, Capps, Coates, Corn, Dunlap, Easley, Fair, Ford, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Milacek, Morgan, Myers, Price, Reynolds, Rozell, Shurden, Smith, Taylor, Wilkerson, Williams and Williamson.--29.

Nay: Aldridge, Branan, Cain, Coffee, Fisher, Nichols, Pruitt, Rabon, Riley, Snyder and Wilcoxson.--11.

Excused: Crutchfield, Harrison, Hobson, Littlefield, Maddox, Monson and Robinson.--7.

Vacancy: District 7.--1.

The bill passed.

Senators Branan, Rabon, Fisher and Cain desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 7; Excused: 7; Vacancy: 1.

The emergency passed.

HB 1299 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1585 by Nations et al of the House and Fisher of the Senate was called up for consideration.

Senator Fisher moved that **HB 1585** be advanced, which motion was declared adopted.

THIRD READING

HB 1585 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Crutchfield, Harrison, Hobson, Littlefield and Robinson.--5.

Vacancy: District 7.--1.

The bill passed.

HB 1585 was referred for engrossment.

MOTION TO RECONSIDER VOTE

Senator Shurden moved to reconsider the vote whereby **HB 1449** failed, which motion was declared adopted upon roll call as follows:

Aye: Branan, Cain, Capps, Coates, Corn, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Rabon, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson and Williams.--32.

Nay: Aldridge, Brogdon, Coffee, Ford, Milacek, Pruitt, Reynolds, Wilcoxson and Williamson.--9.

Excused: Crutchfield, Harrison, Hobson, Johnson, Littlefield and Robinson.--6.

Vacancy: District 7.--1.

THIRD READING

HB 1449 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, Dunlap, Easley, Fair, Fisher, Gumm, Helton, Horner, Kerr, Laster, Laughlin, Lawler, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Rozell, Shurden, Smith, Taylor, Wilkerson, Williams and Williamson.--29.

Nay: Aldridge, Branan, Brogdon, Coffee, Ford, Johnson, Nichols, Pruitt, Reynolds, Riley, Snyder and Wilcoxson.--12.

Excused: Crutchfield, Harrison, Hobson, Leftwich, Littlefield and Robinson.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1449 was referred for engrossment.

INTRODUCTION

Senator Coffee introduced his wife, Lisa, and his children, Anna, Collin and Blaine, to the Senate.

MESSAGES FROM THE HOUSE

Advising rejection of **SAs** to **HB 1691**, requesting conference and House conferees to be named later.

Advising concurrence in **SAs** to and passage of Engrossed **HB 1061**.

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

FIRST READING

The following were introduced and read the first time:

SR 18 – By Rozell.

A Resolution congratulating the Northeastern State University Redmen Basketball team for winning the NCAA Division II National Championship; recognizing their many accomplishments; and directing distribution.

SR 19 – By Nichols.

A Resolution commending the Washington Lady Warriors upon the occasion of winning their first Class 2A Girls Basketball State Championship; congratulating the school, coaching staff, and team; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising his approval April 8, 2003, of Enrolled **SB 645**.

Pursuant to the Fisher motion, the Senate adjourned at 4:15 p.m. to meet Wednesday, April 9, 2003, at 9:00 a.m.