

# Senate Journal

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

**Forty-seventh Legislative Day, Wednesday, April 23, 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 Reverend Mike Platter, First Nazarene Church, Oklahoma City, the guest of Senator Coffee.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 1007, 1143, 1273, 1300, 1362, 1465, 1466, 1467, 1500, 1501, 1570, 1577, 1738, 1764 and 1814** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 307 and 312** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### GENERAL ORDER

**HB 1085** by Bonny of the House and Gumm of the Senate was called up for consideration.

Senator Laughlin moved to amend **HB 1085**, Page 1, Line 11 ½ , by inserting a new Section 1 to read as follows:

“SECTION 1. AMENDATORY 68 O.S. 2001, Section 2357.22, is amended to read as follows:

Section 2357.22. A. For tax years beginning before January 1, 2009, there shall be allowed a one-time credit against the income tax imposed by Section 2355 of this title for investments in qualified clean-burning motor vehicle fuel property placed in service after December 31, 1990, and for investments in qualified electric motor vehicle property placed in service after December 31, 1995.

B. As used in this section, "qualified clean-burning motor vehicle fuel property" means:

1. Equipment installed to modify a motor vehicle which is propelled by gasoline or diesel fuel so that the vehicle may be propelled by methanol, "M-85" which is a mixture of methanol and gasoline containing at least eighty-five percent (85%) methanol, compressed natural gas, liquefied natural gas or liquefied petroleum gas or a combination of at least fifty percent (50%) natural gas;

2. A motor vehicle originally equipped so that the vehicle may be propelled by compressed natural gas, liquefied natural gas or liquefied petroleum gas, or propelled by methanol or "M-85" but only to the extent of the portion of the basis of such motor vehicle which is attributable to the storage of such fuel, the delivery to the engine of such motor vehicle of such fuel, and the exhaust of gases from combustion of such fuel; or

3. Property which is directly related to the delivery of methanol, "M-85", compressed natural gas, liquefied natural gas or liquefied petroleum gas into the fuel tank of a motor vehicle propelled by such fuel including compression equipment and storage tanks for such fuel at the point where such fuel is so delivered but only if such property is not used to deliver such fuel into any other type of storage tank or receptacle and such fuel is not used for any purpose other than to propel a motor vehicle. However, property which is directly related to the delivery of methanol or "M-85" into the fuel tank of a motor vehicle propelled by such fuel as provided in this paragraph shall be used solely for the purpose of delivering methanol or "M-85" and no other purpose in order to claim the tax credit pursuant to this section. If the property is used for any other purpose than the delivery of methanol or "M-85", the tax credit shall immediately be refunded to the Oklahoma Tax Commission. The Corporation Commission shall inspect the property to determine whether the property is being used for the delivery of methanol or "M-85".

C. As used in this section, "qualified electric motor vehicle property" means a motor vehicle originally equipped to be propelled only by electricity ~~but only~~ to the extent of the full purchase price of the vehicle; provided, if a motor vehicle is also equipped with an internal combustion engine, then such vehicle shall be considered "qualified electric motor vehicle property" only to the extent of the portion of the basis of such motor vehicle which is attributable to the propulsion of the vehicle by electricity. The term "qualified electric motor vehicle property" shall not apply to vehicles known as "golf carts," "go-carts" and other motor vehicles which are manufactured principally for use off the streets and highways.

D. The credit provided for in subsection A of this section shall be fifty percent (50%) of the cost of the qualified clean-burning motor vehicle fuel property or qualified electric motor vehicle property.

E. In cases where no credit has been claimed pursuant to subsection D of this section and in which a motor vehicle is purchased by a taxpayer with qualified clean-burning motor vehicle fuel property or qualified electric motor vehicle property installed by the manufacturer of such motor vehicle and the taxpayer is unable or elects not to determine the exact basis which is attributable to such property, the taxpayer may claim a credit in an amount not exceeding the lesser of ten percent (10%) of the cost of the motor vehicle or One Thousand Five Hundred Dollars (\$1,500.00).

F. If the tax credit allowed pursuant to subsection A of this section exceeds the amount of income taxes due or if there are no state income taxes due on the income of the taxpayer, the amount of the credit not used as an offset against the income taxes of a taxable year may be carried forward as a credit against subsequent income tax liability for a period not to exceed three (3) years.

G. A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Gumm moved that **HB 1085** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1085** 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Fair, Littlefield and Maddox.--3.

Vacancy: District 7.--1.

The bill passed.

**HB 1085** was referred for engrossment.

**PENDING CONSIDERATION OF HAS**

**HAs to SBs 175, 322 and 688** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**GENERAL ORDER**

**HCR 1004** by Claunch et al of the House and Aldridge et al of the Senate was called up for consideration.

**HCR 1004** was adopted upon motion of Senator Aldridge and properly signed and ordered returned to the Honorable House.

**GENERAL ORDER**

**HB 1263** by Nance of the House and Nichols of the Senate was called up for consideration.

Senator Nichols moved that **HB 1263** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1263** 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, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Fair, Hobson, Littlefield and Reynolds.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1263** was properly signed and ordered returned to the Honorable House.

## **GENERAL ORDER**

**HB 1422** by Roan and Nance of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 1422**, Page 1, by striking the enacting clause, which amendment was declared adopted.

Senator Gumm moved that **HB 1422** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 1422** 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, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Fair, Helton, Littlefield and Reynolds.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1422** was referred for engrossment.

## **MESSAGES FROM THE HOUSE**

Advising passage of and returning the following Engrossed measures:

**SCR 15**

**SCR 20** - coauthored by all other House members

The above-numbered measures were referred for enrollment.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1072** and **1457**.

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

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

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

**SB 84**

**SB 85**

**SB 86**

**SB 87**

**SB 104**

**SB 105**

**SB 186**

**SB 187**

**SB 193**

**SB 194**

**SB 246**

**SB 265**

**SB 267**

**SB 346** - coauthored by Balkman, Bengé, Blackwell, Calvey, Claunch, Coleman, DeWitt, Jones, Liotta, Smaligo, Smith (Hopper), Steele, Trebilcock, Winchester, Dank, Greenwood, Graves of the House

**SB 426** - coauthored by Smithson of the House

**SB 430**

**SB 442**

**SB 547**

**SB 566**

**SB 607**

**SB 621** - coauthored by Nance of the House

**SB 634**

**SB 667**

**SB 673** - coauthored by Smithson, Nance, Walker of the House

**SB 680** - emergency failed

**SB 706** - coauthored by Balkman, Cargill, Dank, Davis, Ericson, Graves, Greenwood, Nance, Piatt, Vaughn of the House

**SB 741**

**SB 755** - coauthored by Vaughn, Davis, Maddux, Dank, Greenwood of the House

**SJR 21**

House amendments were read on the above-numbered bills.

Senator Fisher moved that the Senate recess until 1:30 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.

### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 307** and **312**.

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

Advising passage of and returning the following Engrossed bill:

**SB 776** - coauthored by Smithson, Nance of the House

The above-numbered measure was referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HB 1721**.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

**HB 1115**  
**HB 1147**  
**HB 1359**  
**HB 1380**  
**HB 1406**  
**HB 1414**  
**HB 1440**  
**HB 1451**  
**HB 1583**  
**HB 1650**

**GENERAL ORDER**

**HB 1635** by Dorman and Askins of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 1635**, Page 4, Line 18 ½ , by inserting a new paragraph 3 to read as follows:

“3. The child may have an advocate to monitor the potential for emotional trauma. The advocate shall be a Court Appointed Special Advocate, a registered professional social worker, psychologist, or psychiatrist.”, which amendment was declared adopted.

Senator Gumm moved that **HB 1635** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1635** 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, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--41.

Excused: Coffee, Dunlap, Littlefield, Morgan, Robinson and Wilkerson.--6.

Vacancy: District 7.--1.

The bill passed.

**HB 1635** was referred for engrossment.

**PENDING CONSIDERATION OF HAS**

**HAs** to **SB 267** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**INTRODUCTION**

Senator Aldridge introduced former Senator Jim Howell to the Senate.



**Senator Fisher presiding.**

**GENERAL ORDER**

**HB 1587** by Leist of the House and Lawler of the Senate was called up for consideration.

Senator Lawler moved to amend **HB 1587**, 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 Lawler asked that **HB 1587** be laid over for this legislative day, which was the order.

**HB 1587** remains on General Order.

**Senator Taylor presiding.**

**GENERAL ORDER**

**HB 1469** by Lerblance and Braddock of the House and Smith and Gumm of the Senate was called up for consideration.

Senator Smith moved to amend **HB 1469**, Page 20, Line 12 ½, by inserting a new Section 9 to read as follows:

“SECTION 9. AMENDATORY 70 O.S. 2001, Section 6-107, is amended to read as follows:

Section 6-107. A. Except for employment of a director of a public developmental research school as authorized in Section 1210.577 of this act title, it shall be unlawful for a member of the board of education of a school district to employ, approve or vote for the employment of any person to perform services for such district unless the person employed holds a valid certificate of qualification issued in accordance with the rules of the State Board of Education to perform the services the person is employed to perform.

B. The State Department of Education shall require each person offered a position within the agency that requires working directly with children to furnish fingerprints to be used for a state and national criminal history records check as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.”, and by renumbering subsequent sections and amending the title to conform, which amendment was declared adopted.

Senator Smith moved that **HB 1469** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1469** 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, Fair, Fisher, Ford, Gumm, Harrison, 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, Williams and Williamson.--43.

Excused: Dunlap, Monson, Robinson and Wilkerson.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1469** was referred for engrossment.

**GENERAL ORDER**

**HB 1724** by Braddock of the House and Gumm of the Senate was called up for consideration.

Senator Pruitt moved to amend **HB 1724**, Page 20, Line 20 ½ , by inserting a new Section 8 to read as follows:

SECTION 8. AMENDATORY 62 O.S. 2001, Section 430.1, as amended by Section 1, Chapter 483, O.S.L. 2002 (62 O.S. Supp. 2002, Section 430.1), is amended to read as follows:

Section 430.1.A. The governing board of any county, city or town, or school district is authorized to rent on a monthly basis real or personal property as authorized by the governing board and to pay the rental charges thereon for usage during any fiscal period, or portion thereof, out of appropriations made and approved for such purposes for, or during, such fiscal year. Any such rental contract extending beyond June 30 of the fiscal year shall contain provisions for mutual ratification of renewal under the conditions provided in this section.

B. As used in this section, the term "personal property" shall include, but not be limited to:

1. Portable, or otherwise moveable, buildings and structures;
2. Prefabricated metal buildings and structures, along with necessary utility services for such buildings or structures;
3. Roofs placed over existing roof structures; provided, retrofit metal roofs shall not be included within the definition of "personal property" for purposes of this section; and

4. Other structures or property that can be disassembled after installation and removed without permanent physical damage to existing property.

Notwithstanding the provisions of Section 7 of Title 60 of the Oklahoma Statutes, such personal property shall retain its status as personal property and shall not be deemed to become attached to the real estate for the duration of the lease-purchase agreement.

C. It is the purpose of this section to authorize such governing boards to enter into lease and lease-purchase contracts but not to incur any obligation upon the part of their respective municipal or governmental subdivisions in excess of the income and revenue thereof provided for such purposes for the fiscal year in which the lease contract is effectively operative.

D. Any agreement to lease and purchase real or personal property, where title is to be acquired by the municipal or governmental subdivision, shall state the purchase price of the real or personal property so leased and in no event shall the lease be extended so as to cause payment of more than the stated purchase price of the real or personal property plus interest not to exceed ten percent (10%) simple interest on the unpaid balance due as of each payment date. When the purchase price plus interest has been paid, the property shall belong to the lessee and the lessor shall deliver a bill of sale to the property to the lessee. Any lease-purchase agreement may include an option to purchase, transfer and acquire title during the term of the lease upon payment of the balance of the agreed purchase price, and each agreement shall include a provision to transfer title to the lessee at the end of the completed lease term for nominal or no additional consideration.

E. The payment for the lease or rental of real or personal property shall be made only from annual and supplemental appropriations specifically designated for such purpose, and no appropriation for the purpose of paying rentals on real or personal property shall be transferred or diverted to any other purpose, except as may be authorized by the terms of the agreement or by law.

F. When any real or personal property has been leased or rented during any fiscal year under any contract which permits continuance of such rental for the remainder of the fiscal year, the renting or leasing thereof shall be continued for the remainder of the fiscal year unless the governing body renting or leasing the same, by proper resolution entered in the minutes of the governing body, shall certify that the continuance of such rental is unnecessary and contrary to the public interest. However, to affect a contract termination of lease or lease-purchase equipment, written notice shall be sent by certified mail to the vendor thirty (30) days prior to the termination of the contract. Such notice shall be accompanied by payment of all sums then owed up to the date of the termination of the contract and shall certify that the canceled equipment is not being replaced by equipment performing similar functions. All equipment covered by such contract termination shall be returned to the vendor at the expense of the governmental agency terminating such contract. Such equipment shall be returned in good condition to a location designated by the vendor and the equipment, when returned, shall be free of all liens and encumbrances. Satisfaction of all of the requirements of this section shall release the governmental agency terminating such contract from any further obligation to make any further payments to the vendor.” and by renumbering subsequent sections, which amendment was declared adopted.

Senator Gumm moved that **HB 1724** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1724** 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, Corn, Crutchfield, 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, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--43.

Excused: Coffee, Dunlap, Robinson and Wilkerson.--4.

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 1724** passed.

**UNANIMOUS CONSENT REQUEST  
DIRECT TO CALENDAR**

Senator Easley asked unanimous consent to suspend Rule 5-4 and refer **SR 22** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SR 22** by Easley was called up for consideration.

All other members of the Senate asked to coauthor **SR 22**, which was the order.

**SR 22** was adopted upon motion of Senator Easley and referred for enrollment.

**GENERAL ORDER**

**HB 1742** by Langmacher of the House and Easley of the Senate was called up for consideration.

Senator Easley moved to amend **HB 1742**, 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 Easley moved that **HB 1742** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1742** 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, 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, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

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

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1742** was referred for engrossment.

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Johnson asked unanimous consent to suspend Rule 5-4 and refer **HCR 1009** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**HCR 1009** by Bonny et al of the House and Johnson of the Senate was called up for consideration.

All other members of the Senate asked to coauthor **HCR 1009**, which was the order.

**HCR 1009** was adopted upon motion of Senator Johnson and properly signed and ordered returned to the Honorable House.

### **MOTION TO RECONSIDER VOTE**

Senator Corn moved to reconsider the vote whereby **HB 1597** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Dunlap, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Price, Rabon, Rozell, Shurden and Taylor.--27.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Fair, Ford, Laughlin, Milacek, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson, Williams and Williamson.--17.

Excused: Robinson, Smith and Wilkerson.--3.

Vacancy: District 7.--1.

### **THIRD READING**

**HB 1597** 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, Dunlap, Easley, Fisher, Harrison, Helton, Hobson, Leftwich, Littlefield, Maddox, Morgan, Myers, Price, Rabon, Shurden, Taylor and Wilkerson.--20.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Fair, Ford, Gumm, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Milacek, Monson, Nichols, Pruitt, Reynolds, Riley, Rozell, Smith, Snyder, Wilcoxson, Williams and Williamson.--26.

Excused: Robinson.--1.

Vacancy: District 7.--1.

The bill failed.

### **GENERAL ORDER**

**HB 1530** by Lerblance et al of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 1530**, Page 1, Lines 20 and 21 by deleting after the word "is" on Line 20 and before the word "to" on Line 21 the words "to require insurers"; Page 8, Line 13 by deleting after the word "basis" and before the word "include" the word "shall" and inserting in lieu thereof the word "may"; Page 8, Lines 14 and 15 by deleting after the word "coverage" on Line 14 and before the period on Line 15 the words "unless waived in writing by the insured"; Page 8, Line 17 by deleting before the word "include" the word "shall" and inserting in lieu thereof the word "may"; Page 8, Line 18 by deleting before the period the words "unless waived in writing by the insured"; Page 8, Line

20 by deleting after the word “basis” and before the word “include” the word “shall” and inserting in lieu thereof the word “may”; Page 8, Line 21 by deleting after the word “coverage” and before the period the words “unless waived in writing by the insured”; and Page 13, Line 20 by deleting after the word “insurers” and before the word “enter” the word “shall” and inserting in lieu thereof the word “may”, which amendment was declared adopted.

Senator Gumm moved that **HB 1530** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1530** 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, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Reynolds, Rozell, Shurden, Taylor and Wilkerson.--27.

Nay: Aldridge, Branan, Brogdon, Coffee, Dunlap, Fair, Ford, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Riley, Smith, Snyder, Wilcoxson and Williamson.--18.

Excused: Robinson and Williams.--2.

Vacancy: District 7.--1.

The bill passed.

**HB 1530** was referred for engrossment.

### **SCs NAMED**

Upon motion of Senator Fisher, Senate conferees were appointed as follows:

**SB 175** – Morgan, Robinson, Williamson

### **GENERAL ORDER**

**HB 1611** by Wilt of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 1611** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1611** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--44.

Excused: Laughlin, Robinson and Williams.--3.

Vacancy: District 7.--1.

The bill passed.

**HB 1611** was referred for engrossment.

**GENERAL ORDER**

**HB 1064** by Gilbert of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 1064** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1064** 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Ford and Robinson.--3.

Vacancy: District 7.--1.

The bill and emergency passed.



**HB 1064** was referred for engrossment.

**Senator Rozell presiding.**

**PENDING CONSIDERATION OF HAS**

**HAs to SB 437** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**MESSAGE FROM THE HOUSE**

Advising naming of House conferees as follows:

**HB 1713** - Bengé, Rice, Mitchell, Hastings, Davis, Toure, McIntyre, Nations, Lamons, Hiatt

Senator Fisher moved that the Senate recess until 3:15 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 1149** by Miller (Ray) of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 1149** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1149** was read for the third time at length.

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

Aye: Aldridge, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Morgan, Myers, Price, Rabon, Reynolds, Riley, Rozell, Shurden, Snyder, Wilkerson and Williams.--32.

Nay: Branan, Brogdon, Nichols, Pruitt, Smith, Wilcoxson and Williamson.--7.

Excused: Cain, Ford, Helton, Horner, Milacek, Monson, Robinson and Taylor.--8.

Vacancy: District 7.--1.

The bill passed.

**HB 1149** was referred for engrossment.

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

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

**HB 1269**

**HB 1574**

**HB 1705**

**HB 1790**

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 175** - Mitchell, Askins, Ferguson

Advising naming of House conferees as follows:

**HB 1476** - Greenwood, Staggs, Vaughn, Roberts, Coleman, Wells, Smith (Dale)]

**HB 1734** - Wells, Toure, Davis, Hefner, Ingmire

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, April 24, 2003, at 10:00 a.m., which motion prevailed.

**FIRST READING**

The following were introduced and read the first time:

**SCR 22** – By Pruitt.

A Concurrent Resolution relating to the Service Warranty Insurance Act; creating the Task Force on Service Warranty Insurance; stating purpose of Task Force; requiring recommendations; stating membership; providing for meetings, officers, staffing and travel reimbursement; and directing distribution.

**SCR 23** – By Capps of the Senate and Deutschendorf of the House.

A Concurrent Resolution relating to the establishment of the Oklahoma Nanotechnology Initiative; stating purpose; stating legislative intent that Secretary of Science and Technology convene certain persons for purpose of forming a nanotechnology organization and its governing board; pledging legislative support of endeavors; and directing distribution.

**SCR 24** – By Shurden of the Senate and Harrison of the House.

A Concurrent Resolution acknowledging Narconon Arrowhead for its commitment to the eradication of substance abuse; commending Narconon Arrowhead for its successful program design; supporting Narconon Arrowhead's application for state certification of its CARF-accredited nonmedical detoxification program; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 3:35 p.m. to meet Thursday, April 24, 2003, at 10:00 a.m.