

# Senate Journal

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

**Fifty-eighth Legislative Day, Tuesday, May 13, 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, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—46.

Excused: Rabon.—1.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Doyle Pryor, First Baptist Church, Sapulpa, the guest of Senator Fisher.

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SB 423** was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### **CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**SB 281** – remove Leftwich, Corn, Fisher, Morgan, Williamson and add GCCA

**HB 1153** – remove GCCA and add Ford, Morgan, Rozell, Williams, Wilcoxson

**MOTION TO RECONSIDER VOTE**

Senator Monson moved to reconsider the vote whereby **SB 583** passed.

Senator Dunlap moved to table the Monson motion, which tabling motion was adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Capps, Coates, Coffee, Crutchfield, Dunlap, Ford, Harrison, Hobson, Horner, Johnson, Kerr, Laughlin, Littlefield, Milacek, Monson, Myers, Nichols, Price, Reynolds, Riley, Robinson, Rozell, Smith, Snyder and Wilcoxson.--28.

Nay: Cain, Corn, Easley, Fisher, Helton, Laster, Lawler, Leftwich, Maddox, Shurden, Wilkerson and Williams.--12.

Excused: Fair, Gumm, Morgan, Pruitt, Rabon, Taylor and Williamson.--7.

Vacancy: District 7.--1.

**SB 583**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**FOURTH READING AND SIGNING RESCINDED**

Senator Corn moved to rescind the signing and fourth reading of **HB 1101**, which motion was declared adopted upon roll call 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, Maddox, Milacek, Monson, Myers, Nichols, Price, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Fair, Morgan, Pruitt, Rabon and Taylor.--5.

Vacancy: District 7.--1.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 274** was adopted upon motion of Senator Crutchfield.

**SB 274**, as amended in conference, was read 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Rabon.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 274**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 671** was adopted upon motion of Senator Monson.

**SB 671**, as amended in conference, was read 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, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Littlefield and Rabon.--2.

Vacancy: District 7.--1.

The bill passed.

**SB 671**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SJR 12** was adopted upon motion of Senator Monson.

**SJR 12**, as amended in conference, was read at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Leftwich, Maddox, Milacek, Monson, Myers, Price, Pruitt, Reynolds, Robinson, Rozell, Shurden, Snyder, Taylor, Wilkerson, Williams and Williamson.--38.

Nay: Lawler, Nichols, Riley, Smith and Wilcoxson.--5.

Excused: Gumm, Littlefield, Morgan and Rabon.--4.

Vacancy: District 7.--1.

The resolution passed.

**SJR 12**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

Senator Fisher asked unanimous consent to suspend Rule 5-4 and refer **SCR 26** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SCR 26** by Fisher of the Senate and Sweeden of the House was called up for consideration.

**SCR 26** was adopted upon motion of Senator Fisher and referred for engrossment.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 317** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: Dunlap, Leftwich, Lawler.

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

Senator Robinson asked unanimous consent to suspend Rule 5-4 and refer **SCR 25** direct to the Calendar for consideration, which was the order.

**GENERAL ORDER**

**SCR 25** by Robinson of the Senate and Ericson of the House was called up for consideration.

Senator Shurden asked to coauthor **SCR 25**, which was the order.

**SCR 25** was adopted upon motion of Senator Robinson and referred for engrossment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 368** was adopted upon motion of Senator Robinson.

**SB 368**, as amended in conference, was read at length.

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

Aye: Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Myers, Nichols, Price, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--39.

Nay: Aldridge, Brogdon, Pruitt and Wilcoxson.--4.

Excused: Helton, Littlefield, Morgan and Rabon.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 368**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**Senator Gumm presiding.**

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 257** was adopted upon motion of Senator Robinson.

**SB 257**, as amended in conference, was read 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, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Pruitt.--1.

Excused: Easley, Hobson, Littlefield and Rabon.--4.

Vacancy: District 7.--1.

The bill passed.

**SB 257**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Advising conferees unable to agree on **HB 1587**.

#### **EXECUTIVE NOMINATIONS**

The following executive nominations have been approved by the committees named:

Adelson, Thomas Andrew, Tulsa, as Cabinet Secretary of Health, to serve at the pleasure of the Governor, filling a new position. (Human Resources Committee) Motion to confirm made by Senator Williams.

Anderson, Jim Lee, Enid, to the State Board of Health, to serve a nine year term ending June 30, 2012, succeeding John Carmichael. (Human Resources Committee) Motion to confirm made by Senator Milacek.

Arkeketa, Bennett, Ponca City, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2006, succeeding himself. (Human Resources Committee) Motion to confirm made by Senator Myers.

Ashton, Mark Alfred, Lawton, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2006, succeeding Charles Wesley Morgan, III. (Human Resources Committee) Motion to confirm made by Senator Maddox.

Baldwin, Jack, Enid, to the Science and Technology Council, to serve an initial term ending July 1, 2007, filling a new position. (Aerospace and Technology Committee) Motion to confirm made by Senator Milacek.

Bartlett, Ken, Del City, to the Board of Regents for Rose State College, to serve a seven year term ending July 1, 2010, succeeding himself. (Education Committee) Motion to confirm made by Senator Reynolds.

Bass, Betty Gray, McAlester, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2009, succeeding Clyde Petete. (General Government Committee) Motion to confirm made by Senator Corn.

Belzer, Ph.D., John Alfred, Shawnee, to the Oklahoma State Board of Examiners for Nursing Home Administrators, to serve an unexpired term ending October 1, 2004, succeeding Sharon Parker. (Human Resources Committee) Motion to confirm made by Senator Coates.

Bernard, M.D., Marie, Edmond, to the Oklahoma State Board of Examiners for Nursing Home Administrators, to serve a three year term ending July 1, 2006, succeeding Terri Heritage. (Human Resources Committee) Motion to confirm made by Senator Snyder.

Billingsley, Craig, Lawton, to the Oklahoma Industrial Finance Authority, to serve a six year term ending October 11, 2008, succeeding Hatton McMahan. (Commerce Committee) Motion to confirm made by Senator Helton.

Billingsley, Craig, Lawton, to the Oklahoma Development Finance Authority, to serve a six year term ending October 11, 2008, succeeding Hatton McMahan. (Commerce Committee) Motion to confirm made by Senator Helton.

Blanchard, Kenneth, Newalla, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2005, succeeding himself. (Human Resources Committee) Motion to confirm made by Senator Nichols.

Britton, Charlotte Lynn, Shawnee, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2009, succeeding Eugene Chumbley. (Business and Labor Committee) Motion to confirm made by Senator Laster.

Brown, Linda, Ponca City, to the Board of Regents of the Northern Oklahoma College, to serve a five year term ending June 30, 2008, succeeding herself. (Education Committee) Motion to confirm made by Senator Myers.

Bryant, Sherry Lorene, Shawnee, to the State Textbook Committee, to serve a three year term ending March 1, 2006, succeeding Margaret Fields. (Education Committee) Motion to confirm made by Senator Laster.

Callahan, Ken, Sallisaw, to the Construction Industries Board, to serve a four year term ending September 1, 2007, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Corn.

Calvert, Marcy Lynn, Mustang, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2006, succeeding Cheryl Manley. (Human Resources Committee) Motion to confirm made by Senator Wilcoxson.

Carpenter, Jamie Ann, Oklahoma City, to the Board of Dentistry, to serve a three year term ending July 1, 2006, succeeding Steven Dobbs. (Human Resources Committee) Motion to confirm made by Senator Fair.

Carpenter, M.D., JoAnn, Ada, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2008, succeeding herself. (Human Resources Committee) Motion to confirm made by Senator Wilkerson.

Cong-Tang, Ann P., Mustang, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2005, succeeding Deyo Paddyaker. (Human Resources Committee) Motion to confirm made by Senator Price.

Cooksey, Mary Virginia, Marble City, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2005, succeeding herself. (Human Resources Committee) Motion to confirm made by Senator Rozell.

Crane, Judy, Oklahoma City, to the Oklahoma State Board of Examiners for Nursing Home Administrators, to serve a three year term ending July 1, 2006, succeeding herself. (Human Resources Committee) Motion to confirm made by Senator Branan.

Dodson, Mark Steven, Altus, to the Board of Regents of Western Oklahoma State College, to serve a seven year term ending March 24, 2010, succeeding Brenda Hickerson. (Education Committee) Motion to confirm made by Senator Kerr.

Flowers, Jonathan Dwaine, Shawnee, to the Board of Regents of Seminole State College, to serve a seven year term ending July 1, 2010, succeeding Dorothy Forth. (Education Committee) Motion to confirm made by Senator Laster.

Follis, Bill, Miami, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2006, succeeding himself. (Human Resources Committee) Motion to confirm made by Senator Littlefield.

Frazier, Linda, Tulsa, to the Board of Trustees for Quartz Mountain Arts and Conference Center and Nature Park, to serve a seven year term ending June 30, 2010, succeeding Cynthia Cope. (Education Committee) Motion to confirm made by Senator Williams.

Gaiche, Janet M., Chouteau, to the State Textbook Committee, to serve a three year term ending March 1, 2006, succeeding Becky Brock. (Education Committee) Motion to confirm made by Senator Easley.



Godlove, Ernest F., Lawton, to the State Board of Corrections, to serve a six year term ending March 15, 2009, succeeding Hugh Reed. (General Government Committee) Motion to confirm made by Senator Maddox.

Grim, Michael Allan, Oklahoma City, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve an unexpired term ending August 17, 2003, succeeding Richard Talbot. (Human Resources Committee) Motion to confirm made by Senator Cain.

Grim, Michael Allan, Oklahoma City, to the Board of Examiners for Speech-Language Pathology and Audiology, to serve a three year term ending August 17, 2006, succeeding himself. (Human Resources Committee) Motion to confirm made by Senator Cain.

Grubb, Sam, Miami, to the Oklahoma Used Motor Vehicle and Parts Commission, to serve coterminous with the Governor, succeeding Terrence P. Quinn. (Business and Labor Committee) Motion to confirm made by Senator Littlefield.

Harley, John, Oklahoma City, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2007, succeeding himself. (Aerospace and Technology Committee) Motion to confirm made by Senator Cain.

Johnston, Kenneth Wesley, Oklahoma City, to the Board of Regents of the University of Science and Arts of Oklahoma, to serve a seven year term ending June 30, 2010, succeeding Beverly R. Carter. (Education Committee) Motion to confirm made by Senator Cain.

Keel, Jay, Ada, to the Board of Juvenile Affairs, to serve a six year term ending March 15, 2009, succeeding himself. (Human Resources Committee) Motion to confirm made by Senator Wilkerson.

Kilmer, Glenda Carolyn, Tulsa, to the Oklahoma Department of Libraries Board, to serve a six year term ending July 1, 2009, succeeding James Carter. (General Government Committee) Motion to confirm made by Senator Williamson.

King, Joseph, Norman, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2007, succeeding himself. (Aerospace and Technology Committee) Motion to confirm made by Senator Nichols.

Kliewer, Harry Phillips, Cordell, to the Oklahoma Space Industry Development Authority, to serve a four year term ending June 30, 2007, succeeding Tom Stafford. (Aerospace and Technology Committee) Motion to confirm made by Senator Capps.

Koontz, Shelley Brady, Tulsa, to the Organ Donor Education and Awareness Program Advisory Council, to serve a four year term ending November 1, 2006, succeeding Keith Givens. (Human Resources Committee) Motion to confirm made by Senator Williamson.

Levy, Harrison, Oklahoma City, to the Oklahoma Real Estate Commission, to serve a three year term ending July 1, 2006, succeeding John Mosley. (Business and Labor Committee) Motion to confirm made by Senator Branan.

Lindsey, Marsha Jane, Oklahoma City, to the Oklahoma Science and Technology Research and Development Board, to serve an initial term ending June 30, 2005, succeeding Debra Mitchell. (Aerospace and Technology Committee) Motion to confirm made by Senator Monson.

Love, Glenda Francine, Tulsa, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2005, succeeding Bobbie Allen Booker. (Human Resources Committee) Motion to confirm made by Senator Horner.

Madison, Gary, Tulsa, to the Board of Dentistry, to serve a three year term ending July 1, 2006, succeeding Ray Thomas. (Human Resources Committee) Motion to confirm made by Senator Williams.

Martin, Rita Jo, Tulsa, to the State Textbook Committee, to serve a three year term ending March 1, 2006, succeeding Juanita Williams. (Education Committee) Motion to confirm made by Senator Smith.

Mattocks, Kelley Elaine, Moore, to the State Fire Marshal Commission, to serve a five year term ending July 1, 2007, succeeding herself. (General Government Committee) Motion to confirm made by Senator Wilcoxson.

Maxwell, Rita Jo, Midwest City, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2005, succeeding Quang H. Pham. (Human Resources Committee) Motion to confirm made by Senator Aldridge.

McArtor, Keith Overton, Tulsa, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2006, succeeding Stanley Evans. (Human Resources Committee) Motion to confirm made by Senator Williams.

Metheny, Ron W., Edmond, to the Construction Industries Board, to serve an unexpired term ending September 1, 2003, succeeding Zearl McAllister. (Business and Labor Committee) Motion to confirm made by Senator Fair.

Moore, Patrick Mark, Norman, to the Oklahoma Motor Vehicle Commission, to serve a six year term ending June 30, 2009, succeeding Leonard Northcutt. (Business and Labor Committee) Motion to confirm made by Senator Nichols.

Musser, Alice Mae Coe Mecoy, Oklahoma City, to the Board of Regents for Oklahoma City Community College, to serve a seven year term ending April 22, 2010, succeeding Lea E. Anderson. (Education Committee) Motion to confirm made by Senator Leftwich.

Norman, Mark R., Cache, to the Oklahoma Educational Television Authority, to serve a seven year term ending June 30, 2010, succeeding Clifton L. Taulbert. (Education Committee) Motion to confirm made by Senator Maddox.

O'Connor, Tim, Oklahoma City, to the State Board of Licensed Social Workers, to serve a three year term ending October 1, 2005, succeeding Christopher Markwood. (Human Resources Committee) Motion to confirm made by Senator Monson.

Porter, Gary, Oklahoma City, to the Oklahoma State Board of Examiners for Nursing Home Administrators, to serve a three year term ending July 1, 2006, succeeding Linda McCormick. (Human Resources Committee) Motion to confirm made by Senator Fair.

Reid, Karl, Stillwater, to the Oklahoma Science and Technology Research and Development Board, to serve a four year term ending June 30, 2007, succeeding himself. (Aerospace and Technology Committee) Motion to confirm made by Senator Morgan.

Rice, Melisa Ann, Ada, to the State Textbook Committee, to serve a three year term ending March 1, 2006, succeeding Don Klein. (Education Committee) Motion to confirm made by Senator Wilkerson.

Richards, Jr., Gordon Smith, Shawnee, to the Board of Pharmacy, to serve a five year term ending June 30, 2008, succeeding Robert Summers. (Human Resources Committee) Motion to confirm made by Senator Laster.

Seay, Harry L., Tulsa, to the Board of Trustees for Quartz Mountain Arts and Conference Center and Nature Park, to serve an unexpired term ending June 30, 2003, succeeding Marsha Lindsey. (Education Committee) Motion to confirm made by Senator Williamson.

Seay, Harry L., Tulsa, to the Board of Trustees for Quartz Mountain Arts and Conference Center and Nature Park, to serve a seven year term ending June 30, 2010, succeeding himself. (Education Committee) Motion to confirm made by Senator Williamson.

Shea, Larry, Oklahoma City, to the Construction Industries Board, to serve a four year term ending September 1, 2007, succeeding himself. (Business and Labor Committee) Motion to confirm made by Senator Monson.

Stone, Wanda, Newkirk, to the Oklahoma Indian Affairs Commission, to serve a three year term ending August 15, 2005, succeeding herself. (Human Resources Committee) Motion to confirm made by Senator Harrison.

Stringer, Brad Scott, Owasso, to the Committee of Home Inspector Examiners, to serve a three year term ending June 30, 2006, succeeding Robert S. Johnson. (Business and Labor Committee) Motion to confirm made by Senator Brogdon.

Stuart, Mary Kathryn McLaughlin, Shawnee, to the State Textbook Committee, to serve a three year term ending March 1, 2006, succeeding Tim Cain. (Education Committee) Motion to confirm made by Senator Laster.

Tolbert, E. J., Tishomingo, to the Board of Regents of Murray State College, to serve a seven year term ending June 1, 2010, succeeding Johnarline Hudson. (Education Committee) Motion to confirm made by Senator Gumm.

Vasquez, Sammie Rosales, Shawnee, to the Oklahoma Human Rights Commission, to serve a three year term ending July 15, 2006, succeeding Ervin Keith. (Human Resources Committee) Motion to confirm made by Senator Laster.

Warren, Edward, Muskogee, to the Physician Manpower Training Commission, to serve a five year term ending June 5, 2008, succeeding himself. (Human Resources Committee) Motion to confirm made by Senator Robinson.

Weeks, Robert Columbus, Owasso, to the State Board of Licensed Social Workers, to serve a three year term ending June 1, 2006, succeeding Susan Lashment. (Human Resources Committee) Motion to confirm made by Senator Brogdon.

Wester, John Michael, Shawnee, to the Oklahoma Employment Security Commission, to serve a six year term ending July 2, 2009, succeeding DeWayne Goodman. (Business and Labor Committee) Motion to confirm made by Senator Laster.

White, Ronald Hugh, Oklahoma City, to the Oklahoma State Regents for Higher Education, to serve a nine year term ending May 16, 2012, succeeding Leonard Eaton, Jr.. (Education Committee) Motion to confirm made by Senator Branan.

Motion to confirm the above-named executive nominations were declared adopted upon roll call 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, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Rabon.--1.

Vacancy: District 7.--1.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 628** was adopted upon motion of Senator Fisher.

**SB 628**, as amended in conference, was read at length.

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

Aye: Aldridge, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Myers, Nichols, Price, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilkerson and Williams.--35.

Nay: Branan, Brogdon, Dunlap, Pruitt, Reynolds, Snyder, Wilcoxson and Williamson.-8.

Excused: Hobson, Littlefield, Morgan and Rabon.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 628**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

## **EXECUTIVE NOMINATIONS**

The following executive nominations have been approved by the committees named:

Burden, Kelly Dee, Bethany, to the Oklahoma Professional Boxing Commission, to serve a three year term ending June 30, 2006, succeeding Ron DeCost. (Business and Labor Committee) Motion to confirm made by Senator Coffee.

Hendrick, Howard H., Bethany, as Cabinet Secretary of Human Services, to serve at the pleasure of the Governor, filling a new position. (Human Resources Committee) Motion to confirm made by Senator Coffee.

Motion to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Hobson, Morgan and Rabon.--3.

Vacancy: District 7.--1.

**CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**SB 267** – remove GCCA and add Capps, Rabon, Fisher, Snyder

**SB 353** – remove GCCA and add Ford, Fisher, Harrison

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.

**PENDING CONSIDERATION OF HAs**

**HAs to SB 620**, considered on Page 1285, was called up for further consideration.

**HAs to SB 620** were concurred in upon motion of Senator Monson.

**SB 620**, as amended by the Honorable House, was read 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, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.-39.

Excused: Fair, Ford, Hobson, Laughlin, Maddox, Pruitt, Rabon and Williams.--8.

Vacancy: District 7.--1.

The bill passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

**Senator Gumm presiding.**

**INTRODUCTION**

Senator Shurden introduced his daughter, Shelly Minihan; and his grandchildren, Claire and Jonathon Minihan, to the Senate.

**PENDING CONSIDERATION OF HAS**

**HAs to SB 611** were concurred in upon motion of Senator Helton.

**SB 611**, as amended by the Honorable House, was read at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Robinson, Rozell, Shurden, Taylor and Wilkerson.--25.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Johnson, Milacek, Myers, Nichols, Reynolds, Riley, Smith, Wilcoxson and Williamson.--15.

Excused: Fair, Ford, Laughlin, Pruitt, Rabon, Snyder and Williams.--7.

Vacancy: District 7.--1.

The bill passed.

The Chair advised that Senator Snyder, having been present in the Chamber during the vote on **SB 611** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 25; Nay: 16; Excused: 6; Vacancy: 1.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR on SB 409** was adopted upon motion of Senator Corn.

**SB 409**, as amended in conference, was read 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, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers,

Nichols, Price, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Excused: Fair, Ford, Pruitt, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 409**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 680** was adopted upon motion of Senator Cain.

**SB 680**, as amended in conference, was read at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Robinson, Rozell, Shurden, Smith, Taylor and Wilkerson.--25.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--17.

Excused: Fair, Ford, Hobson, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill passed and the emergency failed.

**SB 680**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 243**

**SB 360**

**SB 646**

**SB 830**



### **MOTION TO RECONSIDER VOTE**

Senator Williamson moved to reconsider the vote whereby **HB 1449** passed.

Senator Shurden moved to table the Williamson motion, which tabling motion was declared adopted.

**HB 1449**, together with the conference committee report thereon, was ordered returned to the Honorable House.

### **SUSPEND RULES**

Senator Rozell asked unanimous consent, which was granted, to suspend Senate Rule 16-1 as it pertains to **SB 377**.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1583** was adopted upon motion of Senator Crutchfield.

**HB 1583**, as amended in conference, was read 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, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Excused: Fair, Ford, Hobson, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill passed.

**HB 1583**, together with the conference committee report thereon, was ordered returned to the Honorable House.

### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 377** were rejected upon motion of Senator Rozell, conference requested, and Senate conferees to be named later.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1063** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: Robinson, Milacek, Riley.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 243** was adopted upon motion of Senator Robinson.

**SB 243**, as amended in conference, was read 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, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.-38.

Nay: Coffee, Dunlap, Myers and Nichols.--4.

Excused: Fair, Ford, Hobson, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill passed.

**SB 243**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**MESSAGES FROM THE HOUSE**

Advising further conference granted and naming same House conferees on Engrossed:

**SB 317** - Tyler, Paulk, Taylor, Wilt, Plunk, Case, Benge

Advising fourth reading of and returning Enrolled **SB 423**.

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

Advising naming of House conferees as follows:

**HB 1101** - Easley, Dank, Sweeden, Newport, Askins

Advising passage of and transmitting for consideration Engrossed **HJR 1031**.

**HJR 1031** – By Sweeden of the House and Gumm of the Senate.

A Joint Resolution relating to a proposed permanent rule of the State Department of Health; disapproving proposed permanent rule OAC 310:641-3-30, which relates to an air ambulance license; directing distribution; and declaring an emergency.

The above-numbered measure was read the first time.

### **MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS**

Transmitting the following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**HB 1335** - Emergency failed

**HB 1501**

**HB 1611** - coauthored by Davis of the House

Conference committee reports were read on the above-numbered bills.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1501** was adopted upon motion of Senator Monson.

**HB 1501**, as amended in conference, was read 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, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Excused: Fair, Ford, Hobson, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill passed.

**HB 1501**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 411** was adopted upon motion of Senator Corn.

**SB 411**, as amended in conference, was read 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, Easley, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Excused: Fair, Ford, Hobson, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 411**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 715** was called up for consideration.

Senator Corn asked that **SB 715** be laid over for this legislative day, which was the order.

**SB 715** remains on pending consideration of the CCR.

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

\*

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 conferees unable to agree on **HB 1742**.

Advising further conference granted and naming same House conferees on Engrossed:

**HB 1063** - Gilbert, Lindley, Jones, Balkman, Hamilton

Returning following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

**SB 793**

The above-numbered measure, as amended in conference, was referred for enrollment.

Advising rejection of **CCRs** to the following bills, requesting further conference and naming same House conferees as follows:

**HB 1271** - Newport, Paulk, Miller (Doug), Roberts, Maddux, Deutschendorf, Wilson

**HB 1569** - Morgan (Danny), Lamons, Boren, Lerblance, Wells, Wilt, Jones, Peters, Smith (Hopper)

#### **MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORT**

Transmitting the following bill, together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended:

**HB 1149**

Conference committee report was read on the above-numbered bill.

#### **EXECUTIVE NOMINATIONS**

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

Chappell, II, Loyal Edward, Oklahoma City, as a member of the Board of Regents for Oklahoma City Community College - Education

Chumbley, Eugene, Edmond, as a member of the Oklahoma Motor Vehicle Commission - Business and Labor

Enyart, Charles Dwayne, Vinita, as a member of the Oklahoma Indian Affairs Commission - Human Resources

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 14, 2003, at 10:00 a.m., which motion prevailed.

### **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 246**  
**SB 447**  
**SB 625**  
**SB 633**  
**SB 675**  
**SB 725**  
**SB 727**

### **COMMITTEE REPORT**

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

DO PASS:

**HCR 1011** – Judiciary

### **SECOND READING**

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

**HJR 1035** – Human Resources

**FIRST READING**

The following was introduced and read the first time:

**SCR 31** – By Fisher of the Senate and Hilliard of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 722 passed by the 1st Session of the 49th Oklahoma Legislature.

**MESSAGE FROM THE GOVERNOR**

Advising his approval May 12, 2003, of Enrolled **SBs 355** and **705** and **SJR 18**.

Pursuant to the Fisher motion, the Senate adjourned at 3:40 p.m. to meet Wednesday, May 14, 2003, at 10:00 a.m.