

Senate Journal

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

Sixtieth Legislative Day, Thursday, May 15, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder Wilcoxson, Wilkerson, Williams and Williamson.—45.

Excused: Capps and Taylor.—2.

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 MEASURES

SBs 272 and **583** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 25 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1051, 1580** and **1705**.

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

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

SB 368

SB 556

SB 628

The above-numbered measures, as amended in conference, were referred for enrollment.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

HB 1099

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

INTRODUCTION

Senator Littlefield introduced his godchildren, Kaitlyn and Robert John Graham, to the Senate.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **SB 317** was adopted upon motion of Senator Dunlap.

SB 317, as amended in conference, was read at length.

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

Aye: Branan, Brogdon, Cain, Coates, Corn, Crutchfield, Dunlap, 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, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williamson.--41.

Excused: Aldridge, Capps, Coffee, Monson, Taylor and Williams.--6.

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: 42; Excused: 5; Vacancy: 1.

The emergency passed.

SB 317, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

FIRST READING

The following was introduced and read the first time:

SR 27 – By Fisher.

A Resolution expressing gratitude and appreciation to Jan McMullen upon the occasion of her retirement from the Oklahoma State Senate; and directing distribution.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Fisher asked unanimous consent to suspend Rule 5-4 and refer **SR 27** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 27 by Fisher was called up for consideration.

All other members of the Senate asked to coauthor **SR 27**, which was the order.

SR 27 was adopted upon motion of Senator Fisher and referred for enrollment.

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.

MESSAGE FROM THE HOUSE CONFERENCE COMMITTEE REPORTS

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

HB 1147

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

MESSAGE FROM THE HOUSE

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

SB 243

SB 257

SB 274 - coauthored by Braddock, Sweeden, Davis of the House

SB 546

The above-numbered measures, as amended in conference, were referred for enrollment.

PENDING CONSIDERATION OF CCRs

The following **CCR**s were rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows:

SB 606 – Corn, Price, Harrison, Laughlin, Myers

SB 704 – Laughlin, Morgan, Hobson

SB 725 – Smith, Morgan, Laster, Taylor, Pruitt

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 585** was adopted upon motion of Senator Wilkerson.

SB 585, 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, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--39.

Nay: Nichols.--1.

Excused: Capps, Easley, Ford, Helton, Hobson, Robinson and Taylor.--7.

Vacancy: District 7.--1.

The bill passed.

SB 585, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

HB 1292 – Littlefield, Rabon, Riley

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 733** was adopted upon motion of Senator Gumm.

SB 733, 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, Cain, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Wilkerson, Williams and Williamson.--38.

Nay: Brogdon, Reynolds, Snyder and Wilcoxson.--4.

Excused: Capps, Easley, Ford, Smith and Taylor.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 733, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Rabon presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 675** was adopted upon motion of Senator Leftwich.

SB 675, 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, Coates, Coffee, Corn, Crutchfield, Dunlap, 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, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Capps, Easley, Ford and Taylor.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 675, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 246** was adopted upon motion of Senator Leftwich.

SB 246, 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, Coates, Coffee, 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, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Capps, Ford and Taylor.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 246, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 447** was adopted upon motion of Senator Lawler.

SB 447, 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, Coates, Coffee, 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, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Capps, Ford and Taylor.--3.

Vacancy: District 7.--1.

The bill passed.

SB 447, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

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

GENERAL ORDER

SR 26 by Monson was called up for consideration.

SR 26 was adopted upon motion of Senator Monson and referred for enrollment.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 625** was adopted upon motion of Senator Lawler.

SB 625, 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, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, 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, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Capps, Easley, Ford, Hobson and Taylor.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 625, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled **SBs 272** and **583**.

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

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.

MESSAGE FROM THE HOUSE

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

SB 606 - Sweeden, Braddock, McCarter, Adkins, Armes, Covey, Pope, Maddux

SB 704 - Erwin, Hutchison, Calvey, Balkman, Paulk, Lamons, Roan, Smithson, Nance, Perry

SB 725 - Toure, Hastings, Askins, Braddock, Davis

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 834** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: Shurden, Wilkerson, Nichols.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 436** was adopted upon motion of Senator Laughlin.

SB 436, 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, Brogdon, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Shurden, Wilcoxson, Williams and Williamson.--36.

Nay: Cain, Rozell, Smith and Wilkerson.--4.

Excused: Aldridge, Capps, Ford, Hobson, Robinson, Snyder and Taylor.--7.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 436, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SR 27 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

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.

MESSAGE FROM THE HOUSE

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

SB 834 - Stanley, Braddock, Bonny, Pettigrew, Ingmire, Roan, Newport

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

HB 1271 – Leftwich, Horner, Brogdon

HB 1512 – Littlefield, Wilkerson, Reynolds, Laster, Nichols, Shurden

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 88** was adopted upon motion of Senator Wilkerson.

SB 88, 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, Brogdon, Cain, Coates, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Rabon, Reynolds, Riley, Rozell, Shurden,

Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--35.

Excused: Aldridge, Capps, Coffee, Easley, Fair, Ford, Hobson, Morgan, Price, Pruitt, Robinson and Taylor.--12.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 88, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 90** was adopted upon motion of Senator Wilkerson.

SB 90, 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, Brogdon, Cain, Coates, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--37.

Nay: Riley.--1.

Excused: Aldridge, Capps, Coffee, Easley, Ford, Hobson, Pruitt, Robinson and Taylor.--9.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 90, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

CHANGE IN CONFEREES

Advising change in Senate conferees as follows:

HB 1385 – remove Milacek, Leftwich, Johnson, Wilkerson, Fisher, Rozell and add GCCA

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Friday, May 16, 2003, at 10:00 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 86
SB 130
SB 134
SB 206
SB 267
SB 350
SB 353
SB 453
SB 668
SB 708
SB 807
SB 835 (3rd CCR)

Pursuant to the Fisher motion, the Senate adjourned at 3:30 p.m. to meet Friday, May 16, 2003, at 10:00 a.m.