

# Senate Journal

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

**Sixty-third Legislative Day, Tuesday, May 20, 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 Duane Brogdon, Hope Worship Center, Broken Arrow, the guest of Senator Brogdon.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 32** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**SBs 40, 44, 45, 48, 86, 88, 90, 130, 134, 144, 146, 156, 158, 160, 162, 246, 409, 425, 436 and 755** 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 CCR

The **CCR** on **SB 437** was adopted upon motion of Senator Rabon.

**SB 437**, 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, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Corn, Easley, Fair, Hobson, Leftwich, Maddox and Robinson.--7.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 437**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

The **CCR** on **HB 1249** was adopted upon motion of Senator Morgan.

**HB 1249**, 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, Fisher, Ford, Gumm, Harrison, Helton, 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.--43.

Excused: Easley, Fair, Hobson and Robinson.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1249**, together with the conference committee report thereon, was ordered returned to the Honorable House and was read at length as follows:

**HB 1249** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

An Act directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 23 of Article X of the Constitution of the State of Oklahoma; modifying provisions related to appropriations from the Constitutional

Reserve Fund; prescribing procedures for determination of appropriation amounts; providing ballot title; and directing filing.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Section 23 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 23. The state shall never create or authorize the creation of any debt or obligation, or fund or pay any deficit, against the state, or any department, institution or agency thereof, regardless of its form or the source of money from which it is to be paid, except as may be provided in this section and in Sections 24 and 25 of Article X of the Constitution of the State of Oklahoma.

To ensure a balanced annual budget, pursuant to the limitations contained in the foregoing, procedures are herewith established as follows:

1. Not more than forty-five (45) days or less than thirty-five (35) days prior to the convening of each regular session of the Legislature, the State Board of Equalization shall certify the total amount of revenue which accrued during the last preceding fiscal year to the General Revenue Fund and to each Special Revenue Fund appropriated directly by the Legislature, and shall further certify amounts available for appropriation which shall be based on a determination, in accordance with the procedure hereinafter provided, of the revenues to be received by the state under the laws in effect at the time such determination is made, for the next ensuing fiscal year, showing separately the revenues to accrue to the credit of each such fund of the state appropriated directly by the Legislature.

Amounts certified as available for appropriation from each fund, as hereinbefore provided, shall be ninety-five percent (95%) of an itemized estimate made by the State Board of Equalization, which shall include all sources of revenue to each fund for the next ensuing fiscal year; provided, however, appropriated federal funds shall be certified for the full amount of the estimate. Said estimate shall consider any increase or decline in revenues that would result from predictable changes in the economy.

Legislative appropriations for any fiscal year, except for special appropriations provided for in paragraph 4, 6, 7 or 8 shall be limited to a sum not to exceed the total amount appropriated from all funds in the preceding fiscal year, plus twelve percent (12%), adjusted for inflation for the previous calendar year. Said limit shall be adjusted for funds not previously appropriated. The limit on the growth of appropriations shall be certified to by the State Board of Equalization.

2. Such certification shall be filed with the Governor, the President and President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The Legislature shall not pass or enact any bill, act or measure making an appropriation of money for any purpose until such certification is made and filed, unless the State Board of Equalization has failed to file said certification at the time of convening of said Legislature. In such event, it shall be the duty of the Legislature to make such certification pursuant to the provisions of this section. All appropriations made in excess of such certification shall be null and void; provided, however, that the Legislature may at any regular session or special session, called for that purpose, enact laws to provide for additional revenues or a reduction

in revenues, other than ad valorem taxes, or transferring the existing revenues or unappropriated cash on hand from one fund to another, or making provisions for appropriating funds not previously appropriated directly by the Legislature. Whereupon, it shall be the duty of the State Board of Equalization to make a determination of the revenues that will accrue under such laws and ninety-five percent (95%) of the amount of any increase or decrease resulting, for any reason, from such changes in laws shall be added to or deducted from the amount previously certified available for appropriation from each respective fund, as the case may be. The State Board of Equalization shall file the amount of such adjusted certification, or additional certification for funds not previously appropriated directly by the Legislature, with the Governor, with the President and President Pro Tempore of the Senate, and the Speaker of the House of Representatives, and such adjusted amount shall be the maximum amount which can be appropriated for all purposes from any such fund for the fiscal year being certified.

3. The State Board of Equalization shall meet within five (5) days after the monthly apportionment in February of each year, and at that time may adjust the certification, based upon the most current information available, and determine the amount of funds available for appropriation for that legislative session. At said meeting the Board shall determine the limit on the growth of appropriations as provided for in this section.

4. Surplus funds or monies shall be any amount accruing to the General Revenue Fund of the State of Oklahoma over and above the itemized estimate made by the State Board of Equalization.

5. Beginning July 1, 1985, all such surplus funds or monies accruing after said date shall be placed in a Constitutional Reserve Fund by the State Treasurer until such time that the amount of said Fund equals ten percent (10%) of the General Revenue Fund certification for the preceding fiscal year. Appropriations made from said Fund shall be considered special appropriations.

6. Up to ~~one-half (1/2)~~ three-eighths (3/8) of the balance at the beginning of the current fiscal year in the ~~said~~ Constitutional Reserve Fund may be appropriated for the forthcoming fiscal year, when the certification by the State Board of Equalization for said forthcoming fiscal year General Revenue Fund is less than that of the current fiscal year certification. In no event shall the amount of monies appropriated from ~~said~~ the Constitutional Reserve Fund be in excess of the difference between the two said certifications.

7. Up to three-eighths (3/8) of the balance at the beginning of the current fiscal year in the Constitutional Reserve Fund may be appropriated for the current fiscal year if the State Board of Equalization determines that a revenue failure has occurred with respect to the General Revenue Fund of the State Treasury. In no event shall the amount of monies appropriated from the Constitutional Reserve Fund pursuant to this paragraph be in excess of the amount of the projected revenue failure in the General Revenue Fund, which total amount shall be computed by the State Board of Equalization, for the entire fiscal year. Monies appropriated to any state governmental entity from the Constitutional Reserve Fund pursuant to this paragraph may only be made in order to ensure that the monies actually received by the entity for the then current fiscal year are equal to or less than, but not in excess of, the total appropriation amount for such entity in effect at the beginning of the then current fiscal year.

8. Up to ~~one-half (1/2)~~ one-quarter (1/4) of the balance at the beginning of the current fiscal year in the ~~said~~ Constitutional Reserve Fund may be appropriated, upon a declaration by the Governor that emergency conditions exist, with concurrence of the Legislature by a two-thirds (2/3) vote of the House of Representatives and Senate for the appropriation; or said ~~one-half (1/2)~~ one-quarter (1/4) could be appropriated upon a joint declaration of emergency conditions by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, with a concurrence of a three-fourths (3/4) vote of the House of Representatives and Senate.

~~5.~~ 9. That portion of every appropriation, at the end of each fiscal year, in excess of actual revenues collected and allocated thereto, as hereinafter provided, shall be null and void. Revenues deposited in the State Treasury to the credit of the General Revenue Fund or of any special fund (which derives its revenue in whole or in part from state taxes or fees) shall, except as to principal and interest on the public debt, be allocated monthly to each department, institution, board, commission or special appropriation on a percentage basis, in that ratio that the total appropriation for such department, institution, board, commission or special appropriation from each fund for that fiscal year bears to the total of all appropriations from each fund for that fiscal year, and no warrant shall be issued in excess of said allocation. Any department, institution or agency of the state operating on revenues derived from any law or laws which allocate the revenues thereof to such department, institution or agency shall not incur obligations in excess of the unencumbered balance of cash on hand. Nothing in this section shall prevent, under such conditions and limitations as shall be prescribed by law, the governing board of an institution of higher education within The Oklahoma State System of Higher Education from contracting with a president of such institution of higher education for periods extending more than one (1) year, but not to exceed three (3) years beyond the fiscal year in which the contract is signed.

~~6.~~ 10. The Legislature shall provide a method whereby appropriations shall be divided and set up on a monthly, quarterly or semiannual basis within each fiscal year to prevent obligations being incurred in excess of the revenue to be collected, and notwithstanding other provisions of this Constitution, the Legislature shall provide that all appropriations shall be reduced to bring them within revenues actually collected, but all such reductions shall apply to each department, institution, board, commission or special appropriation made by the State Legislature in the ratio that its total appropriation for that fiscal year bears to the total of all appropriations from that fund for that fiscal year; provided, however, that the Governor may in his discretion issue deficiency certificates to the State Treasurer for the benefit of any department, institution or agency of the state, if the amount of such deficiency certificates be within the limit of the current appropriation for that department, institution or agency, whereupon the State Treasurer shall issue warrants to the extent of such certificates for the payment of such claims as may be authorized by the Governor, and such warrants shall become a part of the public debt and shall be paid out of any money appropriated by the Legislature and made lawfully available therefor; provided further, that in no event shall said deficiency certificates exceed in the aggregate the sum of Five Hundred Thousand Dollars (\$500,000.00) in any fiscal year.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this act shall be in the following form:

## BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_

State Question No. \_\_\_\_\_

## THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Section 23 of Article 10. This section involves the Constitutional Reserve Fund also known as the Rainy Day Fund. This measure changes the amount which could be spent from the Rainy Day Fund. The State Board of Equalization would decide if the taxes the state collects each fiscal year will be less than predicted. This is called revenue failure. If this happens, up to three-eighths (3/8) of the Rainy Day Fund could be spent. The total amount spent from the Rainy Day Fund for revenue failure could not exceed the amount of the funds shortage predicted by the State Board of Equalization. The Rainy Day Fund can be used now if the prediction about state tax collections for the current year is less than the prediction made the year before. One-half (1/2) of the Fund can be spent now if this occurs. If this measure passes, that amount would change to three-eighths (3/8). Money can now be spent from the Fund for certain emergencies. One-half (1/2) of the Fund can now be spent for these emergencies. This measure would change that amount to one quarter (1/4).

## SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

**PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **SB 725** was adopted upon motion of Senator Smith.

**SB 725**, 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, Fisher, Ford, 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, Taylor,

Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Fair and Hobson.--3.

Vacancy: District 7.--1.

The bill passed.

**SB 725**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1174** was adopted upon motion of Senator Leftwich.

**HB 1174**, 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, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Easley, Fair and Hobson.--3.

Vacancy: District 7.--1.

The bill passed.

Senator Fair desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45; Excused: 2; Vacancy: 1.

The emergency passed.

**HB 1174**, together with the conference committee report thereon, was ordered returned to the Honorable House.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1175** was adopted upon motion of Senator Leftwich.

**HB 1175**, 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, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley and Hobson.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1175**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1176** was adopted upon motion of Senator Leftwich.

**HB 1176**, 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, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley and Hobson.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1176**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1177** was adopted upon motion of Senator Leftwich.

**HB 1177**, 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, Fair, Fisher, Ford, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Dunlap.--1.

Excused: Easley and Hobson.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1177**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1178** was adopted upon motion of Senator Leftwich.

**HB 1178**, 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, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Rabon.--1.

Excused: Easley and Hobson.--2.

Vacancy: District 7.--1.

The bill passed.

The Chair advised that Senator Easley, having been present in the Chamber during the vote on **HB 1178** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 44; Nay: 2; Excused: 1; Vacancy: 1.

Senator Easley desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45; Nay: 1; Excused: 1; Vacancy: .1

The emergency passed.

**HB 1178**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1183** was adopted upon motion of Senator Leftwich.

**HB 1183**, 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, 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.--46.

Excused: Hobson.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1183**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1184** was adopted upon motion of Senator Leftwich.

**HB 1184**, 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, 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.--45.

Nay: Riley.--1.

Excused: Hobson.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1184**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1189** was adopted upon motion of Senator Robinson.

**HB 1189**, 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, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1189**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1191** was adopted upon motion of Senator Robinson.

**HB 1191**, 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, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1191**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1193** was adopted upon motion of Senator Robinson.

**HB 1193**, 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, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1193**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1197** was adopted upon motion of Senator Kerr.

**HB 1197**, 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.

Nay: Rabon.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1197**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1200** was adopted upon motion of Senator Kerr.

**HB 1200**, 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, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1200**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1222** was adopted upon motion of Senator Wilkerson.

**HB 1222**, 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, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1222**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1229** was adopted upon motion of Senator Wilkerson.

**HB 1229**, 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, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--47.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1229**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1231** was adopted upon motion of Senator Wilkerson.

**HB 1231**, 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, 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.--46.

Excused: Kerr.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1231**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1233** was adopted upon motion of Senator Wilkerson.

**HB 1233**, 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, 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.--46.

Excused: Kerr.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1233**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **HB 1234** was adopted upon motion of Senator Wilkerson.

**HB 1234**, 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, 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.--46.

Excused: Kerr.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1234**, together with the conference committee report thereon, was ordered returned to the Honorable House.

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

The **CCR** on **SB 117** was adopted upon motion of Senator Morgan.

**SB 117**, 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, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Laster, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--36.

Nay: Aldridge, Brogdon, Coffee, Helton, Laughlin, Lawler, Nichols, Pruitt and Riley.--9.

Excused: Kerr and Price.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 117**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 176** was adopted upon motion of Senator Leftwich.

**SB 176**, 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, 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.--46.

Excused: Kerr.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 176**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**Senator Rabon presiding.**

**MOTION TO RECONSIDER VOTE**

Senator Shurden moved to reconsider the vote whereby **SB 835** failed, which motion was declared adopted upon roll call as follows:

Aye: Capps, Coates, Corn, Crutchfield, Easley, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Price, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor and Wilkerson.--28.

Nay: Aldridge, Branan, Brogdon, Cain, Coffee, Dunlap, Fair, Horner, Johnson, Laster, Morgan, Myers, Nichols, Pruitt, Riley, Wilcoxson, Williams and Williamson.--18.

Excused: Kerr.--1.

Vacancy: District 7.--1.

**FOURTH READING**

Senator Shurden asked that **SB 835** be laid over for this legislative day, which was the order.

**SB 835** was placed on Fourth Reading.

**MESSAGES FROM THE HOUSE**

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

**SB 6** - McIntyre, Staggs, Vaughn, Ferguson, Wells

**SB 713** - Roberts, Staggs, Vaughn, Blackburn, Harrison, Morgan (Danny), Gilbert, Peters, Adkins, Hastings, Miller (Ray), Jones

**SB 820** - Leist, Toure, Davis, Braddock, Vaughn, Smithson, Maddux

Advising fourth reading of and transmitting for signature Enrolled **HBs 1259, 1300, 1335, 1611** and **1744**.

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

**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 447**

**SB 715**

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

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

**HB 1083** - Hilliard, Langmacher, Wilt, Hastings, Leist

**HB 1438** - Brannon, Staggs, Vaughn, Miller (Ray), Harrison, Blackwell, Cargill

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

**HB 1485** - Braddock, Askins, Rice, Hilliard, Roan, Newport, Hastings, Ingmire

**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 1362** - coauthored by Case of the House

**HB 1408** - coauthored by Askins, Vaughn, Case of the House

**HB 1440**

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

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.

**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 629** – Fisher, Smith, Laster, Morgan, Taylor, Williamson

**SB 834 (2nd)** – Shurden, Wilkerson, Nichols

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 221** was adopted upon motion of Senator Leftwich.

**SB 221**, 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, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Price, Pruitt, Rabon, Riley, Rozell, Shurden, Taylor, Wilkerson, Williams and Williamson.--36.

Excused: Coffee, Easley, Fair, Hobson, Monson, Nichols, Reynolds, Robinson, Smith, Snyder and Wilcoxson.--11.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 221**, 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 724** was adopted upon motion of Senator Cain.

**SB 724**, 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, Dunlap, Easley, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Wilkerson, Williams and Williamson.--38.

Excused: Coffee, Fair, Hobson, Monson, Nichols, Smith, Snyder, Taylor and Wilcoxson.--9.

Vacancy: District 7.--1.

The bill passed.

**SB 724**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **FOURTH READING**

**SB 288**, previously considered on Page 1425, as amended in conference, was read at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Monson, Morgan, Rabon, Rozell, Shurden, Snyder, Wilkerson and Williams.--25.

Nay: Aldridge, Branan, Brogdon, Coffee, Dunlap, Fair, Ford, Johnson, Laughlin, Maddox, Milacek, Myers, Price, Pruitt, Reynolds, Riley, Smith and Williamson.--18.

Excused: Nichols, Robinson, Taylor and Wilcoxson.--4.

Vacancy: District 7.--1.

The bill passed and the emergency failed.

Pursuant to Rule 12-23, Senator Gumm served notice that the vote be reconsidered whereby **SB 288** passed.

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

The **CCR** on **SB 408** was adopted upon motion of Senator Easley.

**SB 408**, as amended in conference, was read at length.

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

Aye: Cain, Capps, Coffee, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Price, Rabon, Rozell, Shurden, Smith, Wilkerson and Williams.--28.

Nay: Aldridge, Branan, Brogdon, Coates, Dunlap, Fair, Johnson, Laughlin, Milacek, Nichols, Pruitt, Reynolds, Riley, Snyder and Williamson.--15.

Excused: Ford, Robinson, Taylor and Wilcoxson.--4.

Vacancy: District 7.--1.

The bill passed.

Senators Pruitt, Nichols, Reynolds and Riley desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 11; Excused: 4; Vacancy: 1.

The emergency passed.

**SB 408**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

Advising fourth reading of and returning Enrolled **SBs 40, 44, 45, 48, 86, 88, 90, 130, 134, 144, 146, 156, 158, 160, 162, 246, 409, 425, 436** and **755**.

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

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

#### **SB 360**

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

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

**HB 1359** - Vaughn, Paulk, Askins, Roberts, Maddux, Hutchison, Eddins, Adkins

#### **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 1064** - Emergency failed

**HB 1422** - coauthored by Smaligo of the House

**HB 1640**

**HB 1681**

**HB 1686**

**HB 1691**

**HB 1790** - coauthored by Erwin and Hutchison of the House

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

Senator Fisher moved that the Senate recess until 1:30 p.m., 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 rejection of **CCRs** to the following bills, requesting further conference and naming same House conferees as follows:

**HB 1456** - Adair, Paulk, Lamons, Nance, Perry

**HB 1530** - Lerblance, Cox, Winchester, Roberts, Peterson

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

**SB 629** - Adair, Vaughn, Askins, Toure, Davis

**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 1323** – Cain, Williams, Smith

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

The **CCR** on **HB 1273** was adopted upon motion of Senator Maddox.

**HB 1273**, as amended in conference, was read at length.

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

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

Excused: Branan, Horner and Littlefield.--3.

Vacancy: District 7.--1.

The bill passed.

Pursuant to Rule 12-23, Senator Maddox served notice that the vote be reconsidered whereby **HB 1273** passed.

### **DEDICATION**

Senator Ford presented the painting “Nathaniel Pryor and Sam Houston at Three Forks”. Senator Ford introduced the artist, Mike Wimmer, to the Senate. Mr. Wimmer addressed the Senate.

Senator Easley addressed the Senate and presented the painting to the Senate as a gift.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 661** was adopted upon motion of Senator Wilkerson.

**SB 661**, 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, 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, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Nay: Nichols.--1.

Excused: Aldridge.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 661**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 286** was adopted upon motion of Senator Monson.

**SB 286**, 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, 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.--46.

Excused: Aldridge.--1.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 286**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**MESSAGE FROM THE HOUSE**

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

**HB 1647** - Ferguson, Brannon, Roberts, Staggs, Bengé

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 669** was adopted upon motion of Senator Monson.

**SB 669**, 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, Capps, Coates, 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.--44.

Excused: Aldridge, Coffee and Taylor.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 669**, 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 1083** – Crutchfield, Gumm, Wilcoxson, Price, Dunlap, Easley

**HB 1269** – Pruitt, Smith, Leftwich, Easley, Littlefield

**HB 1359** – Robinson, Taylor, Morgan, Coffee, Branan

**HB 1414** – Pruitt, Williams, Leftwich, Horner, Wilcoxson

**HB 1438** – Corn, Fisher, Rozell, Crutchfield, Coffee, Riley

**HB 1467** – Monson, Wilkerson, Reynolds, Laster, Nichols, Shurden

**HB 1476** – Wilcoxson, Pruitt, Williams, Leftwich, Horner

**HB 1485** – Wilkerson, Hobson, Rozell, Smith

**Senator Gumm presiding.**

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 787** was adopted upon motion of Senator Monson.

**SB 787**, as amended in conference, was read at length.

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

Aye: Branan, Cain, Capps, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Riley, Robinson, Shurden, Smith, Snyder, Wilkerson and Williams.--31.

Nay: Brogdon, Coates, Johnson, Laughlin, Lawler, Milacek, Myers, Nichols, Pruitt, Reynolds, Rozell, Wilcoxson and Williamson.--13.

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

Vacancy: District 7.--1.

The bill passed.

**SB 787**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 527** were concurred in upon motion of Senator Littlefield.

**SB 527**, as amended by the Honorable House, was read at length.

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

Aye: Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Branan, Coffee, Lawler, Nichols and Reynolds.--5.

Excused: Aldridge and Ford.--2.

Vacancy: District 7.--1.

The bill passed.

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

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

The **CCR** on **SB 213** was called up for consideration.

Senator Helton asked that **SB 213** be laid over for this legislative day, which was the order.

**SB 213** remains on pending consideration of the CCR.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 565** was adopted upon motion of Senator Coffee.

**SB 565**, 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, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Easley and Ford.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 565**, 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 267** was adopted upon motion of Senator Capps.

**SB 267**, 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Leftwich, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Lawler.--1.

Excused: Easley, Littlefield and Morgan.--3.

\*Not Voting: Coffee.—1.

Vacancy: District 7.--1.

The bill and emergency passed.

\*Senator Coffee asked to be shown not voting on **SB 267** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**SB 267**, 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:

**SB 353** – Ford, Fisher, Harrison

**HB 1456** – Shurden, Helton, Wilkerson, Ford, Williamson

**HB 1530** – Gumm, Horner, Aldridge

**CHANGE IN CONFEREES**

Advising change in Senate conferees as follows:

**SB 710** – add Laster (first conferee), Corn, Price, Lawler

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

\*

The Senate reconvened with Senator Rabon presiding.

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

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 391** was adopted upon motion of Senator Nichols.

**SB 391**, 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, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Nay: Fisher.--1.

Excused: Aldridge, Easley, Ford, Hobson, Morgan, Riley, Robinson and Snyder.--8.

Vacancy: District 7.--1.

The bill passed.

**SB 391**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

The **CCR** on **SB 422** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: Harrison, Corn, Fisher, Morgan, Williamson.

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

The **CCR** on **SB 216** was adopted upon motion of Senator Laughlin.

**SB 216**, 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, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--37.

Excused: Aldridge, Easley, Ford, Hobson, Maddox, Monson, Morgan, Riley, Robinson and Snyder.--10.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 216**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 601** was adopted upon motion of Senator Smith.

**SB 601**, 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, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--41.

Excused: Easley, Ford, Littlefield, Monson, Riley and Williams.--6.

Vacancy: District 7.--1.

The bill passed.

**SB 601**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 823** was adopted upon motion of Senator Wilkerson.

**SB 823**, as amended in conference, was read at length.

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

Aye: Aldridge, Cain, Capps, Coates, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Taylor, Wilkerson, Williams and Williamson.--30.

Nay: Branan, Brogdon, Coffee, Corn, Fair, Ford, Helton, Johnson, Laughlin, Myers, Nichols, Pruitt, Reynolds, Snyder and Wilcoxson.--15.

Excused: Easley and Riley.--2.

Vacancy: District 7.--1.

The bill passed.

Senators Helton and Corn desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 13; Excused: 2; Vacancy: 1.

The emergency passed.

**SB 823**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **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 727** – Smith, Helton, Laster, Cain, Brogdon

**HB 1292 (2nd)** – Littlefield, Rabon, Riley

#### **INTRODUCTION**

Senator Lawler introduced her husband, former Senator Larry Lawler, to the Senate.

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

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

**SB 422** - Sweeden, Ferguson, Brannon, Braddock, Armes

**HB 1292** - Lamons, Paulk, Roan, Nance, Perry

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

The **2nd CCR** on **SB 704** failed of adoption upon motion of Senator Laughlin upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Coffee, Dunlap, Ford, Horner, Johnson, Laughlin, Morgan, Myers, Pruitt, Robinson, Rozell, Smith, Snyder, Wilcoxson and Williamson.--18.

Nay: Cain, Capps, Coates, Corn, Crutchfield, Fair, Fisher, Gumm, Harrison, Hobson, Kerr, Laster, Lawler, Leftwich, Maddox, Monson, Nichols, Price, Rabon, Shurden, Taylor, Wilkerson and Williams.--23.

Excused: Easley, Helton, Littlefield, Milacek, Reynolds and Riley.--6.

Vacancy: District 7.--1.

The **2nd CCR** on **SB 704** was rejected upon motion of Senator Laughlin, further conference requested, and same Senate conferees appointed as follows: Laughlin, Morgan, Hobson.

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

The **CCR** on **SB 706** was adopted upon motion of Senator Pruitt.

**SB 706**, 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, Fair, Fisher, Ford, Gumm, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Easley, Harrison, Helton, Littlefield, Milacek and Riley.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 706**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

The **CCR** on **SB 412** was adopted upon motion of Senator Corn.

**SB 412**, 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, Fair, Fisher, Ford, Gumm, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Price, Rabon, Reynolds, Robinson, Rozell, Shurden, Wilkerson and Williamson.--34.

Nay: Nichols, Pruitt, Smith, Snyder and Wilcoxson.--5.

Excused: Easley, Harrison, Helton, Littlefield, Milacek, Riley, Taylor and Williams.--8.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 412**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

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

The **CCR** on **SB 636** was adopted upon motion of Senator Corn.

**SB 636**, 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, Fair, Fisher, Ford, Gumm, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Easley, Harrison, Helton, Hobson, Littlefield, Milacek and Riley.--7.

Vacancy: District 7.--1.

The bill and emergency passed.

**SB 636**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 21, 2003, at 10:00 a.m., which motion prevailed.

## **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 60** – remove Mitchell and substitute Stanley as principal House author

**SB 78**

**SB 82**

**SB 201**

**SB 340**

**SB 401**

**SB 442** – conferees unable to agree

**SB 610 (2nd CCR)**

**SB 621**

**SB 686 (2nd CCR)**

**SB 760**

**SB 795**

**SB 834 (3rd CCR)**

## **FIRST READING**

The following were introduced and read the first time:

**SCR 33** – By Aldridge of the Senate and Case of the House.

A Concurrent Resolution extending a special commendation to the General Motors Corporation for their speedy decision to rebuild; and directing distribution.

**SR 29** – By Brogdon.

A Resolution recognizing the Owasso Rams as Class 6A baseball champions; congratulating the team and coach Larry Turner; and directing distribution.

## **MESSAGE FROM THE GOVERNOR**

Advising his approval May 20, 2003, of Enrolled **SBs 611, 620, 628** and **793**.

Pursuant to the Fisher motion, the Senate adjourned at 5:30 p.m. to meet Wednesday, May 21, 2003, at 10:00 a.m.