

Senate Journal

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

Sixty-seventh Legislative Day, Tuesday, May 27, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, 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: Fair and Hobson.—2.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Ira Koplowitz, Graduate of OCU, Norman, the guest of Senator Kerr.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 675 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

EXECUTIVE NOMINATIONS

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

Ferguson, Clint Kendric, Altus, as a member of the Oklahoma Transportation Authority - Transportation

Griffith, Jack Art, Stillwater, as a member of the Oklahoma Transportation Authority - Transportation

Leonard, Michael Stephens, Fort Gibson, as a member of the Oklahoma Transportation Authority - Transportation

Leonard, Michael Stephens, Fort Gibson, as a member of the Oklahoma Transportation Authority - Transportation

Massey, Gregory Lewis, Durant, as a member of the Oklahoma Transportation Authority - Transportation

Riebel, Douglas Frank, Oklahoma City, as a member of the Oklahoma Transportation Authority - Transportation

Siegfried, Robin, Tulsa, as a member of the Oklahoma Transportation Authority - Transportation

MESSAGES FROM THE HOUSE

Advising the signing of and transmitting for signature Enrolled **HCRs 1011, 1026, 1033 and 1038.**

The above-numbered enrolled resolutions were properly signed and ordered returned to the Honorable House.

Advising fourth reading of and transmitting for signature Enrolled **HBs 1063, 1101, 1106, 1115, 1199, 1202, 1214, 1323, 1438, 1569, 1592, 1646, 1724 and 1771.**

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

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

SB 686 (2nd CCR)

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

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 1676** was adopted upon motion of Senator Crutchfield.

HB 1676, 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, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Wilcoxson, Wilkerson, Williams and Williamson.--36.

Excused: Aldridge, Dunlap, Easley, Fair, Helton, Hobson, Littlefield, Maddox, Rabon, Smith and Taylor.--11.

Vacancy: District 7.--1.

The bill passed.

HB 1676, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 196** was adopted upon motion of Senator Morgan.

SB 196, 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, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Excused: Aldridge, Dunlap, Easley, Fair, Helton, Hobson, Littlefield, Maddox and Smith.--9.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 196, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

Senator Morgan presiding.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1667** was adopted upon motion of Senator Coffee.

HB 1667, as amended in conference, was read at length.

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

Aye: Branan, Brogdon, Capps, Coates, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--33.

Nay: Cain, Monson, Shurden and Williams.--4.

Excused: Aldridge, Dunlap, Easley, Fair, Ford, Helton, Hobson, Littlefield, Maddox and Smith.--10.

Vacancy: District 7.--1.

The bill passed.

HB 1667, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1064** was called up for consideration.

Senator Corn asked that **HB 1064** be laid over temporarily, which was the order.

HB 1064 remains on pending consideration of the CCR.

**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

SB 565 – Coffee, Smith, Cain, Monson, Laster

SB 649 – Coffee, Morgan, Hobson

SB 803 – Robinson, Wilkerson, Coffee

SB 834 – Shurden, Wilkerson, Nichols

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 20** was adopted upon motion of Senator Rozell.

SB 20, 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Snyder.--1.

Excused: Fair, Ford, Hobson, Maddox and Smith.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 20, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 26** was adopted upon motion of Senator Rozell.

SB 26, 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Snyder.--1.

Excused: Fair, Ford, Hobson, Littlefield, Maddox and Smith.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 26, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 128** was adopted upon motion of Senator Rozell.

SB 128, 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Fair, Ford, Hobson, Littlefield, Maddox and Smith.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 128, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1064** was rejected upon motion of Senator Fisher, further conference requested, and Senate conferees appointed as follows: Corn, Smith, Cain, Williamson, Laster.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 184** was adopted upon motion of Senator Leftwich.

SB 184, 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Snyder.--1.

Excused: Fair, Ford, Hobson, Littlefield, Maddox and Smith.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 184, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

MESSAGE FROM THE HOUSE

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

SB 708

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

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 140** was adopted upon motion of Senator Leftwich.

SB 140, 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Snyder.--1.

Excused: Fair, Ford, Hobson, Littlefield, Maddox and Smith.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 140, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **SB 795** was adopted upon motion of Senator Lawler.

SB 795, as amended in conference, was read at length.

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

Aye: Cain, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--24.

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

Excused: Capps, Fair, Ford, Hobson, Maddox and Smith.--6.

Vacancy: District 7.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Lawler served notice that the vote be reconsidered whereby **SB 795** failed.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 150** was adopted upon motion of Senator Littlefield.

SB 150, 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, Corn, Crutchfield, Dunlap, Easley, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and

Williamson.--38.

Nay: Coffee and Pruitt.--2.

Excused: Capps, Fair, Ford, Hobson, Maddox, Price and Smith.--7.

Vacancy: District 7.--1.

The bill and emergency passed.

SB 150, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

REPORT OF ENGROSSED AND ENROLLED MEASURE

SB 686 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Reynolds asked unanimous consent to suspend Rule 5-4 and refer **SR 30** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 30 by Reynolds was called up for consideration.

All other members of the Senate asked to coauthor **SR 30**, which was the order.

SR 30 was adopted upon motion of Senator Reynolds and referred for enrollment.

MESSAGES FROM THE HOUSE

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

SB 823 - Kirby, Deutschendorf, McCarter, Hamilton, Roan, Newport, Hastings, Ingmire, Nance, Lamons

Advising fourth reading of and returning Enrolled **SBs 675** and **686**.

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

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

HB 1064 - Gilbert, Peters, Case, Toure, Davis, Braddock, Askins

Advising passage of and returning the following Engrossed bill:

SCR 34 - coauthored by all House members

The above-numbered measure was referred for enrollment.

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

SB 621

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

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 1353

HB 1814

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.

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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

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

SB 636
SB 725 (2nd CCR)

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

Advising passage of and returning the following Engrossed bill:

SCR 26

The above-numbered measure was referred for enrollment.

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 823 – Wilkerson, Hobson, Rozell, Smith

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 1442
HB 1456 (2nd CCR)

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

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **SB 358** was adopted upon motion of Senator Leftwich.

SB 358, 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, Fisher, Ford, Gumm, Harrison, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

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

Vacancy: District 7.--1.

The bill and emergency passed.

SB 358, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1686** was adopted upon motion of Senator Aldridge.

HB 1686, 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, Capps, Coates, Coffee, Corn, Crutchfield, Fisher, Ford, Harrison, Helton, Johnson, Kerr, Laster, Laughlin, Lawler, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--35.

Nay: Cain, Horner, Leftwich, Monson, Rozell and Williams.--6.

Excused: Dunlap, Easley, Fair, Gumm, Hobson and Littlefield.--6.

Vacancy: District 7.--1.

The bill passed.

HB 1686, together with the conference committee report thereon, was ordered returned to the Honorable House.

INTRODUCTION

Senator Kerr introduced his granddaughter, Keithta Kerr, to the Senate.

PENDING CONSIDERATION OF CCR

The **3rd CCR** on **SB 524** was called up for consideration.

The **3rd CCR** on **SB 524** was rejected upon motion of Senator Johnson, further conference requested with instructions to delete Sections 1,2,3,4,5,6,7,8 and 19, and same Senate conferees appointed as follows: Snyder, Maddox, Price, Harrison, Coates.

EXECUTIVE NOMINATIONS

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

Ferguson, Clint Kendric, Altus, to the Oklahoma Transportation Authority, to serve an unexpired term ending July 1, 2006, succeeding Steve LaForge. (Transportation Committee) Motion to confirm made by Senator Kerr.

Griffith, Jack Art, Stillwater, to the Oklahoma Transportation Authority, to serve an unexpired term ending July 1, 2004, succeeding Albert Kelly. (Transportation Committee) Motion to confirm made by Senator Morgan.

Massey, Gregory Lewis, Durant, to the Oklahoma Transportation Authority, to serve an unexpired term ending July 1, 2007, succeeding James Caudle. (Transportation Committee) Motion to confirm made by Senator Gumm.

Riebel, Douglas Frank, Oklahoma City, to the Oklahoma Transportation Authority, to serve an unexpired term ending July 1, 2008, succeeding Fred Hall. (Transportation Committee) Motion to confirm made by Senator Lawler.

Siegfried, Robin, Tulsa, to the Oklahoma Transportation Authority, to serve an unexpired term ending July 1, 2005, succeeding Dewey Bartlett, Jr.. (Transportation Committee) Motion to confirm made by Senator Williams.

Motions to confirm the above-named executive nominations were adopted upon roll call 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, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Easley, Fair, Hobson, Littlefield and Maddox.--5.

Vacancy: District 7.--1.

Senator Robinson presiding.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 1412** was called up for consideration.

Senator Reynolds moved to adopt the **2nd CCR** on **HB 1412**, which motion failed of adoption upon roll call as follows:

Aye: Aldridge, Brogdon, Coates, Crutchfield, Dunlap, Ford, Johnson, Laughlin, Leftwich, Maddox, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--19.

Nay: Branan, Cain, Coffee, Corn, Fisher, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--23.

Excused: Capps, Easley, Fair, Hobson and Littlefield.--5.

Vacancy: District 7.--1.

The **2nd CCR** on **HB 1412** was rejected upon motion of Senator Reynolds, further conference requested, and same Senate conferees appointed as follows: Reynolds, Crutchfield, Leftwich.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 430** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: GCCA.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 621, 636 and **708** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 30 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.

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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

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

SB 625 (2nd CCR)

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

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 1767 (2nd CCR)

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

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **SB 322** was rejected upon motion of Senator Fisher, further conference requested, and same Senate conferees appointed as follows: Hobson, Gumm, Easley, Wilcoxson.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 1271** was adopted upon motion of Senator Leftwich.

HB 1271, 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, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Harrison, Helton, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich,

Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Wilkerson and Williams.--37.

Nay: Snyder and Wilcoxson.--2.

Excused: Branan, Easley, Fair, Gumm, Hobson, Johnson, Taylor and Williamson.--8.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1271, together with the conference committee report thereon, was ordered returned to the Honorable House.

MOTION TO RECONSIDER VOTE

Senator Lawler moved to reconsider the vote whereby **SB 795** failed, which motion failed of adoption upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Harrison, Helton, Horner, Kerr, Laster, Lawler, Leftwich, Maddox, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Wilkerson and Williams.--23.

Nay: Aldridge, Brogdon, Coates, Coffee, Dunlap, Ford, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder and Wilcoxson.--16.

Excused: Branan, Easley, Fair, Gumm, Hobson, Littlefield, Taylor and Williamson.--8.

Vacancy: District 7.--1.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 438** was called up for consideration.

Senator Rabon moved that **SB 438** be laid over for this legislative day, which was the order.

SB 438 remains on pending consideration of the CCR.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1301** was adopted upon motion of Senator Smith.

HB 1301, 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, 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, Wilcoxson, Wilkerson and Williams.--42.

Excused: Easley, Fair, Hobson, Taylor and Williamson.--5.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1301, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **SB 633** was called up for consideration.

Senator Smith asked that **SB 633** be laid over for this legislative day, which was the order.

SB 633 remains on pending consideration of the CCR.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1690** was adopted upon motion of Senator Helton.

HB 1690, 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, Ford, Gumm, Harrison, Helton, Horner, Kerr, Laster, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--35.

Nay: Aldridge, Brogdon, Dunlap, Johnson and Laughlin.--5.

Excused: Easley, Fair, Fisher, Hobson, Littlefield, Taylor and Williamson.--7.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1690, together with the conference committee report thereon, was ordered returned to the Honorable House.

PENDING CONSIDERATION OF CCR

The **2nd 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, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--40.

Excused: Easley, Fair, Hobson, Leftwich, Littlefield, Taylor and Williamson.--7.

Vacancy: District 7.--1.

The bill passed.

HB 1273, together with the conference committee report thereon, was ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

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

HB 1412 - Pettigrew, Roberts, Maddux, Paulk, Boren, Nance, Miller (Ray)

SB 322 - Rice, Wells, Morgan (Danny), Wilt, Phillips, Boren, Pettigrew

SB 430 - GCCA

SB 524 - Braddock, Toure, Davis, Morgan (Fred), Askins

Advising fourth reading of and returning Enrolled **SBs 621, 636:** and **708.**

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

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 625 and **725** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCRs 26 and **34** were each correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

MESSAGES FROM THE HOUSE

Advising the signing of and returning Enrolled **SCRs 26** and **34**.

The above-numbered enrolled measures were transmitted to the Secretary of State.

Advising fourth reading of and returning Enrolled **SBs 625** and **725**.

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 412 - emergency failed

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:

SB 213 - Kirby, Case, Taylor, Erwin, Maddux

**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 1414 (3rd CCR)

HB 1476 (2nd CCR)

HB 1635

HB 1713

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

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 28, 2003, at 10:30 a.m., which motion prevailed.

CONFERENCE COMMITTEE REPORTS SUBMITTED

Conference committee reports were read on the following bills:

SB 65 – remove Morgan and substitute Coates as principal Senate author; and remove Mitchell and substitute Calvey as principal House author, and remove as coauthor Robinson of the Senate and Bonny of the House

SB 73

SB 80

SB 84

SB 93

SB 148

SB 149

SB 172

SB 180

SB 294

SB 297 (2nd CCR)

SB 353 (3rd CCR)

SB 440

SB 803 (2nd CCR)

SB 820 (2nd CCR)

SB 834 (4th CCR)

SECOND READING

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

HJR 1030 – Appropriations

MESSAGES FROM THE GOVERNOR

Advising his approval May 26, 2003, of Enrolled **SBs 40, 44, 45, 48, 88, 90, 246, 409** and **425**.

Advising his approval May 27, 2003, of Enrolled **SBs 360, 447, 527** and **715**.

Pursuant to the Fisher motion, the Senate adjourned at 4:45 p.m. to meet Wednesday, May 28, 2003, at 10:30 a.m.