

# Senate Journal

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

Twelfth Legislative Day, Wednesday, February 19, 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, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Excused: Taylor.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Oscar Aguero, Heart O-The Hills Baptist Church, Summerfield, the guest of Senator Corn.

### REPORT OF ENGROSSED AND ENROLLED MEASURE

**SCR 6** was 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 **SCR 6**.

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

Advising passage of and transmitting for consideration Engrossed **HBs 1028, 1089, 1147, 1240, 1315, 1323, 1534 and 1782.**

**HB 1028** – By Wright and Balkman of the House and Stipe of the Senate.

An Act relating to educational property; creating the Leave a Legacy Initiative Act; providing for naming rights for persons or entities who donate to certain educational facilities; stating criteria for naming rights; stating term of naming rights; listing facilities eligible for naming rights; providing for additional naming rights; requiring the governing board of an educational facility to provide appropriate signs; limiting donations to capital expenditures; prohibiting the renaming of educational facilities named for individuals; providing for codification; and declaring an emergency.

**HB 1089** – By Peterson of the House and Smith of the Senate.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 34-104, which relates to disposing of unclaimed personal property or money or legal tender; modifying conditions for disposing of certain property, money or legal tender; increasing value of property for which notice of hearing is required; and providing an effective date.

**HB 1147** – By Kirby of the House and Helton of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 977, which relates to entering judgment; adding information which must be contained in the judgment; amending 22 O.S. 2001, Section 980, which relates to duty of sheriff in delivering defendants after certain judgments; establishing additional requirements; and providing an effective date.

**HB 1240** – By Mitchell, Bonny, Adair and Kirby of the House and Morgan and Robinson of the Senate.

An Act relating to the Constitutional Reserve Fund; making an appropriation to the State Board of Education; stating purpose; and declaring an emergency.

**HB 1315** – By Paulk of the House and Corn of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 1850.10, which relates to application of Mechanical Licensing Act; specifying certain type of manufacturing facility as part of exemption; providing for nonapplication of the act to certain employees of public utilities; and providing an effective date.

**HB 1323** – By Tibbs of the House and Cain of the Senate.

An Act relating to mental health; amending 43A O.S. 2001, Section 10-104, which relates to the Protective Services for Vulnerable Adults Act; requiring certain physicians and surgeons and hospitals and related institutions to provide copies of certain results of examinations and other information to certain enforcement officers and employees of the Department of Human Services; and declaring an emergency.

**HB 1534** – By Covey and Roberts of the House and Littlefield of the Senate.

An Act relating to revenue and taxation; requiring the Oklahoma Tax Commission to provide an opportunity for taxpayers to donate from income tax refunds for the benefit of

the Oklahoma County Fair Enhancement Fund; specifying distribution of monies generated; requiring the Oklahoma Tax Commission to provide an opportunity for taxpayers to donate from income tax refunds for the benefit of the State of Oklahoma Junior Livestock Scholarship Revolving Fund; creating the State of Oklahoma Junior Livestock Scholarship Revolving Fund; specifying distribution of monies generated; providing for codification; and providing an effective date.

**HB 1782** – By Lamons of the House and Helton of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 11-1001 and 11-1002, which relate to stopping, standing and parking; providing for removal of vehicles and cargos from the roadway under certain circumstances; providing exception; and providing an effective date.

The above-numbered measures were read the first time.

**MILEAGE ALLOWANCE**

The Office of the Senate Administrator reported the following mileage allowance and asked that it be printed in the Senate Journal:

| Senator         | Residence | Total Miles Round Trip | Amount Round Trip |
|-----------------|-----------|------------------------|-------------------|
| Laster, Charles | Shawnee   | 84                     | 30.24             |

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 20, 2003, at 9:00 a.m., which motion prevailed.

**COMMITTEE REPORTS**

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

DO PASS:

- SB 295** – Transportation, coauthored by DeWitt (principal House author)
- SB 299** – Judiciary, coauthored by Toure (principal House author)
- SB 361** – Transportation, coauthored by Leist (principal House author)
- SB 368** – Transportation, coauthored by Miller (Ray) (principal House author)
- SB 391** – Judiciary, coauthored by Cargill (principal House author)
- SB 402** – General Government, coauthored by Askins (principal House author)
- SB 414** – Retirement and Group Health, coauthored by Braddock (principal House author)

**SB 489** – Transportation, coauthored by Ellis (principal House author)

**SB 637** – Judiciary, coauthored by Boren (principal House author)

**SB 705** – Judiciary, coauthored by Askins (principal House author)

DO PASS, As Amended:

**CS for SB 292** – Retirement and Group Health, coauthored by Walker (principal House author)

**SB 294** – Tourism and Wildlife, coauthored by Hefner (principal House author)

**SB 309** – Energy, Environment and Communications, coauthored by McClain (principal House author)

**CS for SB 412** – Retirement and Group Health, coauthored by Askins (principal House author)

**SB 428** – Judiciary, coauthored by Davis (principal House author)

**SB 522** – Business and Labor, coauthored by Cox (principal House author)

**SB 552** – Judiciary

**SB 629** – Judiciary, coauthored by Adair (principal House author)

**SB 643** – Retirement and Group Health, coauthored by Ferguson (principal House author)

**SB 717** – Business and Labor, coauthored by Vaughn (principal House author)

**SB 732** – Judiciary, coauthored by McCarter (principal House author)

**SB 820** – Judiciary, coauthored by Leist (principal House author)

## **FIRST READING**

The following were introduced and read the first time:

**SCR 7** – By Monson of the Senate and Lindley of the House.

A Concurrent Resolution recognizing the many accomplishments of the late Anna McBride; mourning her loss; and directing distribution.

**SR 7** – By Pruitt, Ford and Smith.

A Resolution praising the Union High School 2002 Football Team as 6A State Champions; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 1:45 p.m. to meet Thursday, February 20, 2003, at 9:00 a.m.