

Senate Journal

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

Sixteenth Legislative Day, Wednesday, February 26, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, 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, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Excused: Dunlap.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Trace Morgan, First Baptist Church, Stillwater, the guest of Senator Morgan.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 267, 279, 283, 287, 292, 307, 314, 329, 377, 428, 518, 534, 540, 575, 577, 628, 629, 663, 720, 722 and 760 and SCR 5 were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

GENERAL ORDER

SB 561 by Cain of the Senate and Rice of the House was called up for consideration.

Senator Cain moved that **SB 561** be advanced, which motion was declared adopted.

THIRD READING

SB 561 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, 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, Stipe, Taylor, Wilcoxson, Wilkerson and Williamson.--40.

Excused: Coffee, Dunlap, Easley, Fair, Hobson, Leftwich, Littlefield and Williams.--8.

The bill passed.

SB 561 was referred for engrossment.

GENERAL ORDER

SB 673 by Crutchfield of the Senate and Roan of the House was called up for consideration.

Senator Crutchfield moved to amend **SB 673**, Page 1, by striking the title, which amendment was declared adopted.

Senator Nichols moved to amend **SB 673**, Page 8, Line 19 by deleting the word "crime" and restoring the stricken word "felony", which amendment was declared adopted.

Senator Stipe moved to amend **SB 673**, Page 10, Lines 5 through 20 by deleting Section 8 and by renumbering subsequent sections, which amendment was declared adopted.

Senator Nichols moved to amend **SB 673**, Page 9, Line 2 by deleting the word "crime" and restoring the stricken word "felony", which amendment was declared adopted.

Senator Laughlin moved to amend **SB 673**, Page 11, Line 18 through Page 13, Line 11 by deleting Section 12 and by renumbering subsequent sections, which amendment was declared adopted.

Senator Laughlin moved to amend **SB 673**, Page 5, Line 20 by inserting after the word “to” and before the word “communicate” the word “falsely”, which amendment was declared adopted.

Senator Crutchfield asked that **SB 673** be laid over for this legislative day, which was the order.

SB 673 remains on General Order.

GENERAL ORDER

SB 520 by Robinson of the Senate and Staggs of the House was called up for consideration.

Senator Robinson moved that **SB 520** be advanced, which motion was declared adopted.

THIRD READING

SB 520 was read for the third time at length.

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

Aye: Aldridge, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Fair, Fisher, Ford, Harrison, Helton, Horner, Johnson, Laster, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--37.

Nay: Brogdon, Gumm, Kerr, Lawler, Littlefield, Rozell and Shurden.--7.

Excused: Dunlap, Easley, Hobson and Laughlin.--4.

The bill and emergency passed.

SB 520 was referred for engrossment.

GENERAL ORDER

SJR 11 by Johnson of the Senate and McCarter and Ferguson of the House was called up for consideration.

Senator Morgan moved to amend **SJR 11**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Johnson moved that **SJR 11** be advanced, which motion was declared adopted.

THIRD READING

SJR 11 was read for the third time at length.

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

Aye: Aldridge, Brogdon, Cain, Crutchfield, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Laster, Leftwich, Littlefield, Milacek, Monson, Morgan, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--27.

Nay: Branam, Capps, Coates, Coffee, Corn, Harrison, Kerr, Lawler, Maddox, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Shurden and Stipe.--17.

Excused: Dunlap, Easley, Laughlin and Williams.--4.

On the question on the special election the vote resulted as follows:

Aye: Aldridge, Branam, Brogdon, Cain, Coates, Coffee, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Helton, Hobson, Horner, Johnson, Laster, Leftwich, Milacek, Monson, Morgan, Pruitt, Rabon, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--32.

Nay: Capps, Harrison, Kerr, Lawler, Littlefield, Maddox, Myers, Nichols, Price, Reynolds, Shurden, Stipe and Wilcoxson.--13.

Excused: Dunlap, Easley and Laughlin.--3.

The Presiding Officer declared that a constitutional two-thirds majority of the members elected to and constituting the Senate had voted in favor of calling the special election.

SJR 11 was ordered referred for engrossment and read at length as follows:

SJR 11 – By Johnson of the Senate and McCarter and Ferguson of the House
A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 9 of Article X of the Oklahoma

Constitution, which relates to ad valorem taxation; raising cap on millage that may be levied for local support of schools upon approval of majority of school district electors; prohibiting reduction of state aid based on additional local support levies; removing obsolete language related to voter eligibility; providing ballot title; ordering a special election; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 49TH OKLAHOMA LEGISLATURE:

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 9 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 9. (a) Except as herein otherwise provided, the total taxes for all purposes on an ad valorem basis shall not exceed, in any taxable year, fifteen (15) mills on the dollar, no less than five (5) mills of which is hereby apportioned for school district purposes, the remainder to be apportioned between county, city, town and school district, by the County Excise Board, until such time as a regular apportionment thereof is otherwise provided for by the Legislature.

No ad valorem tax shall be levied for State purposes, nor shall any part of the proceeds of any ad valorem tax levy upon any kind of property in this State be used for State purposes.

(b) A tax of four (4) mills on the dollar valuation of all taxable property in the county shall be levied annually in each county of the State for school purposes and, until otherwise provided by law, the proceeds thereof shall be apportioned to the school districts of the county by the County Treasurer on the basis of the legal average daily attendance for the preceding school year as certified by the State Board of Education. Provided that in case a school district lies in more than one county, such district shall be deemed a school district of the county having the greater part of the area comprising such district, unless otherwise provided by law, and shall be entitled to participate in the proceeds of such tax on the same basis as districts lying wholly within such county but revenue from such tax on the assessed valuation of the district in other counties shall, when collected, be transmitted to the County Treasurer of such county having the greater part of the area comprising the district, unless otherwise provided by law, and be apportioned as hereinbefore provided for the proceeds of such tax on the assessed valuation of such county. Not to exceed seventy-five per centum (75%) of the amount received by a school district from the proceeds of such county levy in any year shall be required to finance the State guaranteed program of such district.

(c) Upon certification of a need therefor by the board of education of any school district an additional tax of not to exceed fifteen (15) mills on the dollar valuation of all taxable property in the district shall be levied for the benefit of the schools of such district.

(d) In addition to the levies hereinbefore authorized, any school district may make an emergency levy for the benefit of the schools of such district, in an amount not to exceed five (5) mills on the dollar valuation of the taxable property in such district when approved by a majority of the electors of the district voting on the question at an election called for such purpose. This emergency levy shall provide only sufficient additional revenue to meet the needs of the district each fiscal year as determined by the board of such district and

must be approved by a majority of the electors voting on said question at such an election for each fiscal year.

(d-1) In addition to the levies hereinbefore authorized, any school district may make a local support levy for the benefit of the schools of such district, in an amount not to exceed ~~ten (10)~~ twenty (20) mills on the dollar valuation of the taxable property in such district, when approved by a majority of the ~~ad valorem taxpaying~~ voters voting on said question at an election for each fiscal year called for such purposes. This local support levy shall provide only sufficient additional revenue to meet the needs of the district for each such fiscal year as determined by the board of such district; ~~provided, an elector desiring to vote upon such local support levy must present an ad valorem tax receipt for the year immediately preceding before being issued a ballot, or sign a sworn affidavit certifying the fact of such payment.~~ The level of funding generated by any local support levies exceeding ten (10) mills on the dollar valuation of the taxable property in such district shall not be a factor used to reduce state funding for a school district.

(d-2) A school district may upon approval by a majority of the electors of the district voting on the question make the ad valorem levy for emergency levy and local support levy under (d) and (d-1) of this section permanent. If the question is approved, the levies, in the amount approved as required by this section, shall be made each fiscal year thereafter until such time as a majority of the electors of the district voting on the question rescind the making of the levy permanent. An election on such question shall be held at such time as a petition is signed by ten percent (10%) of the school district electors or a recommendation by the board of education of the school district is made asking that the levies be made each fiscal year.

(e) The amount of revenue from school district ad valorem taxes levied under (a) and (c) of this Section which any school district may be required to use to finance its State guaranteed program shall not be in excess of its share, based upon its relative taxpaying ability as may be defined by law, of an amount equivalent to the net proceeds from a fifteen (15) mill tax levy on the aggregate net assessed valuation of the State; but until such relative taxpaying ability is defined by the Legislature, the amount of revenue from such taxes which any school district may be required to use to finance its State guaranteed program shall not be in excess of the net proceeds from an ad valorem tax levy of fifteen (15) mills on the dollar net assessed valuation of the district. No part of the proceeds from any ad valorem levy for emergency levy and local support levy under (d) and (d-1) of this Section shall be required to finance the State guaranteed program of such district.

Nothing in the amendments to the Constitution incorporated herein shall be construed to amend, alter or supersede the present application of Article XII-A, Sections 1 and 2 of the Oklahoma Constitution.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution 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 Section 9 of Article 10 of the State Constitution. This measure would raise the cap on the amount of property tax that may be levied for the local support levy for a school district. The cap is now 10 mills on each dollar of assessed value of property in the district. This measure would raise the cap to 20 mills. No more than 10 mills of the local support levy could be used to reduce state funding for the schools. The measure also removes obsolete language. The obsolete language to be removed contains requirements for voting that violate the United States Constitution and cannot be enforced.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of February 10, 2004, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

SECTION 4. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, 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.

GENERAL ORDER

SB 572 by Ford of the Senate and Dank of the House was called up for consideration.

Representative Balkman asked to coauthor **SB 572**, which was the order.

Senator Ford moved that **SB 572** be advanced, which motion was declared adopted.

THIRD READING

SB 572 was read for the third time 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, Stipe, Taylor,

Wilcoxson, Wilkerson and Williams.--44.

Nay: Williamson.--1.

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

The bill and emergency passed.

SB 572 was referred for engrossment.

GENERAL ORDER

SB 515 by Kerr of the Senate and Covey of the House was called up for consideration.

Senator Kerr moved that **SB 515** be advanced, which motion was declared adopted.

THIRD READING

SB 515 was read for the third time 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, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

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

The bill and emergency passed.

SB 515 was referred for engrossment.

GENERAL ORDER

SB 342 by Maddox et al of the Senate and Covey et al of the House was called up for consideration.

Senator Maddox moved that **SB 342** be advanced, which motion was declared adopted.

THIRD READING

SB 342 was read for the third time 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, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Dunlap, Easley, Fisher, Hobson, Morgan and Robinson.--6.

The bill and emergency passed.

SB 342 was referred for engrossment.

GENERAL ORDER

SB 476 by Smith of the Senate and Askins of the House was called up for consideration.

Representative Braddock asked to coauthor **SB 476**, which was the order.

Senator Smith moved that **SB 476** be advanced, which motion was declared adopted.

THIRD READING

SB 476 was read for the third time 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, Fair, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Dunlap, Easley, Fisher, Hobson, Morgan, Robinson and Taylor.--7.

The bill passed.

SB 476 was referred for engrossment.

Senator Rabon presiding.

GENERAL ORDER

SB 594 by Snyder of the Senate and Davis of the House was called up for consideration.

Senator Snyder moved that **SB 594** be advanced, which motion was declared adopted.

THIRD READING

SB 594 was read for the third time at length.

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

Aye: Branan, Brogdon, Capps, Coates, Coffee, Gumm, Harrison, Horner, Johnson, Laster, Laughlin, Leftwich, Littlefield, Maddox, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson, Wilkerson and Williamson.--26.

Nay: Aldridge, Cain, Corn, Crutchfield, Fair, Helton, Kerr, Lawler, Monson, Rabon, Rozell, Shurden, Stipe and Williams.--14.

Excused: Dunlap, Easley, Fisher, Ford, Hobson, Morgan, Robinson and Taylor.--8.

The bill passed.

Pursuant to Rule 12-23, Senator Stipe served notice that the vote be reconsidered whereby **SB 594** passed.

GENERAL ORDER

SB 253 by Shurden of the Senate and Stanley of the House was called up for consideration.

Senator Shurden moved that **SB 253** be advanced, which motion was declared adopted.

THIRD READING

SB 253 was read for the third time 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, Fair, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Dunlap, Easley, Fisher, Ford, Hobson, Morgan, Robinson and Taylor.--8.

The bill passed.

SB 253 was referred for engrossment.

Senator Capps moved that the Senate recess until 1:30 p.m., 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.

FIRST READING

The following were introduced and read the first time:

SCR 10 – By Monson of the Senate and Askins of the House.

A Concurrent Resolution declaring March 8, 2003, “International Women’s Day” in the State of Oklahoma; urging the United States Senate to ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); and directing distribution.

SR 8 – By Coffee.

A Resolution commending Barkley the Bloodhound for winning “Best of Breed” at the 2003 Westminster Dog Show; praising Barkley for bringing favorable publicity to the State of Oklahoma; and directing distribution.

MESSAGE FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HB 1240**.

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

GENERAL ORDER

SB 238 by Capps of the Senate and Covey of the House was called up for consideration.

Senator Capps moved that **SB 238** be advanced, which motion was declared adopted.

THIRD READING

SB 238 was read for the third time 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, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Dunlap, Easley, Ford, Hobson, Littlefield, Pruitt and Taylor.--7.

The bill and emergency passed.

SB 238 was referred for engrossment.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Coffee asked unanimous consent to suspend Rule 5-4 and refer **SR 8** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 8 by Coffee was called up for consideration.

All other members of the Senate asked to coauthor **SR 8**, which was the order.

SR 8 was adopted upon motion of Senator Coffee and referred for enrollment.

Senator Gumm presiding.

GENERAL ORDER

SB 357 by Rozell of the Senate and Wilson of the House was called up for consideration.

Senator Rozell moved that **SB 357** be advanced, which motion was declared adopted.

THIRD READING

SB 357 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Aldridge, Dunlap, Ford and Taylor.--4.

The bill and emergency passed.

SB 357 was referred for engrossment.

GENERAL ORDER

SB 386 by Rozell of the Senate and Blackburn of the House was called up for consideration.

Senator Rozell moved that **SB 386** be advanced, which motion was declared adopted.

THIRD READING

SB 386 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Stipe, Wilkerson and Williams.--29.

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

Excused: Dunlap and Taylor.--2.

The bill passed.

SB 386 was referred for engrossment.

GENERAL ORDER

SB 595 by Leftwich and Williams of the Senate and Lindley of the House was called up for consideration.

Senator Leftwich moved that **SB 595** be advanced, which motion was declared adopted.

THIRD READING

SB 595 was read for the third time 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, Easley, Fair, Fisher, 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, Stipe, Wilkerson, Williams and Williamson.--43.

Nay: Nichols and Wilcoxson.--2.

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

The bill passed.

SB 595 was referred for engrossment.

MESSAGE FROM THE HOUSE

Advising passage of and transmitting for consideration Engrossed **HBs 1024, 1034, 1048, 1061, 1083, 1099, 1123, 1127, 1140, 1150, 1153, 1155, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1179, 1357, 1414, 1416, 1449, 1453, 1467, 1508, 1520, 1592, 1637, 1650, 1734, 1783 and 1784.**

HB 1024 – By Pettigrew of the House and Williamson of the Senate.

An Act relating to marriage and family; providing that child support benefits are to be for support of child; limiting portion of child support that may be held, seized, taken, subjected to or detained or levied by any process or proceeding for payment of attorney fees; prohibiting assignment of child support benefits; making any such assignment or transfer void; providing for codification; and providing an effective date.

HB 1034 – By Lerblance of the House and Stipe of the Senate.

(public health and safety - amending 63 O.S., Section 1-1903 - Nursing Home Care Act - amending 72 O.S., Section 223 – veterans - War Veterans Commission – emergency)

HB 1048 – By Claunch, Steele, DeWitt, Greenwood, Dank, Coleman, Wright, Vaughn, Adkins, Armes, Balkman, Benge, Blackwell, Cargill, Davis, Graves, Jones, Kirby, Miller (Doug), Morgan (Fred), Nance, Newport, O’Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Piatt, Pope, Reynolds, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Tibbs, Trebilcock, Winchester, Worthen and Young of the House and Reynolds of the Senate.

An Act relating to schools; authorizing certain historical documents to be posted; allowing religious materials in such documents; prohibiting certain censorship; authorizing the display of the national motto; defining term; providing for codification; and providing an effective date.

HB 1061 – By McCarter of the House and Crutchfield of the Senate.

An Act relating to prisons and reformatories; amending 57 O.S. 2001, Section 521, as amended by Section 4, Chapter 211, O.S.L. 2002 (57 O.S. Supp. 2002, Section 521), which relates to assignment and classification to correctional facility; modifying assignment process; and providing an effective date.

HB 1083 – By Hilliard, Roan, Smith (Dale) and Mitchell of the House and Crutchfield and Gumm of the Senate.

(water and water rights – amending 82 O.S., Sections 1020.1, 1020.2, 1020.5, 1020.6, 1020.8, 1020.10 and 1020.11 - groundwater - water permits - temporary permits – emergency)

HB 1099 – By Rice and Nance of the House and Wilkerson of the Senate.

An Act relating to public health and safety; defining terms; providing for vaccination program for first responders who may be exposed to infectious diseases deployed to disaster locations; making program voluntary; providing exceptions; providing for priority; providing for notification; authorizing certain contracts making section effective upon

receipt of certain funds; repealing 63 O.S. 2001, Section 689, which relates to a short title; providing for codification; and declaring an emergency.

HB 1123 – By Greenwood of the House and Dunlap of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Section 3207.1, which relates to the transfer of credit; deleting obsolete language; stating legislative intent to prohibit certain institutions and schools from informing students or advertising that credits transfer without a written agreement; providing an effective date; and declaring an emergency.

HB 1127 – By Lerblance of the House and Stipe of the Senate.

An Act relating to the Oklahoma Personnel Act; amending 74 O.S. 2001, Section 840-6.3, which relates to discipline; deleting obsolete language; specifying that rules promulgated by the Oklahoma Merit Protection Commission concerning discipline contain certain prohibition; providing exceptions; and declaring an emergency.

HB 1140 – By Peters, Calvey, Gilbert, Hiett, Jones, Lamons, Liotta, Phillips, Piatt, Smith (Hopper), Wilt, Winchester and Wright of the House and Crutchfield of the Senate.

An Act relating to professions and occupations; authorizing issuance of special volunteer licenses for certain physicians and dentists; specifying purpose; prohibiting collection of certain fees; prohibiting requiring continuing education; specifying certain requirements; providing for codification; and providing an effective date.

HB 1150 – By Miller (Ray) of the House and Milacek of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 199.3, 199.4, 199.5, 199.7, 199.10, 199.11, 199.13 and 199.14, which relate to the Oklahoma Cosmetology Act; adding to and modifying powers of the State Board of Cosmetology and the powers and duties of the executive director; removing authority to make appointments; removing certain requirements for filing certain reports; expanding certain times for applications for licensure; authorizing certain renewal and penalty fees; adding to certain causes for penalties; providing for reciprocity licenses; modifying terms; removing certain licensing requirements for examinations; requiring certain qualifications; clarifying language; and repealing Section 1, Chapter 225, O.S.L. 2002 (59 O.S. Supp. 2002, Section 199.7), which is a duplicate section.

HB 1153 – By Pettigrew of the House and Riley of the Senate.

(schools - amending 70 O.S., Sections 7-201, 7-202, 7-203, 7-204, 18-113.4, 18-200.1 and 18-201.1 - Oklahoma School Consolidation and Annexation Act - class size limitations - State Aid formula – weights - effective date – emergency)

HB 1155 – By O’Neal of the House and Milacek of the Senate.

(revenue and taxation - amending 68 O.S., Section 1356 - exemptions - recreation centers - effective date - emergency)

HB 1170 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

(State Auditor and Inspector – appropriations – budgetary limitations – effective date)

HB 1171 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Department of Central Services – appropriations - budgetary limitations – effective date)

HB 1172 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Department of Civil Emergency Management – appropriation – lapse dates – effective date)

HB 1173 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(State Election Board - appropriations - lapse dates - effective date)

HB 1174 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Office of State Finance – appropriation – budget procedures – effective date)

HB 1175 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Office of the Governor – appropriation – effective date)

HB 1176 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Oklahoma House of Representatives – appropriation - claims and payrolls - effective date)

HB 1177 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Legislative Service Bureau – appropriations – stating purpose – effective date)

HB 1179 – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.
(Oklahoma Merit Protection Commission – appropriation – duties and compensation of employees – effective date)

HB 1357 – By Pope of the House and Rabon of the Senate.
(revenue and taxation – amending 68 O.S., Section 2358 – income tax – repealing 68 O.S., Section 2358 – duplicate section – emergency)

HB 1414 – By Staggs of the House and Pruitt of the Senate.
(schools – amending 70 O.S., Sections 1210.508 and 1210.541 – Oklahoma School Testing Program Act – tests – reports – effective date – emergency)

HB 1416 – By Staggs of the House and Monson of the Senate.

An Act relating to public retirement systems; amending 11 O.S. 2001, Section 49-138, which relates to the Oklahoma Firefighters Pension and Retirement System; amending 11 O.S. 2001, Section 50-128, which relates to the Oklahoma Police Pension and Retirement System; amending 20 O.S. 2001, Section 1102.2, which relates to the Uniform Retirement System for Justices and Judges; amending 47 O.S. 2001, Section 2-307.4, which relates to the Oklahoma Law Enforcement Retirement System; amending 74 O.S. 2001, Section 913, which relates to the Oklahoma Public Employees Retirement System; modifying provisions related to credit for certain military service; providing credit authorized subject to limitation; requiring purchase of military service credit by certain persons; providing an effective date; and declaring an emergency.

HB 1449 – By Ellis of the House and Shurden of the Senate.

An Act relating to labor; providing restrictions on employee vehicle searches; providing for codification; and providing an effective date.

HB 1453 – By Nance of the House and Wilkerson of the Senate.

(State Bureau of Investigation – amending 74 O.S., Section 150.37 – forensic laboratories – exceptions)

HB 1467 – By Paulk of the House and Monson of the Senate.

(Catastrophic Health Emergency Powers Act – public health authority – health care supplies – promulgation of rules – codification – noncodification)

HB 1508 – By Covey of the House and Snyder of the Senate.

(civil procedure – amending 12 O.S., Section 95 – limitations of other actions – land surveyors – effective date)

HB 1520 – By Ellis and Smith (Dale) of the House and Stipe of the Senate.

An Act relating to the environment; directing the Oklahoma Corporation Commission to conduct study; specifying focus of study; requiring a report; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1592 – By Pope and Hilliard of the House and Price of the Senate.

(utilities – amending 17 O.S., Section 137 – regulation of telephone companies – amending 18 O.S, Section 438.31 - amending 63 O.S., Sections 142.3, 142.6, 142.8, 142.9a and 142.10 – Underground Facilities Damages Prevention Act – amending 69 O.S., Sections 1401, 1402 and 1403 – repealing 63 O.S., Section 142.4 – effective date)

HB 1637 – By Staggs and Phillips of the House and Coffee of the Senate.

An Act relating to schools; creating the Chronic Disease in School Act; stating legislative findings; providing definitions; requiring development of chronic disease training guidelines for school employees; requiring schools to provide chronic disease awareness training for certain school employees; requiring wireless telecommunication devices for certain school bus drivers; specifying entity to provide training; directing every school to develop a chronic disease policy; prohibiting certain conflicts; providing for

maintenance of the plan in certain records; stating certain guidelines; requiring certain assessment of skills and knowledge; requiring annual review; providing for notification of certain students and parents or guardians; limiting liability of a school; amending 70 O.S. 2001, Section 1-116.2, which relates to the administration of medicine to students; limiting responsibility for administration of an injection; directing every school to have a policy on the administration of medicine at school; requiring annual review; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1650 – By Tibbs, Balkman, Nance and Peters of the House and Coffee of the Senate.

An Act relating to public health and safety; authorizing certain public agencies to use nine-one-one service information to notify the public in certain situations; directing certain public agencies to establish confidentiality procedures and methods; defining certain term; providing for codification; and declaring an emergency.

HB 1734 – By Wells of the House and Robinson of the Senate.

An Act relating to children; creating the Bryar Wheeler Act; amending 10 O.S. 2001, Section 21.1, as amended by Section 1, Chapter 445, O.S.L. 2002 (10 O.S. Supp. 2002, Section 21.1), which relates to custody or guardianship of children; requiring courts to make certain determinations; adding circumstances that shall constitute a rebuttable presumption; amending 10 O.S. 2001, Section 1211, which relates to training requirements for certain judicial personnel and court-appointed special advocates; requiring inclusion of certain areas of training concerning certain visitation situations under certain circumstances for certain persons; modifying contents of rules; defining certain terms; amending 43 O.S. 2001, Section 112.2, as amended by Section 19, Chapter 445, O.S.L. 2002 (43 O.S. Supp. 2002, Section 112.2), which relates to evidence of ongoing domestic abuse; expanding consideration of court in certain situations; providing for certain evidence; providing for a rebuttable presumption under certain circumstances; providing for certain reviews by court; defining certain terms; adding circumstances that shall constitute a rebuttable presumption; providing for the ordering of supervised visitation of a child in certain situation for certain persons; prohibiting visitation in certain instances; providing certain information to be contained in court record; defining certain terms; creating the Oklahoma Child Supervised Visitation Program; setting public policy; defining term; authorizing certain actions by certain judges; requiring appointment of certain district supervised visitation teams; prohibiting certain actions; providing duties; providing for certain program volunteers; specifying amount of fee for certain visitation; providing for application of certain volunteers; listing certain information; providing for certain training for volunteers; providing for certain site locations; providing for contents; providing for certain record-keeping and information; providing for certain copying of materials; providing for confidentiality of certain information; providing for development of certain forms; requiring certain information on forms and brochure; requiring distribution of forms; requiring certain action under certain circumstances; providing for liability; providing for membership; repealing 10 O.S. 2001, Section 21.1, as amended by Section 1, Chapter 413, O.S.L. 2002 (10 O.S. Supp. 2002, Section 21.1) and 43 O.S. 2001, Section 112.2, as amended by Section 3, Chapter 413, O.S.L. 2002 (43 O.S. Supp. 2002, Section 112.2),

which are duplicate sections; providing for codification; providing for noncodification; providing an effective date; and declaring an emergency.

HB 1783 – By Erwin of the House and Corn of the Senate.
(public retirement systems – noncodification – effective date – emergency)

HB 1784 – By Erwin, Pettigrew, Smithson and Hutchison of the House and Stipe of the Senate.

(crimes and punishments – legislative referendum – Oklahoma Constitution – 21 O.S., Sections 1692.2, 1692.3, 1692.4, 1692.5 and 1692.8 – cockfighting – emergency – ballot title – filing)

The above-numbered measures were read the first time.

MOTION TO RECONSIDER VOTE

Senator Cain moved to reconsider the vote whereby **SB 232** failed, which motion was declared adopted upon roll call as follows:

Aye: Cain, Capps, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Stipe, Wilkerson and Williams.--27.

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

Excused: Dunlap, Ford, Smith and Taylor.--4.

THIRD READING

SB 232 was called up for further consideration.

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

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

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Fair, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Shurden, Smith, Snyder, Wilcoxson and Williamson.--19.

Excused: Dunlap, Ford, Taylor and Williams.--4.

The bill passed.

SB 232 was referred for engrossment.

GENERAL ORDER

SB 596 by Leftwich of the Senate and Lindley of the House was called up for consideration.

Senator Leftwich moved to amend **SB 596**, Page 2, Line 4, by deleting all language after the word “be” and before the word “subsection” and inserting in lieu thereof the words “eligible for the provisions of”; and Page 2, Lines 14 and 15, by deleting all language after the word “the” on Line 14 and before the word “to” on Line 15 and inserting in lieu thereof the words “Bureau of Citizenship and Immigration Services”, and by amending the title to conform, which amendment was declared adopted.

Senator Leftwich asked that **SB 596** be laid over temporarily, which was the order.

SB 596 remains on General Order.

GENERAL ORDER

SB 247 by Robinson of the Senate and Staggs of the House was called up for consideration.

Senator Robinson moved that **SB 247** be advanced, which motion was declared adopted.

THIRD READING

SB 247 was read for the third time 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, 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, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--44.

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

The bill passed.

SB 247 was referred for engrossment.

GENERAL ORDER

SB 565 by Coffee of the Senate and Reynolds of the House was called up for consideration.

Senators Gumm, Brogdon, Coates, Reynolds, Aldridge, Myers and Branam asked to coauthor **SB 565**, which was the order.

Senator Coffee moved that **SB 565** be advanced, which motion was declared adopted.

THIRD READING

SB 565 was read for the third time at length.

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

Aye: Aldridge, Branam, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--43.

Excused: Dunlap, Ford, Morgan, Taylor and Williamson.--5.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Wilkerson served notice that the vote be reconsidered whereby **SB 565** passed.

GENERAL ORDER

SB 596 was called up for further consideration.

Senator Fair asked to coauthor **SB 596**, which was the order.

Senator Wilcoxson moved to amend **SB 596**, Page 2, Line 20 by inserting after the period the following language "High school counselors shall inform immigrant students that they should apply for legal status as soon as possible to enhance their opportunity for higher education in Oklahoma." and by amending the title to conform, which amendment was declared adopted.

Senator Leftwich moved that **SB 596** be advanced, which motion was declared adopted.

THIRD READING

SB 596 was read for the third time 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, Fair, Fisher, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Price, Pruitt, Robinson, Rozell, Shurden, Smith, Stipe, Wilcoxson and Williams.--32.

Nay: Aldridge, Brogdon, Gumm, Myers, Nichols, Rabon, Reynolds, Riley, Snyder and Wilkerson.--10.

Excused: Dunlap, Easley, Ford, Morgan, Taylor and Williamson.--6.

The bill and emergency passed.

SB 596 was referred for engrossment.

GENERAL ORDER

SB 431 by Cain of the Senate and Vaughn of the House was called up for consideration.

Senator Cain moved that **SB 431** be advanced, which motion was declared adopted.

THIRD READING

SB 431 was read for the third time at length.

Senator Cain asked the **SB 431** be laid over temporarily, which was the order.

SB 431 remains on Third Reading.

Senator Rabon presiding.

GENERAL ORDER

SB 282 by Robinson of the Senate and Staggs of the House was called up for consideration.

Senator Robinson moved that **SB 282** be advanced, which motion was declared adopted.

THIRD READING

SB 282 was read for the third time at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--36.

Nay: Aldridge, Branam, Brogdon, Coffee, Fair, Johnson and Milacek.--7.

Excused: Dunlap, Ford, Hobson, Taylor and Williamson.--5.

The bill passed.

SB 282 was referred for engrossment.

Senator Rozell presiding.**GENERAL ORDER**

SB 426 by Wilkerson of the Senate and Paulk of the House was called up for consideration.

Senator Wilkerson moved to amend **SB 426**, Page 7, Line 15 by deleting after the word "appeal" and before the word "transfer" the word "interagency" and inserting in lieu thereof the word "intra-agency", which amendment was declared adopted.

Senator Wilkerson moved that **SB 426** be advanced, which motion was declared adopted.

THIRD READING

SB 426 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--42.

Excused: Dunlap, Ford, Hobson, Milacek, Taylor and Williamson.--6.

The bill and emergency passed.

SB 426 was referred for engrossment.

GENERAL ORDER

SB 478 by Smith of the Senate and Askins of the House was called up for consideration.

Representative Braddock asked to coauthor **SB 478**, which was the order.

Senator Smith moved that **SB 478** be advanced, which motion was declared adopted.

THIRD READING

SB 478 was read for the third time 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, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--40.

Excused: Dunlap, Easley, Fair, Ford, Hobson, Milacek, Taylor and Williamson.--8.

The bill passed.

SB 478 was referred for engrossment.

GENERAL ORDER

SB 354 by Helton of the Senate and Askins of the House was called up for consideration.

Senator Helton moved to amend **SB 354**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Helton moved that **SB 354** be advanced, which motion was declared adopted.

THIRD READING

SB 354 was read for the third time 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, 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 and Williams.--43.

Excused: Dunlap, Easley, Ford, Taylor and Williamson.--5.

The bill and emergency passed.

SB 354 was referred for engrossment.

GENERAL ORDER

SB 472 by Kerr of the Senate and Walker of the House was called up for consideration.

Senators Corn, Crutchfield, Helton, Lawler, Littlefield, Maddox, Price, Rozell, Shurden and Wilkerson asked to coauthor **SB 472**, which was the order.

Senator Kerr moved to amend **SB 472**, Page 2, Line 21 by deleting after the word “of” and before the period the words and numerals “Forty Thousand Dollars (\$40,000.00)” and inserting in lieu thereof the words and numerals “One Hundred Thousand Dollars (\$100,000.00)”, which amendment was declared adopted.

Senator Kerr moved that **SB 472** be advanced, which motion was declared adopted.

Senator Robinson presiding.

THIRD READING

SB 472 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--40.

Nay: Aldridge and Brogdon.--2.

Excused: Dunlap, Ford, Horner, Morgan, Taylor and Williamson.--6.

The bill passed.

SB 472 was referred for engrossment.

GENERAL ORDER

SB 652 by Leftwich of the Senate and Nance of the House was called up for consideration.

Senator Branan asked to coauthor **SB 652**, which was the order.

Senator Leftwich moved that **SB 652** be advanced, which motion was declared adopted.

THIRD READING

SB 652 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, 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 and Williams.--42.

Excused: Dunlap, Ford, Hobson, Horner, Taylor and Williamson.--6.

The bill and emergency passed.

SB 652 was referred for engrossment.

GENERAL ORDER

SB 742 by Morgan of the Senate and Braddock of the House was called up for consideration.

Senator Morgan moved to amend **SB 742**, Page 1, by striking the title, which amendment was declared adopted.

Senator Morgan moved that **SB 742** be advanced, which motion was declared adopted.

THIRD READING

SB 742 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--44.

Excused: Dunlap, Ford, Taylor and Williamson.--4.

The bill passed.

SB 742 was referred for engrossment.

GENERAL ORDER

SB 493 by Cain of the Senate and Askins of the House was called up for consideration.

Senator Cain moved that **SB 493** be advanced, which motion was declared adopted.

THIRD READING

SB 493 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--43.

Excused: Dunlap, Ford, Hobson, Taylor and Williamson.--5.

The bill passed.

SB 493 was referred for engrossment.

GENERAL ORDER

SB 360 by Shurden of the Senate and Smith (Dale) of the House was called up for consideration.

Senator Shurden moved that **SB 360** be advanced, which motion was declared adopted.

THIRD READING

SB 360 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--42.

Excused: Coffee, Dunlap, Ford, Hobson, Taylor and Williamson.--6.

The bill and emergency passed.

SB 360 was referred for engrossment.

GENERAL ORDER

SB 614 by Wilkerson of the Senate and Plunk of the House was called up for consideration.

Senator Wilkerson moved that **SB 614** be advanced, which motion was declared adopted.

THIRD READING

SB 614 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--42.

Excused: Coffee, Dunlap, Ford, Maddox, Taylor and Williamson.--6.

The bill passed.

SB 614 was referred for engrossment.

GENERAL ORDER

SB 675 by Leftwich of the Senate and Braddock of the House was called up for consideration.

Senator Leftwich moved that **SB 675** be advanced, which motion was declared adopted.

THIRD READING

SB 675 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Crutchfield, Easley, Fair, 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, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--40.

Nay: Corn.--1.

Excused: Coffee, Dunlap, Ford, Hobson, Maddox, Taylor and Williamson.--7.

The bill and emergency passed.

SB 675 was referred for engrossment.

GENERAL ORDER

SB 776 by Smith of the Senate and Braddock of the House was called up for consideration.

Senator Smith moved that **SB 776** be advanced, which motion was declared adopted.

THIRD READING

SB 776 was read for the third time 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, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--45.

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

The bill passed.

SB 776 was referred for engrossment.

THIRD READING

SB 431 was called up for further consideration.

Senator Cain moved to reconsider the vote whereby **SB 431** was advanced, which motion was declared adopted.

GENERAL ORDER

SB 431 was called up for further consideration.

Senator Pruitt moved to amend **SB 431**, Page 7, Line 19 ½, by inserting a new Section C to read as follows:

“C. An employer may not be fined under this section where an employee fails to contribute his or her portion of a health insurance premium.” and by relettering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Cain moved that **SB 431** be advanced, which motion was declared adopted.

THIRD READING

SB 431 was read for the third time 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, Easley, Fair, 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, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Dunlap, Ford, Hobson, Maddox and Taylor.--5.

The bill passed.

SB 431 was referred for engrossment.

GENERAL ORDER

SB 479 by Smith of the Senate and Askins of the House was called up for consideration.

Senator Smith moved to amend **SB 479**, Page 7, Line 4, by deleting after the word “through” and before the word “of” the numeral “5” and inserting in lieu thereof the numeral “6”, which amendment was declared adopted.

Senator Smith moved that **SB 479** be advanced, which motion was declared adopted.

THIRD READING

SB 479 was read for the third time at length.

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

Aye: Cain, Capps, Corn, Crutchfield, Fisher, Harrison, Helton, Horner, Kerr, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Robinson, Shurden, Smith, Wilkerson, Williams and Williamson.--23.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Easley, Fair, Gumm, Johnson, Laster, Laughlin, Lawler, Littlefield, Nichols, Rabon, Reynolds, Riley, Snyder, Stipe and Wilcoxson.--20.

Excused: Dunlap, Ford, Hobson, Rozell and Taylor.--5.

The bill failed.

Pursuant to Rule 12-23, Senator Smith served notice that the vote be reconsidered whereby **SB 479** failed.

GENERAL ORDER

SB 312 by Morgan of the Senate and Blackburn of the House was called up for consideration.

Senator Morgan moved that **SB 312** be advanced, which motion was declared adopted.

THIRD READING

SB 312 was read for the third time at length.

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

Aye: Aldridge, Branan, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson and Williams.--42.

Nay: Brogdon and Williamson.--2.

Excused: Dunlap, Ford, Hobson and Taylor.--4.

The bill and emergency passed.

SB 312 was referred for engrossment.

GENERAL ORDER

SB 362 by Shurden of the Senate and Smith (Dale) of the House was called up for consideration.

Senator Shurden moved to amend **SB 362**, Page 1, by striking the title, which amendment was declared adopted.

Senator Shurden moved that **SB 362** be advanced, which motion was declared adopted.

THIRD READING

SB 362 was read for the third time 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, Easley, Fair, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Dunlap, Fisher, Ford, Hobson, Morgan and Taylor.--6.

The bill and emergency passed.

SB 362 was referred for engrossment.

GENERAL ORDER

SB 524 by Snyder of the Senate and O'Neal of the House was called up for consideration.

Senator Snyder moved to amend **SB 524**, Page 1, by striking the title, which amendment was declared adopted.

Senator Snyder moved that **SB 524** be advanced, which motion was declared adopted.

THIRD READING

SB 524 was read for the third time 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, Easley, Fair, Gumm, Harrison, Helton, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Excused: Dunlap, Fisher, Ford, Hobson, Horner, Morgan and Taylor.--7.

The bill passed.

SB 524 was referred for engrossment.

Senator Rabon presiding.

GENERAL ORDER

SB 732 by Smith of the Senate and McCarter of the House was called up for consideration.

Senator Smith moved that **SB 732** be advanced, which motion was declared adopted.

THIRD READING

SB 732 was read for the third time 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, Easley, Fair, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Excused: Dunlap, Fisher, Ford, Leftwich, Morgan and Taylor.--6.

The bill passed.

SB 732 was referred for engrossment.

GENERAL ORDER

SB 16 by Robinson of the Senate and Lamons of the House was called up for consideration.

Senator Williamson moved to amend **SB 16**, Page 1, Lines 15 and 16 by restoring after the word "age" on Line 15 and before the word "in" on Line 16 all stricken language, which amendment was declared adopted.

Senator Robinson moved that **SB 16** be advanced, which motion was declared adopted.

THIRD READING

SB 16 was read for the third time at length.

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

Aye: Aldridge, Branan, Cain, Capps, Corn, Crutchfield, Easley, Gumm, Harrison, Helton, Horner, Kerr, Laster, Monson, Nichols, Robinson, Smith, Snyder, Wilkerson and Williams.--20.

Nay: Brogdon, Coates, Coffee, Fair, Johnson, Laughlin, Lawler, Littlefield, Maddox, Milacek, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Shurden, Stipe, Wilcoxson and Williamson.--20.

Excused: Dunlap, Fisher, Ford, Hobson, Leftwich, Morgan, Rozell and Taylor.--8.

The bill failed.

Pursuant to Rule 12-23, Senator Robinson served notice that the vote be reconsidered whereby **SB 16** failed.

GENERAL ORDER

SB 601 by Smith of the Senate and Peters of the House was called up for consideration.

Senator Smith moved to amend **SB 601**, Page 1, by striking the title, which amendment was declared adopted.

Senator Smith moved that **SB 601** be advanced, which motion was declared adopted.

THIRD READING

SB 601 was read for the third time at length.

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

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Easley, Fair, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Excused: Coffee, Dunlap, Fisher, Ford, Hobson, Leftwich, Morgan and Taylor.--8.

The bill passed.

SB 601 was referred for engrossment.

GENERAL ORDER

SB 602 by Robinson of the Senate and Leist of the House was called up for consideration.

Senator Robinson moved that **SB 602** be advanced, which motion was declared adopted.

THIRD READING

SB 602 was read for the third time at length.

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

Aye: Branan, Cain, Capps, Coates, Corn, Crutchfield, Easley, Fair, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Myers, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Stipe, Wilkerson, Williams and Williamson.--34.

Nay: Aldridge, Brogdon, Coffee, Nichols, Reynolds, Snyder and Wilcoxson.--7.

Excused: Dunlap, Fisher, Ford, Hobson, Leftwich, Morgan and Taylor.--7.

The bill passed.

SB 602 was referred for engrossment.

Senator Capps moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, February 27, 2003, at 9:00 a.m., which motion prevailed.

FIRST READING

The following was introduced and read the first time:

SR 9 – By Robinson.

A Resolution commending Dana Brown upon the occasion of her retirement from the Oklahoma Health Care Authority; extending best wishes for future endeavors; and directing distribution.

Pursuant to the Capps motion, the Senate adjourned at 4:35 p.m. to meet Thursday, February 27, 2003, at 9:00 a.m.