

# Senate Journal

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

**Forty-fifth Legislative Day, Monday, April 21, 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, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—46.

Excused: Rabon.—1.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Mike Platter, First Nazarene Church, Oklahoma City, the guest of Senator Coffee.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**HBs 1269, 1313, 1430, 1569 and 1802** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 326, 561, 608 and 665** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

### MESSAGES FROM THE HOUSE

Advising concurrence in **SAs** to and passage of Engrossed **HB 1326**.

Advising rejection of **SAs** to **HB 1734**, requesting conference and House conferees to be named later.

### **FIRST READING**

The following was introduced and read the first time:

**SCR 20** – By Crutchfield of the Senate and Taylor of the House.

A Concurrent Resolution designating April 23, 2003, “County Government Day” in the State of Oklahoma; and directing distribution.

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Crutchfield asked unanimous consent to suspend Rule 5-4 and refer **SCR 20** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SCR 20** by Crutchfield of the Senate and Taylor of the House was called up for consideration.

All other members of the Senate asked to coauthor **SCR 20**, which was the order.

**SCR 20** was adopted upon motion of Senator Crutchfield and referred for engrossment.

### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 1160, 1247** and **1326**.

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

Advising passage of and returning the following Engrossed bills:

**SB 299**

**SB 788**

The above-numbered measures were referred for enrollment.

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

**HB 1002**  
**HB 1063**  
**HB 1083**  
**HB 1301**  
**HB 1356**  
**HB 1357**  
**HB 1418**  
**HB 1485**  
**HB 1512**  
**HB 1593**  
**HB 1605**  
**HB 1619**  
**HB 1670**  
**HB 1686**  
**HB 1690**  
**HB 1713**  
**HB 1771**  
**HB 1801**

Advising conference granted on Engrossed **SBs** and naming House conferees as follows:

**SB 421** - Carey, Sweeden, Dank, Case, Dorman  
**SB 602** - Leist, McIntyre, Hamilton, Peters, Lindley, Balkman, Jones  
**SB 633** - McCarter, Newport, Steele, Piatt, Sweeden, Paulk, Lamons  
**SB 710** - Carey, Leist, Pettigrew, Mitchell, Bonny, Ferguson, Piatt  
**SB 649** - Tyler, Cox, Winchester, Paulk, Sweeden, Dank, Newport

Advising naming of House conferees as follows:

**HB 1043** - Leist, Winchester, Mitchell, Gilbert, Toure, Davis, Hastings  
**HB 1106** - Balkman, Hamilton, Young, Nations, Steele, Erwin, Vaughn, Hefner, Ellis, Wells, Ingmire, McCarter, DeWitt  
**HB 1153** - Pettigrew, Staggs, Roberts, Ferguson, Blackburn, Vaughn, Brannon  
**HB 1259** - Wells, Toure, Gilbert, Sweeden, Davis, Hastings, Vaughn  
**HB 1271** - Newport, Paulk, Miller (Doug), Roberts, Maddux, Deutschendorf, Wilson

**MESSAGE FROM THE HOUSE  
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

**SB 76**

**SB 77**

**SB 88**

**SB 89**

**SB 94**

**SB 95**

**SB 106**

**SB 107**

**SB 120**

**SB 121**

**SB 154**

**SB 155**

**SB 201**

**SB 216** - coauthored by Vaughn, Boren, Claunch, Dank, Davis, Graves, Greenwood, Liotta, Maddux, Morgan (Fred), and Smith (Hopper) of the House

**SB 294**

**SB 358**

**SB 411** - coauthored by Smithson of the House

**SB 479**

**SB 512**

**SB 586** - coauthored by Piatt, Lindley, Winchester, Adkins, Braddock, Cox, Eddins, Greenwood, McIntyre, Morgan (Fred), Smithson, Stanley, Wright, and Nance of the House

**SB 601**

**SB 631**

**SB 670**

**SB 686** - coauthored by McClain of the House

**SB 705** - remove Askins and substitute Gilbert as principal House author, and coauthored by Askins of the House

**SB 747** - coauthored by Lamons and McClain of the House

**SB 787**

**SB 791**

**SB 807**

**SJR 22**

House amendments were read on the above-numbered bills.

**GENERAL ORDER**

**HB 1273**, considered on Page 1160, was called up for further consideration.

Senator Maddox moved to amend **HB 1273**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Maddox moved to amend **HB 1273**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Maddox moved that **HB 1273** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1273** 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, Capps, Coates, Coffee, Corn, Crutchfield, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Price, Pruitt, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--37.

Nay: Cain, Lawler, Nichols and Rozell.--4.

Excused: Dunlap, Easley, Fair, Morgan, Rabon and Williams.--6.

Vacancy: District 7.--1.

The bill passed.

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

### **PENDING CONSIDERATION OF HAS**

**HAs to SB 520** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

### **GENERAL ORDER**

**HB 1577**, considered on Page 1038, was called up for further consideration.

Senator Williamson asked that his previous amendment be withdrawn, which was the order.

Senator Leftwich moved to amend **HB 1577**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Leftwich moved that **HB 1577** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1577** 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, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Monson, Price, Robinson, Rozell, Shurden, Taylor and Wilkerson.--23.

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

Excused: Dunlap, Easley, Morgan, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Leftwich served notice that the vote be reconsidered whereby **HB 1577** failed.

### **INTRODUCTION**

Senator Nichols introduced his daughter, Jessica, to the Senate.

### **MOTION TO RECONSIDER VOTE**

Senator Snyder moved to reconsider the vote whereby **HB 1335** passed.

Senator Coffee moved to table the Snyder motion, which was the order.

**HB 1335** was referred for engrossment.

**GENERAL ORDER**

**HB 1101**, considered on Page 1156, was called up for further consideration.

Senator Corn pressed adoption of his previous amendment, which amendment was declared adopted.

Senator Corn moved that **HB 1101** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1101** 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, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--41.

Nay: Fair.--1.

Excused: Dunlap, Easley, Morgan, Rabon and Williams.--5.

Vacancy: District 7.--1.

The bill passed.

**HB 1101** was referred for engrossment.

**GENERAL ORDER**

**HB 1647** by Ferguson of the House and Corn of the Senate was called up for consideration.

Senator Corn moved that **HB 1647** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1647** 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, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--41.

Excused: Dunlap, Easley, Morgan, Rabon, Robinson and Williams.--6.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1647** was referred for engrossment.

### **GENERAL ORDER**

**HB 1414** by Staggs of the House and Pruitt and Williams of the Senate was called up for consideration.

Senator Pruitt moved that **HB 1414** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1414** 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, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Dunlap, Rabon, Robinson and Williams.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1414** was referred for engrossment.

**GENERAL ORDER**

**HCR 1005** by Hefner and Braddock of the House and Easley et al of the Senate was called up for consideration.

**HCR 1005** was adopted upon motion of Senator Easley and properly signed and ordered returned to the Honorable House.

**Senator Gumm presiding.**

**MESSAGES FROM THE HOUSE**

Advising fourth reading of and returning Enrolled **SBs 326, 561, 608 and 665**.

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

Advising rejection of **SAs** to **HBs 1292 and 1476**, requesting conference and House conferees to be named later.

Advising passage of and returning the following Engrossed bills:

**SB 234**

**SB 290** - remove Askins and substitute Harrison as principal House author and coauthored by Askins of the House

**SB 295** - coauthored by all other House members

**SB 343** - coauthored by Easley, Harrison, Smith (Dale), and Liotta of the House

**SB 414**

The above-numbered measures were referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HB 1140**.

**MESSAGE FROM THE HOUSE  
HAS TO SENATE BILLS**

Advising passage of and returning the following engrossed bills as amended:

**SB 3**

**SB 78**

**SB 80**

**SB 81****SB 90****SB 91****SB 92****SB 93****SB 132****SB 133****SB 176****SB 177****SB 360****SB 453**

**SB 492** - remove Braddock as House coauthor and coauthored by Adkins, Balkman, Calvey, Cargill, Coleman, Dank, Greenwood, Liotta, Peterson, Pope, Smaligo, Smith (Hopper), and Trebilcock of the House

**SB 596**

**SB 635** – coauthored by Hastings, Morgan (Danny), Liotta, Peterson, and Pettigrew of the House

**SB 636****SB 668** - coauthored by Roan and Smithson of the House**SB 675**

House amendments 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.

### **GENERAL ORDER**

**HB 1790** by Hefner of the House and Easley of the Senate was called up for consideration.

Senator Easley moved that **HB 1790** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1790** 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, Dunlap, Easley, Fisher, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Price, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson and Williams.-29.

Nay: Aldridge, Branan, Brogdon, Coates, Fair, Ford, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--13.

Excused: Coffee, Helton, Littlefield, Rabon and Robinson.--5.

Vacancy: District 7.--1.

The bill passed.

**HB 1790** was referred for engrossment.

#### **FIRST READING**

The following was introduced and read the first time:

**SCR 21** – By Morgan of the Senate and Paulk of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 793 passed by the 1st Session of the 49th Oklahoma Legislature.

#### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Morgan asked unanimous consent to suspend Rule 5-4 and refer **SCR 21** direct to the Calendar for consideration, which was the order.

#### **GENERAL ORDER**

**SCR 21** by Morgan of the Senate and Paulk of the House was called up for consideration.

**SCR 21** was adopted upon motion of Senator Morgan and referred for engrossment.

**GENERAL ORDER**

**HB 1380** by Bonny of the House and Maddox of the Senate was called up for consideration.

Senator Fisher moved to amend **HB 1380**, Page 1, by striking the title, which amendment was declared adopted.

Senator Maddox moved that **HB 1380** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1380** 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, Dunlap, Easley, Fair, Fisher, Ford, Harrison, Hobson, Horner, Johnson, Kerr, Leftwich, Maddox, Monson, Price, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--27.

Nay: Aldridge, Branan, Brogdon, Laster, Laughlin, Lawler, Milacek, Morgan, Myers, Nichols, Pruitt, Reynolds, Riley and Wilcoxson.--14.

Excused: Coffee, Helton, Littlefield, Rabon and Robinson.--5.

\*Not Voting: Gumm.—1.

Vacancy: District 7.--1.

The bill passed.

\*Senator Gumm asked to be shown not voting on **HB 1380** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**HB 1380** was referred for engrossment.

**GENERAL ORDER**

**HB 1315** by Paulk of the House and Corn of the Senate was called up for consideration.

Senator Dunlap moved to amend **HB 1315**, Page 1, by striking the title, which amendment was declared adopted.

Senator Corn moved that **HB 1315** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1315** 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Coffee, Helton and Rabon.--3.

Vacancy: District 7.--1.

The bill passed.

**HB 1315** was referred for engrossment.

### **UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR**

Senator Monson asked unanimous consent to suspend Rule 5-4 and refer **SR 20** direct to the Calendar for consideration, which was the order.

### **GENERAL ORDER**

**SR 20** by Monson was called up for consideration.

Senators Taylor and Smith and all other members of the Senate asked to coauthor **SR 20**, which was the order.

**SR 20** was adopted upon motion of Senator Monson and referred for enrollment.

### **REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 21** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**PENDING CONSIDERATION OF HAS**

**HAs to SJR 22** were concurred in upon motion of Senator Monson 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, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--25.

Nay: Aldridge, Branan, Brogdon, Coates, Dunlap, Fair, Ford, Johnson, Laughlin, Milacek, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--20.

Excused: Coffee and Rabon.--2.

Vacancy: District 7.--1.

**SJR 22**, as amended by the Honorable House, was read at length.

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

Aye: Cain, Capps, Coates, Corn, Crutchfield, Easley, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Robinson, Rozell, Shurden, Smith, Taylor, Wilkerson and Williams.--28.

Nay: Aldridge, Branan, Brogdon, Dunlap, Fair, Ford, Kerr, Laughlin, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Snyder, Wilcoxson and Williamson.--17.

Excused: Coffee and Rabon.--2.

Vacancy: District 7.--1.

The resolution passed.

**SJR 22** was read at length as follows:

**SJR 22** – By Hobson of the Senate and Kirby 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 the Oklahoma Constitution by adding a new section to Article X to be designated as Section 41; creating the Oklahoma Education Lottery Trust Fund; requiring the trust fund to be expended only for certain education-related purposes; prohibiting the Legislature from using the trust fund to replace other funds supporting education purposes; requiring the State Board of Equalization to examine appropriations from the trust fund; providing appropriation procedure under certain circumstances; providing ballot title; 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 Article X of the Constitution of the State of Oklahoma by adding a new Section 41 to read as follows:

Section 41. A. There is hereby created a trust fund to be known as the "Oklahoma Education Lottery Trust Fund". The trust fund shall consist of the funds transferred to it from the Oklahoma Education Lottery.

B. Monies in the Oklahoma Education Lottery Trust Fund shall only be expended for the following educational purposes and programs:

1. Kindergarten through twelfth grade public education, including but not limited to compensation and benefits for public school teachers and support employees;
2. Early childhood development programs;
3. Tuition grants, loans and scholarships to citizens of this state to enable such citizens to attend colleges and universities located within this state which are accredited by the Oklahoma State Regents for Higher Education or to attend institutions operated under the authority of the Oklahoma Department of Career and Technology Education;
4. Construction of educational facilities for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education;
5. Capital outlay projects for elementary school districts, independent school districts, the Oklahoma State System of Higher Education, and career and technology education;
6. Technology for public elementary school district, independent school district, state higher education, and career and technology education facilities;
7. Endowed chairs for professors at institutions of higher education operated by the Oklahoma State System of Higher Education;
8. Programs and personnel of the Oklahoma School for the Deaf and the Oklahoma School for the Blind;
9. The School Consolidation and Assistance Fund; and
10. The Teachers' Retirement System Dedicated Revenue Revolving Fund.

C. The Legislature shall appropriate funds from the Oklahoma Education Lottery Trust Fund only for the purposes specified in subsection B of this section. Even when the funds from the trust fund are used for these purposes, the Legislature shall not use funds from the trust fund to supplant or replace other state funds supporting common education, higher education, or career and technology education.

D. In order to ensure that the funds from the trust fund are used to enhance and not supplant funding for education, the State Board of Equalization shall examine and investigate appropriations from the trust fund each year. At the meeting of the State Board

of Equalization held within five (5) days after the monthly apportionment in February of each year, the State Board of Equalization shall issue a finding and report which shall state whether appropriations from the trust fund were used to enhance or supplant education funding. If the State Board of Equalization finds that education funding was supplanted by funds from the trust fund, the Board shall specify the amount by which education funding was supplanted. In this event, the Legislature shall not make any appropriations for the ensuing fiscal year until an appropriation in that amount is made to replenish the trust fund.

E. The provisions of this section shall not become effective if Enrolled House Bill No. 1278 of the 1st Session of the 49th Oklahoma Legislature is not approved by the people of this state.

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 the Oklahoma Constitution. It adds a new Section 41 to Article 10. This measure would create the Oklahoma Education Lottery Trust Fund. The trust fund shall consist of monies from the Oklahoma Education Lottery. The monies of the trust fund may only be used for certain purposes. All of the purposes for which the trust fund may be used relate to education. The monies in the trust fund may not be used to replace other state funds used to support education. The State Board of Equalization will determine if any of the monies in the trust fund are being used to replace state funding of education. If such a finding is made, the Legislature may not make any appropriations until the amount of replaced funding is returned to the trust fund. This measure would only become effective if voters approved the lottery contained in House Bill No. 1278.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. 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.”

Pursuant to Rule 12-23, Senator Monson served notice that the vote be reconsidered whereby **SJR 22** passed.

## **INTRODUCTION**

Senator Johnson introduced his wife and son, Judy and Rob, to the Senate.

## **GENERAL ORDER**

**HB 1705** by Case of the House and Reynolds of the Senate was called up for consideration.

Senator Reynolds moved to amend **HB 1705**, Page 3, Line 13 by inserting after the period the language "School vehicles and government vehicles that are capable of operating on a conventional fuel as well as an alternative fuel shall be exempt from this restriction on those occasions when the vehicle or vehicles must be refueled outside the five-mile radius of the respective department, district, agency, office or political subdivision that has said vehicle and no alternative fuel fill station or charge station is reasonably available.", which amendment was declared adopted.

Senator Reynolds moved that **HB 1705** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 1705** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

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

Vacancy: District 7.--1.

The bill passed.

**HB 1705** was referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising rejection of **SAs** to the following bills, requesting conference and House conferees to be named later as follows:

**HB 1444**  
**HB 1535**  
**HJR 1011**

Advising passage of and returning the following Engrossed measures:

**SB 647**  
**SCR 21**

The above-numbered measures were referred for enrollment.

**REPORT OF ENGROSSED AND ENROLLED MEASURE**

**SCR 21** was correctly enrolled, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**MESSAGE FROM THE HOUSE**

Advising the signing of and returning Enrolled **SCR 21**.

The above-numbered enrolled measure was transmitted to the Secretary of State.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Tuesday, April 22, 2003, at 10:00 a.m., which motion prevailed.

Pursuant to the Fisher motion, the Senate adjourned at 2:30 p.m. to meet Tuesday, April 22, 2003, at 10:00 a.m.