

# Senate Journal

## First Regular Session of the Forty-ninth Legislature of the State of Oklahoma Forty-sixth Legislative Day, Tuesday, April 22, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.—47.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

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

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SCR 20** was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

**HBs 1101, 1315, 1335, 1380, 1414, 1647, 1705 and 1790** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**SBs 234, 290, 295, 299, 343, 414, 647 and 788** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

**SR 20** was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**INTRODUCTION**

Senator Coffee introduced his daughter, Anna, to the Senate.

**PENDING CONSIDERATION OF HAS**

**HAs to SB 242** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

**UNANIMOUS CONSENT REQUEST  
MOTION TO RECONSIDER VOTES**

Senator Fisher asked unanimous consent, which was granted to suspend the provisions of Rule 12-23B and that all motions to reconsider votes on Third Reading of House bills and joint resolutions served this week be disposed of before the close of business on Thursday, April 24, 2003.

**GENERAL ORDER**

**HB 1574** by Dorman of the House and Coffee of the Senate was called up for consideration.

Representative Piatt asked to coauthor **HB 1574**, which was the order.

Senator Coffee moved to amend **HB 1574**, Page 16, Line 17 by deleting Section 6 and inserting new Sections 6 through 16 creating the "Oklahoma Home Ownership and Equity Protection Act" amending Title 14A O.S. 2001, Sections 1-301, 3-309.4, 3-401, 5-202, 5-203, and creating new sections of law to be codified as Title 14A, Sections 3-410, 3-411, 4-113, and by amending the title to conform, which amendment was declared adopted. (Copies provided for all Senators.)

Senator Coffee moved that **HB 1574** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1574** 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, Dunlap, 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, Taylor, Wilcoxson, Wilkerson and Williamson.--45.

Excused: Ford and Williams.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1574** was referred for engrossment.

### **GENERAL ORDER**

**HB 1814** by Hilliard of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield moved that **HB 1814** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1814** 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, 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, Taylor, Wilcoxson and Wilkerson.--44.

Excused: Ford, Williams and Williamson.--3.

Vacancy: District 7.--1.

The bill passed.

**HB 1814** was referred for engrossment.

### **MESSAGE FROM THE GOVERNOR**

Pursuant to SCR 21, I hereby return Enrolled **SB 793** by Morgan of the Senate and Paulk of the House.

**MOTION – FOURTH READING AND SIGNING RESCINDED**

Senator Morgan asked unanimous consent, which was granted, that the Senate rescind its signing of **SB 793** and moved to reconsider the vote whereby **SB 793** and the emergency passed on fourth reading, which motion was declared adopted upon roll call as follows:

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

Excused: Ford, Leftwich, Milacek, Williams and Williamson.--5.

Vacancy: District 7.--1.

Senator Morgan asked unanimous consent, which was granted, to reject the **HAs** to **SB 793** and request conference with Senate conferees to be named later, and request the Honorable House to rescind their signing and fourth reading and consider the bill further.

**GENERAL ORDER**

**HB 1362** by Ingmire and Pettigrew of the House and Morgan of the Senate was called up for consideration.

Senator Morgan moved that **HB 1362** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1362** 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, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Ford, Leftwich, Pruitt and Williams.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1362** was referred for engrossment.

### **GENERAL ORDER**

**HB 1007** by Pettigrew et al of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1007** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1007** 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, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson and Williamson.--41.

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

Excused: Ford and Wilkerson.--2.

Vacancy: District 7.--1.

The bill passed.

**HB 1007** was referred for engrossment.

### **PENDING CONSIDERATION OF HAS**

**HAs** to **SB 686** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

### **MOTION TO RECONSIDER VOTE**

Senator Robinson moved to reconsider the vote whereby **HB 1457** passed.

Senator Fisher moved to table the Robinson motion, which tabling motion was declared adopted.

**HB 1457** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1300** by Turner of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved that **HB 1300** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1300** was read for the third time at length.

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

Aye: Capps, Corn, Crutchfield, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson and Williamson.--32.

Nay: Aldridge, Branan, Brogdon, Cain, Coates, Dunlap, Myers, Nichols, Pruitt, Reynolds, Riley, Snyder and Williams.--13.

Excused: Coffee and Ford.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1300** was referred for engrossment.

### **GENERAL ORDER**

**HB 1467** by Paulk of the House and Monson of the Senate was called up for consideration.

Senator Monson moved to amend **HB 1467**, Page 15, Line 13 through Page 55, Line 18 by deleting Sections 6 through 34, which amendment was declared adopted.

Senator Monson moved that **HB 1467** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1467** 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, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson, Williams and Williamson.--30.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Laughlin, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder and Wilcoxson.--15.

Excused: Ford and Hobson.--2.

Vacancy: District 7.--1.

The bill passed.

**HB 1467** was referred for engrossment.

**GENERAL ORDER**

**HB 1465** by Askins of the House and Morgan of the Senate was called up for consideration.

Senator Morgan moved that **HB 1465** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1465** 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, Easley, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson,

Wilkerson, Williams and Williamson.--43.

Nay: Fair.--1.

Excused: Ford, Hobson and Riley.--3.

Vacancy: District 7.--1.

The bill passed.

**HB 1465** was referred for engrossment.

### **GENERAL ORDER**

**HB 1501** by Cox of the House and Monson of the Senate was called up for consideration.

Senator Nichols asked to coauthor **HB 1501**, which was the order.

Senator Monson moved that **HB 1501** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1501** 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, 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, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Ford, Hobson and Smith.--3.

Vacancy: District 7.--1.

The bill passed.

**HB 1501** was referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising the signing of and transmitting for signature Enrolled **HCR 1005**.

The above-numbered enrolled resolution was properly signed and ordered returned to the Honorable House.

Advising fourth reading of and transmitting for signature Enrolled **HB 1140**.

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

Advising passage of and transmitting for consideration Engrossed **HCR 1011**.

**HCR 1011** – By Nations of the House and Nichols of the Senate.

A Concurrent Resolution creating the Joint Task Force on Mold and Mold Remediation; stating purposes; establishing membership; providing for reimbursement; providing for staff support; and requiring a report.

The above-numbered measures were read the first time.

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

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

**SB 82**

**SB 83**

**SB 96**

**SB 97**

**SB 98**

**SB 99**

**SB 100**

**SB 101**

**SB 102**

**SB 103**

**SB 108**

**SB 109**

**SB 213**

**SB 286** - coauthored by Adkins of the House

**SB 318**

**SB 353** - remove Miller (Doug) and substitute Dorman as principal House author

**SB 545**

**SB 554**  
**SB 557**  
**SB 702**  
**SB 818**  
**SJR 18**

House amendments were read on the above-numbered bills.

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

**HB 1574** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

Senator Fisher moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

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The Senate reconvened with Senator Rozell presiding.

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

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

Advising fourth reading of and returning Enrolled **SBs 234, 290, 295, 299, 343, 414, 647** and **788**.

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

#### **GENERAL ORDER**

**HB 1366** by Jones of the House and Littlefield of the Senate was called up for consideration.

Senator Littlefield moved to amend **HB 1366**, Page 1, by striking the title, which amendment was declared adopted.

Senator Littlefield asked that **HB 1366** be laid over for this legislative day, which was the order.

**HB 1366** remains on General Order.

## **GENERAL ORDER**

**HB 1500** by Sweeden of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 1500**, Page 1, Line 11 through Page 12, Line 4 by deleting Section 1, and by renumbering subsequent sections, which amendment was declared adopted.

Senator Gumm moved that **HB 1500** be advanced, which motion was declared adopted.

## **THIRD READING**

**HB 1500** 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, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Monson and Reynolds.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1500** was referred for engrossment.

## **PENDING CONSIDERATION OF HAS**

**HAs to SBs 360, 368, 747 and 834** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

## **DEDICATION**

Senator Ford presented the painting "Transfer of the Louisiana Purchase – 1803". Senator Ford introduced the artist, Mike Wimmer. Mr. Wimmer addressed the Senate.

Senator Ford introduced Henry and Jane Primeaux. Mr. Primeaux addressed the Senate. Mr. and Mrs. Primeaux presented the painting to the Senate as a gift.

### **MESSAGES FROM THE HOUSE**

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

**SB 733** - Carey, Wilson, Walker, Peterson, Ferguson

Advising naming of House conferees as follows:

**HB 1002** - Adair, Pope, Nance, Case, Rice

**HB 1063** - Gilbert, Lindley, Jones, Balkman, Hamilton

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

**HB 1109** - Turner, Cox, Winchester, Wilson, Liotta

**HB 1301** - Benge, Staggs, Roberts, Ferguson, Brannon

**HB 1323** - Tibbs, Blackburn, Adkins, Gilbert, Roberts, Lindley, Balkman

**HB 1512** - Paulk, Lamons, Nance, Roan, Smith (Hopper)

**HB 1619** - Wilson, Walker, Coleman, Mitchell, Bonny, Ingmire, Perry

**HB 1686** - Steele, Taylor, Case, Kirby, Maddux, Smithson, Covey

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

**HB 1353**

**HB 1412**

**HB 1569**

Advising passage of and returning the following Engrossed bill:

**SB 307**

The above-numbered measure was referred for enrollment.

### **MOTION TO RECONSIDER VOTE**

Senator Maddox moved to reconsider the vote whereby **HB 1273** passed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Fair and Snyder.--2.

Excused: Easley, Ford, Horner, Monson and Robinson.--5.

Vacancy: District 7.--1.

### **THIRD READING**

Senator Maddox moved to reconsider the vote whereby **HB 1273** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

**HB 1273** was called up for further consideration.

Senator Maddox moved to amend the floor substitute on **HB 1273**, Page 4, Line 16 by inserting after the word “co-payee” and before the period the words “to the extent of the lienholders interest”, and by amending the title to conform, 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, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, 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, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--42.

Nay: Rozell.--1.

Excused: Ford, Riley, Robinson and Williams.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1273** was referred for engrossment.

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

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The Senate reconvened with Senator Rozell presiding.

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

## **GENERAL ORDER**

**HB 1475** by Rice of the House and Easley of the Senate was called up for consideration.

Senator Easley moved to amend **HB 1475**, Page 2, Line 13 ½, by inserting a new Section 2 to read as follows:

“SECTION 2. AMENDATORY 27A O.S. 2001, Section 2-10-801, is amended to read as follows:

Section 2-10-801. A. In order to protect public health and preserve the expectation of future disposal capability of areas local to a disposal site, except as otherwise provided by this section, no disposal site shall accept more than two hundred (200) tons per day of solid waste ~~generated more than fifty (50) miles from the disposal site~~ unless a permit application for a new disposal site is submitted and approved by the Department for such waste.

~~The waste generated within the fifty mile local area shall not be considered in calculating the two-hundred-ton limit.~~

B. New and existing landfills, incinerators, or other sites designed, constructed and operated in accordance with the most environmentally protective solid waste regulations adopted by the Board shall not be subject to ~~neither the two-hundred-ton nor the fifty-mile~~ limit.

C. The Department may grant a temporary waiver to the limit specified in this section in the event of an emergency. Any such waiver so granted may be conditioned on development of additional capacity in the area where the waste is generated.

D. Before any disposal site accepts for disposal any solid waste generated outside the territorial limits of this state in excess of two hundred (200) tons per day:

1. The operator of the disposal site shall submit to the Department for approval a disposal plan prepared by either the generator or shipper as set out in the rules promulgated by the Board. Such plans as a minimum shall indicate the type and amount of solid waste generated, the handling, storage, treatment, disposal method and the disposal site to be used. The disposal plans shall be kept current by the persons submitting the original disposal plans and the Department shall be advised not less than five (5) working days prior to the day on which such changes are to be implemented.

Persons storing or shipping recyclable materials in an environmentally acceptable manner for the purpose of recycling shall be required to file disposal plans required by this subsection only for those wastes which are to be disposed.

2. The disposal site shall be designed, constructed and operated in accordance with the most environmentally protective solid waste rules promulgated by the Board. For landfills, the most environmentally protective solid waste regulations shall be any of those regulations promulgated by the Board for the largest population category and which include leachate collection in the landfill design, and which were effective when the application for disposal plan approval was filed with the Department.

E. Operators of solid waste disposal sites shall reject shipments of solid waste brought into this state which do not meet all the applicable requirements of this section. All rejected solid waste shall be taken out of state by the same persons who brought it into this state in violation of the provisions of this section.

F. Fly ash and bottom ash generated by coal-fired facilities located outside the territorial limits of this state in excess of two hundred (200) tons per day shall be constructively reutilized or disposed of only in an active or inactive mining operation subject to the provisions contained in Title 45 of the Oklahoma Statutes.

G. Willful violation of this section shall constitute a felony punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or imprisonment of not more than five (5) years, or both such fine and imprisonment.”, and by renumbering subsequent section and amending the title to conform, which amendment was declared adopted.

Senator Easley moved that **HB 1475** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1475** was read for the third time at length.

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

Aye: Aldridge, Cain, Capps, Coffee, Corn, Crutchfield, Dunlap, Easley, Fisher, Gumm, Harrison, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Maddox, Monson, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilkerson and Williamson.--31.

Nay: Brogdon, Coates, Fair, Johnson, Milacek, Myers and Wilcoxson.--7.

Excused: Branan, Ford, Helton, Laughlin, Littlefield, Morgan, Pruitt, Smith and Williams.--9.

Vacancy: District 7.--1.

The bill passed.

**HB 1475** was referred for engrossment.

### **PENDING CONSIDERATION OF HAS**

**HAs** to **SBs 272** and **422** were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

### **GENERAL ORDER**

**HB 1738** by Morgan (Danny) and Wells of the House and Lawler of the Senate was called up for consideration.

Senator Crutchfield asked to coauthor **HB 1738**, which was the order.

Senator Lawler moved to amend **HB 1738**, Page 1, Line 17 by deleting after the word "located" and before the semicolon the words "and the lease or well name"; and Page 3, Lines 1 through 7 by deleting subsection D, which amendment was declared adopted.

Senator Lawler moved that **HB 1738** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1738** 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, Easley, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Maddox, Milacek, Monson, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Fair.--1.

Excused: Laughlin, Littlefield, Morgan and Pruitt.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1738** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising that the House has rescinded the fourth reading and signing of **SB 793**.

### **GENERAL ORDER**

**HB 1597** by Pope of the House and Corn of the Senate was called up for consideration.

Senator Coffee moved to amend **HB 1597**, Page 1, by striking the title.

Senator Corn moved to table the Coffee amendment, which tabling motion was declared adopted upon roll call as follows:

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

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Easley, Fair, Ford, Johnson, Laughlin, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--21.

Excused: Kerr and Littlefield.--2.

Vacancy: District 7.--1.

Senator Corn moved that **HB 1597** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1597** 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, Harrison, Helton, Hobson, Kerr, Leftwich, Littlefield, Maddox, Monson, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--23.

Nay: Aldridge, Branan, Brogdon, Coates, Coffee, Dunlap, Fair, Ford, Gumm, Horner, Johnson, Laster, Laughlin, Lawler, Milacek, Myers, Nichols, Pruitt, Reynolds, Riley, Smith, Snyder, Wilcoxson and Williamson.--24.

Vacancy: District 7.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Corn served notice that the vote be reconsidered whereby **HB 1597** failed.

### **MOTION TO RECONSIDER VOTE**

Senator Shurden moved to reconsider the vote whereby **HB 1784** failed, which motion was declared adopted upon roll call as follows:

Aye: Capps, Coates, Coffee, Corn, Crutchfield, Easley, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Morgan, Price, Rabon, Robinson, Rozell, Shurden, Smith, Snyder, Taylor and Wilkerson.--31.

Nay: Aldridge, Branan, Brogdon, Cain, Dunlap, Fair, Horner, Monson, Myers, Nichols, Pruitt, Reynolds, Riley, Wilcoxson, Williams and Williamson.--16.

Vacancy: District 7.--1.

### **THIRD READING**

Senator Shurden moved to reconsider the vote whereby **HB 1784** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

**HB 1784** was called up for further consideration.

Senator Shurden asked that **HB 1784** be laid over for this legislative day, which was the order.

**HB 1784** remains on General Order.

**GENERAL ORDER**

**HB 1466** by Askins of the House and Morgan of the Senate was called up for consideration.

Senator Morgan moved that **HB 1466** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1466** was read for the third time at length.

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

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

Nay: Aldridge, Dunlap, Johnson and Snyder.--4.

Vacancy: District 7.--1.

The bill passed.

**HB 1466** was referred for engrossment.

**GENERAL ORDER**

**HB 1570** by Boren et al of the House and Gumm and Rabon of the Senate was called up for consideration.

Senator Gumm moved that **HB 1570** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 1570** 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, Dunlap, Easley, 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, Taylor, Wilcoxson and Wilkerson.--43.

Nay: Fair, Snyder, Williams and Williamson.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1570** was referred for engrossment.

**Senator Gumm presiding.**

### **GENERAL ORDER**

**HB 1143** by Covey of the House and Horner of the Senate was called up for consideration.

Senator Horner moved that **HB 1143** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1143** was read for the third time at length.

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

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

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

Excused: Price and Robinson.--2.

Vacancy: District 7.--1.

The bill passed and the emergency failed.

**HB 1143** was referred for engrossment.

### **GENERAL ORDER**

**HB 1764** by Adair of the House and Hobson of the Senate was called up for consideration.

Senator Wilkerson moved that **HB 1764** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1764** 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, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Price and Robinson.--2.

Vacancy: District 7.--1.

The bill passed.

**HB 1764** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Leftwich moved to reconsider the vote whereby **HB 1577** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Price and Robinson.--2.

Vacancy: District 7.--1.

### **THIRD READING**

Senator Leftwich moved to reconsider the vote whereby **HB 1577** was advanced, which motion was declared adopted.

### **GENERAL ORDER**

**HB 1577** was called up for further consideration.

Senator Leftwich moved to amend the floor substitute on **HB 1577**, Page 1, Line 24 by inserting after the word “entities” and before the period the language “, provided however, that the State Auditor and Inspector shall conduct a performance audit if he has received a written request to do so from the Governor or direction to do so by joint or concurrent resolution by the Legislature”, and by amending the title to conform, which amendment was declared adopted.

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 and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Price and Robinson.--2.

Vacancy: District 7.--1.

The bill and emergency passed.

**HB 1577** was referred for engrossment.

**MESSAGES FROM THE HOUSE**

Advising change in House conferees as follows:

**HB 1190** – withdraw from GCCA and name Nations, Balkman, Braddock, Jones, Lindley

Advising passage of and returning the following Engrossed bill:

**SB 312**

The above-numbered measure was referred for enrollment.

**REPORT OF ENGROSSED AND ENROLLED MEASURE**

**HB 1475** was correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

**EXECUTIVE NOMINATIONS**

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

Callahan, Ken, Sallisaw, as a member of the Construction Industries Board - Business and Labor

Carpenter, JoAnn, Ada, as a member of the Physician Manpower Training Commission - Human Resources

Gulley, Gloria Anderson, Idabel, as a member of the Board of Trustees for the McCurtain County Higher Education Program - Education

Helzbeierlein, Anne T., Edmond, as a member of the Oklahoma State Bureau of Investigation Commission - Judiciary

Hudson, Rob, Guthrie, as a member of the Oklahoma State Bureau of Investigation Commission - Judiciary

Ketner, Monty, Oklahoma City, as a member of the Construction Industries Board - Business and Labor

Metheny, Ron W., Edmond, as a member of the Construction Industries Board - Business and Labor

Perry, Michael Ray, Claremore, as a member of the Oklahoma State Bureau of Investigation Commission - Judiciary

Seals, David Kerr, Ardmore, as a member of the Polygraph Examiners Board - Judiciary

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Shea, Larry, Oklahoma City, as a member of the Construction Industries Board - Business and Labor

VanAlstine, Donald Lee, Muskogee, as a member of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission - Judiciary

Warren, Edward, Muskogee, as a member of the Physician Manpower Training Commission - Human Resources

#### **MOTION EXPIRED**

Time expired for consideration of the motion to reconsider whereby **HJR 1024** failed.

#### **BILL RELEASED**

#### **TIME EXPIRED TO RECONSIDER**

**HB 1072** was properly signed and ordered returned to the Honorable House.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, April 23, 2003, at 10:00 a.m., which motion prevailed.

#### **FIRST READING**

The following was introduced and read the first time:

**SR 22** – By Easley.

A Resolution celebrating 100 years of ministry in Oklahoma by declaring Saturday May 3, 2003, "Oklahoma Baptist Homes for Children Day"; commending the Owasso Baptist Children's Home upon their 30th anniversary; and directing distribution.

**MESSAGES FROM THE GOVERNOR**

Advising his approval April 21, 2003, of Enrolled **SBs 263, 354, 371, 376, 380** and **564**.

Advising his approval April 22, 2003, of Enrolled **SBs 5, 200, 539, 639, 660** and **674**.

Pursuant to the Fisher motion, the Senate adjourned at 3:15 p.m. to meet Wednesday, April 23, 2003, at 10:00 a.m.