

# Senate Journal

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

**Nineteenth Legislative Day, Wednesday, March 3, 2004**

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, 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 18.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Senator Monson.

### REPORT OF ENGROSSED AND ENROLLED MEASURES

**SBs 756, 814, 847, 858, 864, 867, 870, 873, 884, 885, 892, 899, 1088, 1090, 1096, 1098, 1100, 1105, 1107, 1120, 1128, 1142, 1144, 1145, 1162, 1188, 1232, 1236, 1254, 1261, 1293, 1345, 1356, 1398, 1400, 1440, 1445, 1446, 1471, 1478, 1490, 1511, 1535, 1543, 1552, 1557, 1569, 1577, 1625 and 1627** were each correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

### GENERAL ORDER

**SB 1597** by Aldridge of the Senate and Cargill of the House was called up for consideration.

Senator Aldridge moved to amend **SB 1597**, Page 1, Line 25 through Page 2, Line 2, by deleting all language after the word “younger” on Page 1, Line 25 through the second

word “jury” on Page 2, Line 2, and by amending the title to conform, which amendment was withdrawn upon motion of Senator Aldridge.

Senator Aldridge moved to amend **SB 1597**, Page 1, by striking the title, which amendment was declared adopted.

Senator Aldridge moved that **SB 1597** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1597** 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, Coates, Coffee, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Leftwich, Maddox, Milacek, Monson, Morgan, Myers, Price, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--35.

Nay: Capps, Harrison, Horner, Lawler, Lerblance, Nichols, Rabon, Rozell and Wilkerson.--9.

Excused: Corn, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1597** was referred for engrossment.

### **GENERAL ORDER**

**HB 2192** by Pope et al of the House and Maddox et al of the Senate was called up for consideration.

Senator Maddox moved that **HB 2192** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 2192** 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, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Corn, Leftwich, Littlefield and Pruitt.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2192** was referred for engrossment.

### **GENERAL ORDER**

**SB 1522** by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved to amend **SB 1522**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Gumm moved that **SB 1522** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1522** 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, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Aldridge, Corn, Littlefield and Pruitt.--4.

Vacancy: District 18.--1.

The bill passed.

The Chair advised that Senator Aldridge, having been present in the Chamber during the vote on **SB 1522** would be shown voting Nay in compliance with Rule 14-1B. The vote thereby resulted as follows: Aye: 43; Nay: 1; Excused: 3; Vacancy: 1.

Senator Aldridge desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 44; Excused: 3; Vacancy: 1.

The emergency passed.

**SB 1522** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Robinson moved to reconsider the vote whereby **SB 1263** failed, which motion was declared adopted upon roll call as follows:

Aye: Aldridge, Branan, Cain, Capps, Coates, Coffee, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--41.

Nay: Brogdon, Fair and Laughlin.--3.

Excused: Corn, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

### **THIRD READING**

**SB 1263** 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, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--36.

Nay: Brogdon, Coffee, Fair, Ford, Johnson, Laughlin, Reynolds and Williamson.--8.

Excused: Corn, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1263** was referred for engrossment.

### **GENERAL ORDER**

**SB 1118** by Lawler and Price of the Senate and Winchester of the House was called up for consideration.

Senator Lawler moved that **SB 1118** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1118** 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, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Corn, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1118** was referred for engrossment.

### **GENERAL ORDER**

**SB 1165** by Laster of the Senate and Harrison of the House was called up for consideration.

Senator Laster moved that **SB 1165** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1165** 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, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Corn, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1165** was referred for engrossment.

**GENERAL ORDER**

**SB 1247** by Gumm of the Senate and Carey of the House was called up for consideration.

Senator Gumm moved to amend **SB 1247**, Page 1, Line 25, by inserting after the word “amounts” and before the period the following language:

“pursuant to the following schedule: A taxpayer relocating outside the state less than seven (7) years after receiving any incentive payment shall be required to repay one hundred percent (100%) of the amount initially received; a taxpayer relocating outside the state more than seven (7) years but less than nine (9) years after receiving any incentive payment shall be required to repay eighty percent (80%) of the amount initially received; a taxpayer relocating outside the state more than nine (9) years but less than ten (10) years after receiving any incentive payment shall be required to repay sixty percent (60%) of the amount initially received; a taxpayer relocating more than ten (10) years after receiving any incentive payment shall be relieved of any obligation to repay the state for any incentive payment received. If a taxpayer ceases to exist and the taxpayer’s assets are transferred to a successor entity for less than fair market value consideration, the successor entity shall be subject to repayment as required by this section”; and Page 2, Line 5 ½ by inserting a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 206.3 of Title 68, unless there is created a duplication in numbering, reads as follows:

Political subdivisions of this state, including but not limited to counties, cities and towns, offering incentives to taxpayers in conjunction with any state incentives listed in Section 206.2 of to amendments relocates outside of the political subdivision which provided incentives. Said repayment shall be pursuant to a contract executed between the taxpayer and the political subdivision or agent of the political subdivision authorized to develop and execute incentive packages for job creation.”; and by renumbering subsequent section, which amendment was declared adopted.

Senator Gumm moved that **SB 1247** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1247** 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, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--43.

Nay: Wilcoxson.--1.

Excused: Hobson, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1247** was referred for engrossment.

### **GENERAL ORDER**

**SB 1203** by Helton of the Senate and Roberts of the House was called up for consideration.

Senator Rabon asked to coauthor **SB 1203**, which was the order.

Senator Helton moved that **SB 1203** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1203** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Nay: Monson.--1.

Excused: Hobson, Littlefield and Pruitt.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1203** was referred for engrossment.

**GENERAL ORDER**

**SB 1169** by Maddox of the Senate and Rice of the House was called up for consideration.

Senator Dunlap asked to coauthor **SB 1169**, which was the order.

Senator Maddox moved to amend **SB 1169**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Maddox moved that **SB 1169** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1169** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers,

Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Williams and Williamson.--43.

Excused: Hobson, Littlefield, Smith and Wilkerson.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1169** was referred for engrossment.

### **GENERAL ORDER**

**SB 1372** by Monson and Gumm of the Senate and Nations of the House was called up for consideration.

Senator Monson moved to amend **SB 1372**, Page 1, Line 14, by deleting after the word "1." and before the word "rule" the word "Any" and inserting in lieu thereof the words "For any"; Page 1, Lines 15-17, by deleting after the word "control" on Line 15 and before the word "the" on Line 17 all language and inserting in lieu thereof the words "multiple source medications,"; and Page 1, Line 17, by deleting after the word "provider" and before the word "certify" the word "to" and inserting in lieu thereof the word "may", which amendment was declared adopted.

Senator Monson moved to amend **SB 1372**, Page 4, Line 19, by deleting after the word "departments" and before the word "county" the word "or" and inserting in lieu thereof a comma (,); Page 4, Line 19, by inserting after the second comma (,) and before the word "or" the words "charitable pharmacies"; and Page 4, Line 19, by deleting after the second word "or" and before the word "free" the word "to", which amendment was declared adopted.

Senator Monson moved that **SB 1372** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1372** 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, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith,

Snyder, Taylor, Wilcoxson, Williams and Williamson.--45.

Excused: Hobson and Wilkerson.--2.

Vacancy: District 18.--1.

The bill passed.

**SB 1372** was referred for engrossment.

**Senator Rabon presiding.**

### **GENERAL ORDER**

**SB 1311** by Gumm of the Senate and Langmacher of the House was called up for consideration.

Senator Gumm moved that **SB 1311** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1311** 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, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Hobson and Leftwich.--2.

Vacancy: District 18.--1.

The bill passed.

Senator Leftwich desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 46; Excused: 1; Vacancy: 1.

The emergency passed.

**SB 1311** was referred for engrossment.

### **GENERAL ORDER**

**SB 1354** by Snyder and Fair of the Senate and Hiatt and Wright of the House was called up for consideration.

Senator Snyder moved that **SB 1354** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1354** 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, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Hobson.--1.

Vacancy: District 18.--1.

The bill passed.

**SB 1354** was referred for engrossment.

### **GENERAL ORDER**

**SB 1272** by Corn and Gumm of the Senate and Harrison of the House was called up for consideration.

Senator Corn moved that **SB 1272** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1272** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Hobson.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1272** was referred for engrossment.

### **MOTION TO RECONSIDER VOTE**

Senator Williams moved to reconsider the vote whereby **SB 1473** failed, which motion was declared adopted upon roll call as follows:

Aye: Branan, Cain, Capps, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--37.

Nay: Aldridge, Brogdon, Coates, Coffee, Dunlap, Laughlin, Nichols, Pruitt and Reynolds.--9.

Excused: Hobson.--1.

Vacancy: District 18.--1.

**SB 1473** was placed on Third Reading.

### **GENERAL ORDER**

**SB 1598** by Cain of the Senate and Winchester of the House was called up for consideration.

Senator Cain moved that **SB 1598** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1598** 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, Ford, Gumm, Harrison, Helton, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Johnson.--1.

Excused: Fisher and Hobson.--2.

Vacancy: District 18.--1.

The bill passed.

Senator Fisher desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 45; Nay: 1; Excused: 1; Vacancy: 1.

The emergency passed.

**SB 1598** was referred for engrossment.

## **GENERAL ORDER**

**SB 1335** by Corn of the Senate and Ferguson of the House was called up for consideration.

Senator Corn moved that **SB 1335** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1335** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--46.

Excused: Hobson.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1335** was referred for engrossment.

### **GENERAL ORDER**

**SB 1578** by Cain of the Senate and Balkman of the House was called up for consideration.

Senator Cain moved that **SB 1578** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1578** 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, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

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

Vacancy: District 18.--1.

The bill passed.

**SB 1578** was referred for engrossment.

### **THIRD READING**

**SB 1473** 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, Corn, Crutchfield, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance,

Maddox, Milacek, Monson, Morgan, Myers, Price, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Nay: Aldridge, Brogdon, Coffee, Laughlin, Nichols, Pruitt and Reynolds.--7.

Excused: Dunlap and Littlefield.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1473** was referred for engrossment.

### **GENERAL ORDER**

**SB 1342** by Gumm of the Senate and Roan of the House was called up for consideration.

Senator Gumm moved to amend **SB 1342**, Page 1, by striking the title, which amendment was declared adopted.

Senator Gumm moved that **SB 1342** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1342** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--42.

Nay: Laughlin and Pruitt.--2.

Excused: Coffee, Dunlap and Littlefield.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1342** was referred for engrossment.

**Senator Robinson presiding.**

### **GENERAL ORDER**

**SB 1461** by Williamson of the Senate and Peters of the House was called up for consideration.

Senator Williamson moved that **SB 1461** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1461** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Coffee, Dunlap, Littlefield and Pruitt.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1461** was referred for engrossment.

### **MESSAGE FROM THE HOUSE**

Advising passage of and transmitting for consideration Engrossed **HBs 1038, 1803, 1870, 1885, 1933, 1935, 1937, 1939, 1941, 1943, 1945, 1947, 1951, 1953, 1955, 1957, 1959, 1961, 1963, 2042, 2044, 2046, 2048, 2050, 2052, 2054, 2056, 2058, 2060, 2101, 2110, 2127, 2145, 2205, 2241, 2252, 2254, 2324, 2358, 2395, 2400, 2441, 2444, 2574, 2598, 2623, 2712 and 2723** and **HCR 1053**.

**HB 1038** – By Maddux of the House and Laughlin of the Senate.

An Act relating to waters and water rights; amending 82 O.S. 2001, Section 1020.6, which relates to groundwater; providing for issuance of regular permits for certain groundwater usage; providing for issuance of final orders for determining annual yields of groundwater; providing for certain allocations; providing certain conditions; limiting

certain amounts in certain situations; modifying contents of final orders; modifying and providing for certain hearings; and declaring an emergency.

**HB 1803** – By Askins, Pope, Adkins, Coleman, Perry, Deutschendorf, Easley and Covey of the House and Price of the Senate.

( revenue and taxation – amending 68 O.S., Sections 802.1 and 809 – estate tax – repealing 28 sections in Title 68 – codification – effective dates )

**HB 1870** – By Gilbert of the House and Lawler of the Senate.

An Act relating to children; amending 10 O.S. 2001, Section 175.1, which relates to Children with Special Health Care Needs Program; clarifying purpose of program; and declaring an emergency.

**HB 1885** – By Davis of the House and Smith of the Senate.

An Act relating to corporations; amending 18 O.S. 2001, Section 1036, which relates to fractions of shares; requiring corporations to issue fractional shares under certain circumstances; and providing an effective date.

**HB 1933** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Health Care Authority – appropriation – effective date – emergency )

**HB 1935** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( J.D. McCarty Center for Children with Developmental Disabilities – appropriation – effective date – emergency )

**HB 1937** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( University Hospitals Authority – appropriation – effective date – emergency )

**HB 1939** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Commission on Children and Youth – appropriation – effective date – emergency )

**HB 1941** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Office of Handicapped Concerns – appropriation – effective date – emergency )

**HB 1943** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Human Rights Commission – appropriation – effective date – emergency )

**HB 1945** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Indian Affairs Commission – appropriation – effective date – emergency )

**HB 1947** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Capitol Complex and Centennial Commission - duties and compensation of employees - effective date – emergency )

**HB 1951** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Conservation Commission – budgetary limitations – effective date – emergency )

**HB 1953** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Historical Society – appropriation – effective date – emergency )

**HB 1955** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( J.M. Davis Memorial Commission – appropriation – effective date – emergency )

**HB 1957** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Department of Labor – appropriation – effective date – emergency )

**HB 1959** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Scenic Rivers Commission – budgetary limitations – effective date – emergency )

**HB 1961** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Water Resources Board – appropriation – effective date – emergency )

**HB 1963** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Will Rogers Memorial Commission – appropriation – effective date – emergency )

**HB 2042** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( State Department of Health - appropriation - effective date – emergency )

**HB 2044** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Department of Mental Health and Substance Abuse Services - appropriation - effective date – emergency )

**HB 2046** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Oklahoma Department of Veterans Affairs – appropriation – effective date – emergency )

**HB 2048** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Department of Human Services – appropriation – effective date – emergency )

**HB 2050** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Office of Juvenile Affairs – appropriation – effective date – emergency )

**HB 2052** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( State Department of Rehabilitation Services – appropriation – effective date – emergency )

**HB 2054** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( State Department of Agriculture – appropriation - effective date - emergency )

**HB 2056** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Commission on Consumer Credit – appropriation – effective date – emergency )

**HB 2058** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Corporation Commission – appropriation – effective date – emergency )

**HB 2060** – By Mitchell and Bonny of the House and Morgan and Robinson of the Senate.

( Department of Environmental Quality – appropriation - effective date – emergency )

**HB 2101** – By Paulk and Lindley of the House and Helton and Leftwich (Debbe) of the Senate.

An Act relating to insurance; amending 36 O.S. 2001, Section 1250.8, as amended by Section 1, Chapter 358, O.S.L. 2003 (36 O.S. Supp. 2003, Section 1250.8), which relates to the Unfair Claims Settlement Practices Act; making insurer responsible for certain towing and storage fees; and providing an effective date.

**HB 2110** – By Kirby and Cox of the House and Wilkerson of the Senate.

An Act relating to the Sex Offenders Registration Act; amending 57 O.S. 2001, Section 583, as amended by Section 1, Chapter 153, O.S.L. 2002 and Section 1, Chapter 223, O.S.L. 2003 (57 O.S. Supp. 2003, Sections 583 and 590), which relate to registration, time limits, duration and residency restrictions; clarifying registration period; defining term; modifying exception to the residency restriction; and declaring an emergency.

**HB 2127** – By Lindley of the House and Lerblance of the Senate.

An Act relating to the Oklahoma Personnel Act; amending 74 O.S. 2001, Section 840-6.8, which relates to the Oklahoma Merit Protection Commission; clarifying process of payment of attorney fees under certain circumstances; and providing an effective date.

**HB 2145** – By Lindley, Braddock, Sullivan, Toure, Calvey and Hamilton of the House and Leftwich (Debbe) of the Senate.

An Act relating to schools; creating the Advancement of Hispanic Students in Higher Education Task Force; providing for termination of task force; stating purpose; providing for membership; requiring annual report; providing for staffing; providing for reimbursement of travel expenses; requiring members to be registered voters of this state; providing for codification; and providing an effective date.

**HB 2205** – By Wilt of the House and Coffee of the Senate.

An Act relating to inmate litigation reform; amending 12 O.S. 2001, Section 95, as amended by Section 1, Chapter 402, O.S.L. 2002 (12 O.S. Supp. 2002, Section 95), which relates to limitation of civil actions; modifying certain time limitation; adding time limitation for certain actions; amending 12 O.S. 2001, Section 397, as amended by Section 2, Chapter 402, O.S.L. 2002 (12 O.S. Supp. 2002, Section 397), which relates to prisoners as witnesses or parties; providing for certain notice; providing response time; prohibiting award of certain attorney fees; providing that certain writs are void; providing immunity for failure to execute void writ; amending 12 O.S. 2001, Section 1355, which relates to writs of habeas corpus; requiring payment of court costs for second and subsequent applications; amending 12 O.S. 2001, Section 2003.1, as amended by Section 6, Chapter 402, O.S.L. 2002 (12 O.S. Supp. 2002, Section 2003.1), which relates to the commencement of actions by inmates; modifying information that must be supplied by inmate; authorizing court to dismiss case with prejudice for noncompliance; amending 57 O.S. 2001, Section 332.7, as amended by Section 2, Chapter 306, O.S.L. 2003 (57 O.S. Supp. 2003, Section 332.7), which relates to parole consideration; modifying rule-making authority; amending 57 O.S. 2001, Section 510, as amended by Section 3, Chapter 82, O.S.L. 2003 (57 O.S. Supp. 2003, Section 510), which relates to the specific duties and powers of the Director of the Department of Corrections; expanding duties of Director to prescribe certain rules; amending 57 O.S. 2001, Section 549, which relates to certain powers and duties of the State Board of Corrections; modifying charges against inmate income accounts for costs of incarceration in certain circumstances; amending 57 O.S. 2001, Sections 566, as amended by Section 8, Chapter 402, O.S.L. 2002, 566.1, as amended by Section 9, Chapter 402, O.S.L. 2002 and Section 10, Chapter 402, O.S.L. 2002 (57 O.S. Supp. 2002, Sections 566, 566.1 and 566.3), which relate to inmate lawsuits; providing for the dismissal of a lawsuit when certain remedies have not been exhausted in a timely manner; modifying time for disbursement of certain funds; requiring dismissal of inmate lawsuits under certain circumstances; amending 63 O.S. 2001, Section 2-508, as amended by Section 1, Chapter 111, O.S.L. 2002 (63 O.S. Supp. 2002, Section 2-508), which relates to disposition of seized property pursuant to the Uniform Controlled Dangerous Substances Act; excepting certain property from seizure procedure of the Uniform Controlled Dangerous Substances Act; and providing an effective date.

**HB 2241** – By Sullivan, Peters, Trebilcock and Tibbs of the House and Aldridge of the Senate.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 1136, as last amended by Section 1, Chapter 211, O.S.L. 2003 (47 O.S. Supp. 2003, Section 1136), which relates to special license plates; modifying subject of certain special license plate; adding certain special license plates; authorizing Tax Commission to enter into a licensing agreement; providing for apportionment of certain fee; creating the Color Oklahoma Revolving Fund; providing for administration of the fund; and providing an effective date.

**HB 2252** – By O’Neal of the House and Smith of the Senate.

An Act relating to electronic transmission of documents; amending 22 O.S. 2001, Section 980, as amended by Section 2, Chapter 294, O.S.L. 2003 (22 O.S. Supp. 2003, Section 980), which relates to items that a sheriff must deliver when delivering a defendant to the Department of Corrections; providing that copy of judgment and sentence does not have to be delivered if previously sent electronically; amending 57 O.S. 2001, Section 37, which relates to procedures when correctional facilities reach maximum capacity; modifying procedure for transfer; authorizing documentation transfer by electronic mail; authorizing documentation transfer by court clerk; providing for transfer of judgment and sentence; amending 57 O.S. 2001, Section 95, which relates to delivery of sentenced persons by the sheriff; providing that copy of judgment and sentence does not have to be delivered if previously sent electronically; providing an effective date; and declaring an emergency.

**HB 2254** – By O’Neal of the House and Myers of the Senate.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 991a-4.1, which relates to the Community Service Sentencing Program; authorizing the court to waive certain prohibition upon application by the district attorney; making application and waiver part of the record of the case; and providing an effective date.

**HB 2324** – By Cox and Liotta of the House and Shurden of the Senate.

An Act relating to insurance; prohibiting property and casualty companies from increasing rates in certain circumstances; providing for codification; and providing an effective date.

**HB 2358** – By Smith and Adkins of the House and Laster of the Senate.

( corporation commission - exemption - religious persons - codification-effective date )

**HB 2395** – By Harrison of the House and Corn of the Senate.

( civil procedure - workplace harassment - expiration of injunctions – immunity - codification - effective date )

**HB 2400** – By Miller (Ray) of the House and Rozell of the Senate.

An Act relating to schools; amending 70 O.S. 2001, Sections 21-103, 21-106, as amended by Section 5, Chapter 301, O.S.L. 2002 and 21-111 (70 O.S. Supp. 2003, Section 21-106), which relate to the Oklahoma Board of Private Vocational Schools; modifying amount of certain penalties; modifying amount of certain license fees; changing where

certain fees are deposited; creating the Oklahoma Board of Private Vocational Schools Fund; making fund subject to appropriation and certification; stating source of the Fund; stating purpose of the Fund; providing for the transfer of the balance from Private Vocational Student Tuition Recovery Fund to the Fund; providing for codification; providing an effective date; and declaring an emergency.

**HB 2441** – By Roan of the House and Coffee of the Senate.

An Act relating to vessels and motors; amending 47 O.S. 2001, Section 2-105.6, which relates to the Lake Patrol Section of the Department of Public Safety; expanding scope of the Lake Patrol Section; amending 63 O.S. 2001, Section 4030, as last amended by Section 2, Chapter 393, O.S.L. 2003 (63 O.S. Supp. 2003, Section 4030), which relates to display of permanent number on vessel; deleting requirement that a special decal be issued under certain circumstance; amending 63 O.S. 2001, Section 4032, as amended by Section 3, Chapter 393, O.S.L. 2003 (63 O.S. Supp. 2003, Section 4032), which relates to violations and punishments; conforming registration date; amending 63 O.S. 2001, Section 4035, which relates to demonstration permits; adding definition; amending 63 O.S. 2001, Section 4221, which relates to Oklahoma Boating Safety Regulation Act; expanding scope of enforcement; and providing an effective date.

**HB 2444** – By Roan of the House and Wilkerson of the Senate.

An Act relating to law enforcement; amending 4 O.S. 2001, Section 85.5, which relates to duties of peace officer; providing housing for animals under certain circumstances; providing for the establishment of certain facilities for housing; authorizing the promulgation of rules; amending 21 O.S. 2001, Sections 1767.1, as amended by Section 1, Chapter 168, O.S.L. 2003 and 1767.3, as amended by Section 2, Chapter 168, O.S.L. 2003 (21 O.S. Supp. 2003, Sections 1767.1 and 1767.3), which relate to bombs and explosives; expanding scope of prohibited acts; modifying definition of explosive; amending Section 3, Chapter 168, O.S.L. 2003 (21 O.S. Supp. 2003, Section 1767.5), which relates to possession, manufacture, storage, or use of explosives without permit; expanding scope of exemptions; amending 22 O.S. 2001, Section 751, which relates to the admission of findings at certain hearings; including certain report from the Department of Public Safety; amending 47 O.S. 2001, Sections 2-108 and 2-110, as amended by Section 2, Chapter 86, O.S.L. 2002 (47 O.S. Supp. 2003, Section 2-110), which relate to the Department of Public Safety; providing for the appointment of a personal representative by the Commissioner; allowing the adoption of certain signature; allowing certain employees to affix signature to certain documents; clarifying which videotape recordings may be copied; defining term; prohibiting the possession, use or interference with a traffic signal preemption device; providing for exceptions; prohibiting distribution of traffic signal preemption devices; providing an exception; amending 47 O.S. 2001, Section 11-705, as amended by Section 11, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2003, Section 11-705), which relates to meeting or overtaking stopped school bus; providing penalty; amending 74 O.S. 2001, Section 150.21b, which relates to Oklahoma State Bureau of Investigation reports concerning deadly force; modifying scope of investigations involving deadly force; amending 74 O.S. 2001, Section 500.2, which relates to the State Travel Reimbursement Act; allowing certain contracts and agreements; designating payment of expenses for certain employees; providing for the use of certain funds; specifying rate for certain

expense; amending 74 O.S. 2001, Section 840-5.5, as last amended by Section 1, Chapter 382, O.S.L. 2003 (74 O.S. Supp. 2003, Section 840-5.5), which relates to unclassified service; modifying unclassified service position within the Department of Public Safety; providing for codification; and declaring an emergency.

**HB 2574** – By Rice of the House and Helton of the Senate.  
( utilities - amending 63 O.S., Section 142.2 - Underground Facilities Damage Prevention Act – emergency )

**HB 2598** – By Ellis and Adkins of the House and Rozell of the Senate.  
( firefighting personnel – amending 74 O.S., Sections 902, 915, 916.3 and 919.1 – Public Employees Retirement System – amending 2 O.S., Section 16-8 – Forestry Division – effective date – emergency )

**HB 2623** – By Covey and Pope of the House and Laughlin of the Senate.  
( agriculture – amending 2 O.S., Section 9-205.3a – Oklahoma Concentrated Animal Feeding Operations Act – Odor Abatement Plan – codification – emergency )

**HB 2712** – By Toure of the House and Monson of the Senate.  
An Act relating to elections; providing that vacancies in the office of district judge or associate district judge be filled at a nonpartisan special election; requiring a proclamation of the calling of the election; providing for filing of copy of proclamation; providing dates for filing declarations of candidacy and for elections; providing that general election laws apply; providing that unopposed candidate be issued certificate of election; providing that successful candidate serve the remainder of the unexpired term; amending 51 O.S. 2001, Section 10, which relates to vacancies in certain offices; eliminating provision that the Governor fill by appointment vacancies in office of district judge or associate district judge; providing for codification; and providing an effective date.

**HB 2723** – By Pettigrew of the House and Coffee of the Senate.  
( public health and safety – amending 12 sections in Title 63 – Long-term Care – Nursing Home Care Act – emergency )

**HCR 1053** – By Roan, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, DeWitt, Deutschendorf, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O’Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Gumm of the Senate.

A Concurrent Resolution designating the LCDR Clarence O. “Smokey” Tolbert Memorial Highway; directing the Oklahoma Department of Transportation to place permanent markers; and directing distribution.

The above-numbered measures were read the first time.

Senator Fisher moved that the Senate recess until 2:30 p.m., which motion was declared adopted.

\*

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 further conference granted and naming same House conferees on Engrossed:

**HB 1418** - Hutchison, Erwin, Case, Maddux, Mitchell, Bonny, Ingmire

#### **GENERAL ORDER**

**SB 1227** by Milacek of the Senate and Roggow of the House was called up for consideration.

Senator Milacek moved to amend **SB 1227**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Milacek moved that **SB 1227** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1227** 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, Coates, Coffee, Corn, Crutchfield, Dunlap, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Williams and Williamson.--40.

Excused: Capps, Fair, Johnson, Price, Pruitt, Snyder and Wilkerson.--7.

Vacancy: District 18.--1.

The bill passed.

**SB 1227** was referred for engrossment.

### **GENERAL ORDER**

**SB 1460** by Leftwich (Debbe) of the Senate and Ingmire of the House was called up for consideration.

Senator Leftwich (Debbe) moved that **SB 1460** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1460** 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, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Williams and Williamson.--41.

Excused: Capps, Johnson, Morgan, Pruitt, Snyder and Wilkerson.--6.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1460** was referred for engrossment.

### **GENERAL ORDER**

**SB 1212** by Maddox et al of the Senate and Askins of the House was called up for consideration.

Senator Maddox moved to amend **SB 1212**, Page 1, Line 24, by inserting after the period the following language:

“The OWPI will be a joint project of the University of Oklahoma and Oklahoma State University. The OWPI shall serve as technical advisors to the Oklahoma Wind Power Assessment Committee created in Section 2 above.”, which amendment was declared adopted.

Senator Maddox moved that **SB 1212** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1212** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Williams and Williamson.--43.

Excused: Johnson, Pruitt, Snyder and Wilkerson.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1212** was referred for engrossment.

**GENERAL ORDER**

**SB 1435** by Laster of the Senate and Toure of the House was called up for consideration.

Senator Laster moved that **SB 1435** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1435** 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--44.

Excused: Johnson, Morgan and Wilkerson.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1435** was referred for engrossment.

**GENERAL ORDER**

**SB 1401** by Cain of the Senate and Ingmire of the House was called up for consideration.

Senator Cain moved that **SB 1401** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1401** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers,

Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--44.

Excused: Coffee, Johnson and Wilkerson.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1401** was referred for engrossment.

### **GENERAL ORDER**

**SB 1255** by Robinson of the Senate and Vaughn of the House was called up for consideration.

Senator Robinson moved that **SB 1255** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1255** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--44.

Excused: Coffee, Johnson and Wilkerson.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1255** was referred for engrossment.

### **GENERAL ORDER**

**SB 1470** by Williams et al of the Senate and Blackburn and McIntyre of the House was called up for consideration.

Senator Gumm asked to coauthor **SB 1470**, which was the order.

Senator Williams moved that **SB 1470** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1470** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and Williamson.--44.

Excused: Coffee, Johnson and Wilkerson.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1470** was referred for engrossment.

### **GENERAL ORDER**

**SB 1299** by Shurden of the Senate and Leist of the House was called up for consideration.

Senator Shurden moved that **SB 1299** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1299** 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, Brogdon, Capps, Coates, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Williams and

Williamson.--39.

Nay: Branan, Cain, Corn, Monson and Reynolds.--5.

Excused: Coffee, Johnson and Wilkerson.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1299** was referred for engrossment.

### **GENERAL ORDER**

**SJR 41** by Maddox of the Senate and Winchester of the House was called up for consideration.

Senator Williams and Representative Armes asked to coauthor **SJR 41**, which was the order.

Senator Maddox moved that **SJR 41** be advanced, which motion was declared adopted.

### **THIRD READING**

**SJR 41** was read for the third time at length.

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

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

Excused: Johnson and Wilkerson.--2.

Vacancy: District 18.--1.

The resolution passed.

**SJR 41** was referred for engrossment.

## **GENERAL ORDER**

**SB 1568** by Monson of the Senate and Dorman of the House was called up for consideration.

Senator Reynolds moved to amend **SB 1568**, Page 1, Line 20, by inserting after the word "Psychologists," the words "until December 31, 2004," and by amending the title to conform, which amendment was declared adopted.

Senator Coffee moved to amend **SB 1568**, Page 1, by striking the title, which amendment was declared adopted.

Senator Cain moved to amend **SB 1568**, Page 3, Line 3, by deleting all language after the numerals "2004" and before the period, which amendment was declared adopted.

Senator Monson moved that **SB 1568** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1568** was read for the third time at length.

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

Aye: Cain, Capps, Coffee, Corn, Crutchfield, Fisher, Gumm, Harrison, Helton, Hobson, Kerr, Laster, Lawler, Leftwich, Littlefield, Milacek, Monson, Morgan, Myers, Rabon, Robinson, Rozell, Shurden, Taylor, Wilkerson and Williams.--26.

Nay: Aldridge, Branan, Brogdon, Coates, Dunlap, Fair, Ford, Horner, Laughlin, Lerblance, Nichols, Price, Pruitt, Reynolds, Riley, Wilcoxson and Williamson.--17.

Excused: Johnson, Maddox, Smith and Snyder.--4.

Vacancy: District 18.--1.

The bill passed.

Senators Riley, Snyder, Branan, Price, Coates and Wilcoxson desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 32; Nay: 11; Excused: 3; Vacancy: 1.

The emergency passed.

Pursuant to Rule 12-23, Senator Fair served notice that the vote be reconsidered whereby **SB 1568** passed.

### **GENERAL ORDER**

**SB 1108** by Helton of the Senate and Nations of the House was called up for consideration.

Senator Helton moved that **SB 1108** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1108** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--43.

Excused: Johnson, Monson, Pruitt and Smith.--4.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1108** was referred for engrossment.

### **GENERAL ORDER**

**SB 1310** by Branam and Williams of the Senate and Winchester of the House was called up for consideration.

Senator Branam moved that **SB 1310** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1310** 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, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--40.

Nay: Corn, Price, Rabon and Rozell.--4.

Excused: Johnson, Monson and Pruitt.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1310** was referred for engrossment.

## **GENERAL ORDER**

**SB 1150** by Riley of the Senate and Phillips of the House was called up for consideration.

Senators Fair, Dunlap, Reynolds, Snyder, Shurden, Monson, Brogdon, Williamson, Horner, Helton, Gumm, Crutchfield, Rozell, Branan, Harrison, Lawler, Taylor and Corn asked to coauthor **SB 1150**, which was the order.

Senator Riley moved that **SB 1150** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1150** 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, Dunlap, Fair, Ford, Gumm, Harrison, Helton, Hobson, Horner, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Nay: Aldridge, Fisher, Kerr, Leftwich, Nichols, Price and Pruitt.--7.

Excused: Johnson.--1.

Vacancy: District 18.--1.

\*Not Voting: Myers.—1.

The bill passed.

\*Senator Myers asked to be shown not voting on **SB 1150** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

**SB 1150** was referred for engrossment.

### **GENERAL ORDER**

**SB 1256** by Robinson of the Senate and Vaughn et al of the House was called up for consideration.

Senator Robinson moved to amend **SB 1256**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Robinson moved that **SB 1256** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1256** 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, Fair, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--44.

Excused: Fisher, Johnson and Williamson.--3.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1256** was referred for engrossment.

## **MESSAGE FROM THE HOUSE**

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

**SB 601** - Peters, Lindley, Balkman, Roberts, Adkins, Hamilton, Gilbert

## **GENERAL ORDER**

**SB 1381** by Smith of the Senate and Braddock of the House was called up for consideration.

Senator Smith moved to amend **SB 1381**, Page 2, Line 9, by inserting after word “that” and before the word “no” the words “no forfeitures are owed to any court, no fines are owed to the insurance department, and”; Page 2, Lines 9 and 10, by deleting all new language and inserting in lieu thereof the language “or indemnification for forfeitures or fines”, and by amending the title to conform, which amendment was declared adopted.

Senator Smith moved that **SB 1381** be advanced, which motion was declared adopted.

## **THIRD READING**

**SB 1381** 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, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Fisher, Johnson and Price.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1381** was referred for engrossment.

**GENERAL ORDER**

**SB 1280** by Robinson of the Senate and Hilliard of the House was called up for consideration.

Senator Robinson moved that **SB 1280** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1280** 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, Fair, Fisher, Gumm, Harrison, Helton, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

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

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1280** was referred for engrossment.

**Senator Gumm presiding.****GENERAL ORDER**

**SB 1373** by Myers of the Senate and Peterson (Ron) of the House was called up for consideration.

Senator Myers moved that **SB 1373** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1373** 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, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Nay: Nichols.--1.

Excused: Ford and Harrison.--2.

Vacancy: District 18.--1.

The bill passed.

**SB 1373** was referred for engrossment.

### **GENERAL ORDER**

**SB 1121** by Rabon of the Senate and Pope of the House was called up for consideration.

Senator Rabon moved that **SB 1121** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1121** 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, Gumm, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor, Wilcoxson, Wilkerson and Williamson.--43.

Excused: Ford, Harrison, Smith and Williams.--4.

Vacancy: District 18.--1.

The bill passed.

**SB 1121** was referred for engrossment.

**GENERAL ORDER**

**SB 1208** by Laster of the Senate and Steele of the House was called up for consideration.

Senator Laster moved that **SB 1208** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1208** 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, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--45.

Excused: Ford and Williamson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1208** was referred for engrossment.

**THIRD READING**

**SB 1172**, considered on Page 567, was called up for further consideration.

Senator Corn moved to reconsider the vote whereby **SB 1172** was advanced, which motion was declared adopted.

**GENERAL ORDER**

**SB 1172** by Corn and Gumm of the Senate and Smithson of the House was called up for further consideration.

Senator Corn moved to amend **SB 1172**, Page 3, Line 5, by deleting after the first word "than" and before the word "nor" the language "five (5) years" and inserting in lieu thereof the language "ten (10) years", which amendment was declared adopted.

Senator Corn moved that **SB 1172** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1172** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--46.

Excused: Williamson.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1172** was referred for engrossment.

### **GENERAL ORDER**

**SB 1216** by Laughlin of the Senate and Blackwell of the House was called up for consideration.

Senator Laughlin moved to amend **SB 1216**, Page 1, Line 17, by deleting after the word "off" and before the second word "Class" the words "Class B or", and by amending the title to conform, which amendment was declared adopted.

Senator Laughlin moved that **SB 1216** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1216** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson,

Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--46.

Excused: Williamson.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1216** was referred for engrossment.

### **GENERAL ORDER**

**SB 1419** by Smith of the Senate and Erwin of the House was called up for consideration.

Senator Fisher moved to amend **SB 1419**, Page 1, by striking the title, which amendment was declared adopted.

Senator Smith moved that **SB 1419** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1419** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Johnson, Kerr, Laster, Laughlin, Leftwich, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--39.

Nay: Aldridge, Lawler, Lerblance, Monson, Price and Robinson.--6.

Excused: Horner and Williamson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1419** was referred for engrossment.

**PENDING SENATE ACTION  
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for further conference was ordered granted and same Senate conferees appointed as follows:

**SB 601** – Smith, Cain, Williams

**GENERAL ORDER**

**SCR 38** by Milacek of the Senate and DeWitt of the House was called up for consideration.

Senator Milacek moved to amend **SCR 38**, Page 1, by restoring the title, which amendment was declared adopted.

**SCR 38** was adopted upon motion of Senator Milacek and referred for engrossment.

**GENERAL ORDER**

**HB 2076** by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Wilkerson moved that **HB 2076** be advanced, which motion was declared adopted.

**THIRD READING**

**HB 2076** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson, Wilkerson and Williams.--45.

Excused: Snyder and Williamson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 2076** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**HB 1950** by Mitchell and Bonny of the House and Morgan and Robinson of the Senate was called up for consideration.

Senator Littlefield moved that **HB 1950** be advanced, which motion was declared adopted.

### **THIRD READING**

**HB 1950** 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, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--45.

Excused: Coates and Williamson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**HB 1950** was properly signed and ordered returned to the Honorable House.

### **GENERAL ORDER**

**SB 1340** by Laster of the Senate and Blackburn of the House was called up for consideration.

Senator Laster moved that **SB 1340** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1340** 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, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--45.

Excused: Shurden and Williamson.--2.

Vacancy: District 18.--1.

The bill passed.

**SB 1340** was referred for engrossment.

### **GENERAL ORDER**

**SB 1600** by Cain of the Senate and Vaughn of the House was called up for consideration.

Senator Cain moved to amend **SB 1600**, Page 1, by restoring the title.

Senator Cain asked that **SB 1600** be laid over temporarily, which was the order.

**SB 1600** remains on pending consideration of the Cain amendment.

### **GENERAL ORDER**

**SB 1360** by Laughlin of the Senate and Covey of the House was called up for consideration.

Senator Laughlin moved that **SB 1360** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1360** 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, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Snyder, Taylor,

Wilcoxson, Wilkerson and Williams.--44.

Excused: Dunlap, Smith and Williamson.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1360** was referred for engrossment.

### **GENERAL ORDER**

**SB 1168** by Lawler of the Senate and Paulk of the House was called up for consideration.

Senator Lawler moved that **SB 1168** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1168** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--45.

Excused: Pruitt and Williamson.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1168** was referred for engrossment.

### **GENERAL ORDER**

**SB 1284** by Robinson of the Senate and Adair of the House was called up for consideration.

Senator Robinson moved that **SB 1284** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1284** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Kerr, Laster, Laughlin, Lawler, Lerblance, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--41.

Excused: Coffee, Johnson, Leftwich, Price, Pruitt and Williamson.--6.

Vacancy: District 18.--1.

The bill passed.

**SB 1284** was referred for engrossment.

### **GENERAL ORDER**

**SB 1386** by Branan of the Senate and Sullivan of the House was called up for consideration.

Senator Crutchfield asked to coauthor **SB 1386**, which was the order.

Senator Branan moved to amend **SB 1386**, Page 10, Lines 2 and 3, by deleting the words and numerals "seventy-five (75)" and inserting in lieu thereof the word and numeral "sixty (60)", which amendment was declared adopted.

Senator Branan moved that **SB 1386** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1386** 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, Coates, Corn, Crutchfield, Fair, Ford, Gumm, Helton, Johnson, Laster, Laughlin, Littlefield, Milacek, Myers, Reynolds, Riley, Shurden, Snyder, Taylor and Wilkerson.--23.

Nay: Capps, Dunlap, Fisher, Harrison, Hobson, Horner, Kerr, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Nichols, Rabon, Robinson, Rozell, Smith, Wilcoxson and Williams.--20.

Excused: Coffee, Price, Pruitt and Williamson.--4.

Vacancy: District 18.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Branan served notice that the vote be reconsidered whereby **SB 1386** failed.

### **GENERAL ORDER**

**SB 1328** by Rabon of the Senate and Carey of the House was called up for consideration.

Senator Rabon moved that **SB 1328** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1328** 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, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--41.

Nay: Brogdon.--1.

Excused: Coffee, Milacek, Price, Pruitt and Williamson.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1328** was referred for engrossment.

### **GENERAL ORDER**

**SB 1472** by Snyder of the Senate and Jones of the House was called up for consideration.

Senator Snyder moved that **SB 1472** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1472** 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, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson and Williams.--42.

Excused: Coffee, Milacek, Price, Pruitt and Williamson.--5.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1472** was referred for engrossment.

### **GENERAL ORDER**

**SB 1570** by Johnson of the Senate and Winchester of the House was called up for consideration.

Senator Johnson moved to amend **SB 1570**, Page 1, by restoring the title, which amendment failed of adoption upon roll call as follows:

Aye: Aldridge, Branan, Cain, Capps, Coates, Coffee, Crutchfield, Fair, Harrison, Horner, Johnson, Laster, Laughlin, Milacek, Pruitt, Reynolds, Snyder and Williams.--18.

Nay: Brogdon, Corn, Dunlap, Fisher, Gumm, Helton, Hobson, Kerr, Lawler, Leftwich, Lerblance, Maddox, Monson, Morgan, Myers, Nichols, Rabon, Riley, Robinson, Rozell, Shurden, Smith, Taylor, Wilcoxson and Wilkerson.--25.

Excused: Ford, Littlefield, Price and Williamson.--4.

Vacancy: District 18.--1.

Senator Johnson moved that **SB 1570** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 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, Coates, Coffee, Corn, Crutchfield, Dunlap, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Laster, Laughlin, Littlefield, Maddox, Milacek, Morgan, Myers, Nichols, Pruitt, Reynolds, Riley, Robinson, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--38.

Nay: Capps, Kerr, Lawler, Leftwich, Lerblance, Monson, Rabon and Rozell.--8.

Excused: Price.--1.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1570** was referred for engrossment.

### **GENERAL ORDER**

**SB 1509** by Smith of the Senate and Ingmire of the House was called up for consideration.

Senator Smith moved that **SB 1509** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1509** 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, Fair, Fisher, Ford, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr,

Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Milacek and Price.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1509** was referred for engrossment.

### **GENERAL ORDER**

**SB 1600** by Cain of the Senate and Vaughn of the House was called up for further consideration.

Senator Cain pressed his prior amendment to restore the title, which amendment was declared adopted.

Senator Cain moved that **SB 1600** be advanced, which motion was declared adopted.

### **THIRD READING**

**SB 1600** 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, Kerr, Laster, Laughlin, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--44.

Excused: Johnson, Milacek and Price.--3.

Vacancy: District 18.--1.

The bill passed.

**SB 1600** was referred for engrossment.

**GENERAL ORDER**

**SB 1406** by Robinson and Williams of the Senate and Staggs of the House was called up for consideration.

Senator Robinson moved that **SB 1406** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1406** 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, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilcoxson, Wilkerson, Williams and Williamson.--45.

Excused: Milacek and Price.--2.

Vacancy: District 18.--1.

The bill passed.

**SB 1406** was referred for engrossment.

**GENERAL ORDER**

**SB 1224** by Robinson of the Senate and Peters of the House was called up for consideration.

Senator Robinson moved to amend **SB 1224**, Page 2, Line 19, by inserting after the period the following language "Provided however, for purposes of this paragraph, back seat shall include all seats located behind the front seat of a vehicle operated by a licensed child care facility or church. Provided further, there shall be a rebuttable presumption that a child has met the weight requirements of this paragraph if at the request of any law enforcement officer, the licensed child care facility or church provides the officer with a written statement verified by the parent or legal guardian that the child weighs more than forty (40) pounds." and by amending the title to conform, which amendment was declared adopted.

Senator Robinson moved that **SB 1224** be advanced, which motion was declared adopted.

**THIRD READING**

**SB 1224** 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, Corn, Crutchfield, Dunlap, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Lerblance, Littlefield, Maddox, Monson, Morgan, Myers, Nichols, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Taylor, Wilkerson, Williams and Williamson.--38.

Nay: Brogdon, Coffee, Fair, Ford, Laughlin, Pruitt and Wilcoxson.--7.

Excused: Milacek and Price.--2.

Vacancy: District 18.--1.

The bill and emergency passed.

**SB 1224** was referred for engrossment.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, March 4, 2004, at 9:00 a.m., which motion prevailed.

**BILL RELEASED  
TIME EXPIRED TO RECONSIDER**

**SB 1385** was referred for engrossment.

**FIRST READING**

The following was introduced and read the first time:

**SCR 48** – By Rabon of the Senate and Ellis of the House.

A Concurrent Resolution honoring the life and work of Ted Woodruff; offering deepest condolences to his family and friends; and directing distribution.

Pursuant to the Fisher motion, the Senate adjourned at 5:35 p.m. to meet Thursday, March 4, 2004, at 9:00 a.m.