

## **Third Legislative Day**

**Wednesday, February 9, 2000**

The House was called to order by Speaker Benson.

The roll was called with 98 Members present.

The following Members were excused: Boyd, Deutschendorf, Hiatt.—3.

The Speaker declared a quorum present.

Prayer was offered by Reverend William F. Todd, Centenary Methodist Church, Lawton, Oklahoma.

The Journal for the last legislative day was approved.

### **RESOLUTION FOR CONSIDERATION**

**SCR 63** was called up for consideration.

Upon unanimous consent request of Representative Mass, all Members of the House were added as coauthors.

Upon motion of Representative Mass, **SCR 63** was considered and adopted.

**SCR 63** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

## Speaker Pro Tempore Adair Presiding

### GENERAL ORDER

**HB 2653** by Benson of the House and Taylor of the Senate was read and considered.

Coauthored by Representative(s) Settle, Glover, Adair, Askins, Begley, Braddock, Collins, Covey, Cox, Easley, Ervin, Fields, Gilbert, Hilliard, Kirby, Leist, Lindley, McCarter, Mitchell, Nations, Ostrander, Roberts, Ross, Staggs, Thomas, Turner

Coauthored by Senator(s) Haney, Hobson, Mickle, Williams, Rozell, Capps, Leftwich, Fisher, Henry, Morgan, Crutchfield, Stipe, Dickerson, Horner, Cain, Kerr, Harrison, Easley, Littlefield, Wilkerson, Herbert, Monson, Helton, Muegge, Price, Maddox, Rabon, Long, Weedn, Robinson

Speaker Benson moved to amend **HB 2653** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute. (Xerox copies for Members)

Speaker Benson moved to amend the floor substitute by striking the title, which amendment was declared adopted.

Representative Gray moved to amend the floor substitute, Page 2, Line 18 by inserting a new section to read as follows and renumbering subsequent sections, which amendment was declared adopted:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5009.5 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The Oklahoma Health Care Authority shall provide Medicaid services for persons who meet the income standards of the Qualified Medicare Beneficiary (QMB) Program.

B. It is the intent of the Legislature that senior citizens who meet the income standards of the Qualified Medicare Beneficiary (QMB) Program receive three prescription medications to improve their quality of life.”

Representative Mass moved to amend the floor substitute, Page 7, Line 14 1/2 by inserting a new section to read as follows and renumbering subsequent sections, which amendment was declared adopted:

“SECTION 7. A. Effective July 1, 2000, all full-time and part-time officers and employees, including temporary and other limited-term employees, of the state who were employed by the state on the last working day of December 1999 shall be awarded an annualized salary increase equal to Two Thousand Five Hundred Dollars (\$2,500.00), after any other adjustments are made.

- B. As used in this section, “temporary employees” are those persons who
1. Are not full-time or permanent employees;
  2. Are not otherwise excluded by subsection G of this section; and

3. Are compensated by an agency, board, commission or department or other employing entity for a limited duration and without any subjective expectation by either the employer or the employee that the employment will become permanent.

C. Except for those personnel specifically excluded from eligibility for any increase or advancement in salary pursuant to this section, the salary increase provided by this section shall be applicable to:

1. County election board secretaries;
2. Employees of county health departments; and
3. Employees of a soil conservation district.

D. Part-time employees shall receive a prorated annualized increase provided for in this section.

E. Employees eligible for the increase provided for in this section who are on leave without pay on July 1, 2000 shall receive an annualized increase, effective upon their return to work, but shall not receive any increase for a period of time prior to the return to work.

F. Employees who leave the state service before July 1, 2000, and who are reinstated or reemployed in the state service during July, 2000 without a break in service, who are otherwise eligible for the pay increase provided for in this section, shall be granted such raise effective immediately upon such reinstatement or reemployment. As used in this subsection, "break in service" is defined as a period of time in excess of thirty (30) calendar days between two periods of state employment.

G. The following officers and employees shall be ineligible for a pay increase pursuant to this section and nothing, except as otherwise provided by Section 840-2.17 of Title 74 of the Oklahoma Statutes, shall be construed to authorize any increase or advancement of the salaries of:

1. Any elected official prohibited from receiving a salary increase pursuant to Section 10 of Article 23 of the Oklahoma Constitution;
  2. Any cabinet secretary whose salary is governed by Section 10.5 of Title 74 of the Oklahoma Statutes;
  3. Any justice or judge whose salary is governed by Section 3.1, 30.2A, 31.2 or 92.1A of Title 20 of the Oklahoma Statutes or by Section 1.2 or 1.2A of Title 85 of the Oklahoma Statutes;
  4. Any district attorney whose salary is governed by Section 215.30 of Title 19 of the Oklahoma Statutes;
  5. Officers and employees of institutions under the administrative authority of the Oklahoma State Regents for Higher Education;
  6. Persons employed pursuant to Section 1806.1 of Title 74 of the Oklahoma Statutes;
  7. Persons employed pursuant to Section 1.6a of Title 53 of the Oklahoma Statutes;
- and
8. Persons who are employed or under contract pursuant to subsection B. of Section 1419 of Title 10 of the Oklahoma Statutes."

Representative Sullivan (Leonard) moved to amend the floor substitute, Page 1, Section 1, Line 30 by adding after the figure "\$3,000.00" the language: "or at least Five Thousand Dollars (\$5,000.00) for science or mathematics certified personnel", which amendment was declared adopted.

Speaker Benson moved adoption of the floor substitute, as amended, which amendment was declared adopted.

Speaker Benson moved that **HB 2653** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Speaker Benson, **HB 2653** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 2653** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adair, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Braddock, Bryant, Calvey, Case, Coleman, Collins, Corn, Covey, Cox, Culver, Davis, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Frame, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller, Mitchell, Morgan, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Winchester, Wright, Mr. Speaker.--92.

Nay: Dank, Graves.--2.

Excused: Boyd, Claunch, Deutschendorf, Hiatt, Taylor.--5.

Constitutional Privilege: Adkins, Worthen.--2.

The measure and emergency passed.

**HB 2653** was referred for engrossment.

### **MESSAGES FROM THE SENATE**

Advising the signing of and transmitting for signature Enrolled **SCR 63**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

### **Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 64** – Henry of the Senate and Ervin of the House.

A Concurrent Resolution stating the intent of the Legislature regarding Senate Bill No. 680 of the 1st Session of the 47th Oklahoma Legislature; stating intent to require specified reduction in premium-to-surplus ratio of the State Insurance Fund on specified date; stating intent to require dividend and specifying form of payment; stating intent to require use of statutory accounting principals; clarifying intent by stating estimates for totals of premiums, surplus, and dividends subject to adjustment for conditions on specified date; and directing distribution.

## **ENGROSSED AND ENROLLED MEASURES**

**HB 2653** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **COMMITTEE REPORTS**

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

DO PASS:

**HB 1870** – Revenue and Taxation, Authored by Senator Rabon (principal Senate author)

**HB 1927** – Wildlife, Authored by Senator Shurden (principal Senate author)

**HB 1929** – Revenue and Taxation, Authored by Senator Price (principal Senate author)

**HB 1957** – County and Municipal Government

**HB 1969** – Commerce, Industry and Labor, Authored by Senator Laughlin (principal Senate author)

**HB 1984** – County and Municipal Government, Authored by Senator Helton (principal Senate author)

**HB 2002** – County and Municipal Government, Authored by Senator Coffee (principal Senate author)

**HB 2103** – County and Municipal Government, Authored by Senator Monson (principal Senate author)

**HB 2121** – Corrections, Authored by Senator Mickle (principal Senate author)

**HB 2170** – County and Municipal Government, Coauthored by Representative(s) McCarter, Morgan, Piatt, Pope (Clay), Turner, and Authored by Senator Johnson (principal Senate author)

**HB 2178** – Wildlife, Authored by Senator Shurden (principal Senate author)

**HB 2179** – Wildlife, Authored by Senator Shurden (principal Senate author)

**HB 2202** – Revenue and Taxation, Coauthored by Representative(s) Corn, and Authored by Senator Monson (principal Senate author)

**HB 2203** – Revenue and Taxation, Remove Representative Langmacher as principal House author and substitute with Representative Corn, Coauthored by Representative(s) Langmacher, and Authored by Senator Monson (principal Senate author)

**HB 2326** – Wildlife, Authored by Senator Shurden (principal Senate author)

**HB 2390** – County and Municipal Government, Authored by Senator Price (principal Senate author)

**HB 2408** – Revenue and Taxation, Authored by Senator Capps (principal Senate author)

**HB 2430** – County and Municipal Government, Authored by Senator Ford (principal Senate author)

**HB 2451** – County and Municipal Government, Authored by Senator Leftwich (principal Senate author)

**HB 2616** – Commerce, Industry and Labor, Authored by Senator Campbell (principal Senate author)

**HB 2675** – Banking and Finance, Authored by Senator Fisher (principal Senate author)

DO PASS, As Amended:

**CS for HB 1901** – County and Municipal Government, Authored by Senator Weedn (principal Senate author)

**CS for HB 2046** – Science and Technology, Authored by Senator Robinson (principal Senate author)

**CS for HB 2137** – Energy, Environment and Natural Resources, Authored by Senator Price (principal Senate author)

**HB 2315** – Corrections, Authored by Senator Long (principal Senate author)

**CS for HB 2418** – Commerce, Industry and Labor, Authored by Senator Long (principal Senate author)

**CS for HB 2676** – Banking and Finance, Authored by Senator Fisher (principal Senate author)

Representative Thomas moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:30 a.m., Thursday, February 10, 2000, which was the order.

Pursuant to the motion of Representative Thomas, the House was adjourned at 10:11 a.m., to reconvene Thursday, February 10, 2000, at 9:30 a.m.