

Fortieth Legislative Day

Thursday, April 13, 2000

The House was called to order by Speaker Benson.

The roll was called with 98 Members present.

The following Members were excused: Frame, McCarter, Morgan.—3.

The Speaker declared a quorum present.

Prayer was offered by Pastor Sara Litzner, Grace Lutheran Church, Oklahoma City, Oklahoma.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 513, 863, 886, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 947, 948, 949, 950, 951, 952, 1013, 1110, 1113, 1121, 1141, 1364, 1381, 1438 and 1596 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1002(2nd), 1902, 2038 and 2446 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1081 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 1154, 1419, 1489** and **1577**.

The above-numbered enrolled measures were, after fourth reading, 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 85 – Cain of the Senate and Blackburn of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 1577 passed by the 2nd Session of the 47th Oklahoma Legislature.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1964 – Calvey, Askins, Braddock

HB 2019 – Benson, Settle, Mass, Sellers, Paulk, Ross, Mitchell, Bryant, Coleman, Morgan, Ferguson

HB 2022 – Benson, Paulk, Settle, Askins, Lindley, Claunch, Reese

HB 2589 – Cox, Webb, Wells

CONFERENCE GRANTED

Upon motion of Representative Thomas, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

SB 994 – Stites, Adair, Rice, Culver, Ferguson, Corn, Hilliard, Ingmire, Perry

SB 1062 – Covey, Pope (Clay), Turner, Sellers, Maddux, Webb

SB 1084 – Pope (Clay), Roggow, Braddock, Maddux, Corn, Kinnamon, Thornbrugh, Fields

SB 1098 – Glover, Ferguson, Adair

SB 1101 – Erwin, Mass, Hutchison, Frame, Newport, Hastings

SB 1129 – Bonny, Benson, Beutler, Pope (Clay), Maddux, Reese

SB 1162 – Vaughn, Roach, Morgan, Paulk, Sellers, Thomas

SB 1203 – Roberts, Langmacher, Kinnamon, Webb

SB 1348 – Glover, Ferguson, Adair

SB 1433 – Eddins, Hilliard, Askins, Davis, Jones

SB 1461 – Adkins, Thomas, Gray, Settle, Askins, Ross, Mitchell

SB 1472 – Erwin, Mass, Hutchison, Frame, Newport, Hastings

SB 1506 – Eddins, Mitchell, Sellers, Liotta, Jones

SB 1542 – Stanley, Glover, Stites, Adair, Thornbrugh, Roach, Phillips

GENERAL ORDER

SB 1042 by Williams of the Senate and Roach et al of the House as read and amended on Page 1205 was considered further.

Coauthored by Representative(s) Bengé, Calvey, Hiatt, Jones, Winchester, Roggow, Piatt

Representative Roach moved that **SB 1042** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roach, **SB 1042** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1042 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Adkins, Askins, Begley, Bengé, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Deuschendorf, Dunegan, Easley, Eddins, Ervin, Ferguson, Gilbert, Glover, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Seikel, Sellers, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--91.

Nay: Davis.--1.

Excused: Braddock, Erwin, Fields, Frame, Gray, McCarter, Morgan, Ross, Wells.--9.

The measure passed.

SB 1042 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to **HB 2205** were rejected upon motion of Representative Nations. Conferees to be named later.

GENERAL ORDER

SB 1449 by Herbert of the Senate and Hutchison of the House was read and considered.

Coauthored by Representative(s) Braddock

Representative Hutchison moved that **SB 1449** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Hutchison, **SB 1449** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1449 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Adkins, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Bryant, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Langmacher, Lindley, Mass, Matlock, Miller, Mitchell, Nance, Nations, Newport, Ostrander, Paulk, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sullivan (John), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Weaver, Wilt, Winchester, Wright, Mr. Speaker.--73.

Nay: Bengé, Calvey, Coleman, Dank, Davis, Graves, Gray, Greenwood, Hiatt, Kouba, Leist, Liotta, Maddux, Perry, Pettigrew, Pope (Tim), Roach, Smith (Hopper), Sullivan (Leonard), Vaughn, Webb, Worthen.--22.

Excused: Braddock, Fields, Frame, McCarter, Morgan, Wells.--6.

The measure passed.

SB 1449 was referred for engrossment.

GENERAL ORDER

SB 1050 by Leftwich of the Senate and Paulk of the House was read and considered.

Representative Paulk moved to amend **SB 1050** by striking the enacting clause, which amendment was declared adopted.

Representative Paulk moved that **SB 1050** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Paulk, **SB 1050** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1050 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Calvey, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kinnamon, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, Miller, Mitchell, Nations, Ostrander, Paulk, Plunk, Pope (Clay), Rice, Roach, Roberts, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Weaver, Mr. Speaker.--58.

Nay: Adkins, Bengel, Bryant, Case, Claunch, Coleman, Dank, Davis, Ferguson, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Kouba, Liotta, Maddux, Nance, Newport, Perry, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roggow, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Thornbrugh, Vaughn, Webb, Wilt, Winchester, Worthen, Wright.--37.

Excused: Braddock, Fields, Frame, McCarter, Morgan, Wells.--6.

The measure passed.

SB 1050 was referred for engrossment.

GENERAL ORDER

SB 1091 by Rabon of the Senate and Erwin of the House was read and considered.

Representative Wright moved to amend **SB 1091**, Page 1, Section 1, Line 10 by adding the following language: "The Oklahoma Transportation Authority shall post the full report on the Transportation Authority Website.", which amendment was declared adopted.

Representative Erwin moved that **SB 1091** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Erwin, **SB 1091** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1091 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Adkins, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deuschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--94.

Nay: Kouba.--1.

Excused: Braddock, Fields, Frame, McCarter, Morgan, Wells.--6.

The measure passed.

SB 1091 was referred for engrossment.

GENERAL ORDER

SB 1325 by Long of the Senate and Benge of the House was read and considered.

Representative Benge moved that **SB 1325** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Benge, **SB 1325** was placed on Third Reading and Final Passage.

THIRD READING

SB 1325 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Benge, Bryant, Calvey, Case, Claunch, Coleman, Davis, Eddins, Ferguson, Glover, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller, Nance, Nations, Newport, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Reese, Roberts, Roggow, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Taylor, Thornbrugh, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--45.

Nay: Adair, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Collins, Corn, Covey, Cox, Culver, Dank, Deutschendorf, Dunegan, Easley, Ervin, Erwin, Gilbert, Gray, Hefner, Hilliard, Hutchison, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Mass, Matlock, Mitchell, Ostrander, Paulk, Pope (Clay), Rice, Roach, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Thomas, Toure, Turner, Tyler.--50.

Excused: Braddock, Fields, Frame, McCarter, Morgan, Wells.--6.

The measure failed.

Representative Bengé served notice to reconsider the vote whereby **SB 1325** failed.

PENDING CONSIDERATION OF SAs

SAs to HB 2662 were rejected upon motion of Representative Deutschendorf. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1954 were rejected upon motion of Representative Mitchell. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2140 were rejected upon motion of Representative Settle. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2117 were rejected upon motion of Representative Coleman. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2535 were rejected upon motion of Representative Davis. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2467 were rejected upon motion of Representative Ross. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1947** were rejected upon motion of Representative Ervin. Conferees to be named later.

GENERAL ORDER

SB 1046 by Rozell of the Senate and Settle of the House was read and considered.

Representative Settle moved that **SB 1046** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Settle, **SB 1046** was placed on Third Reading and Final Passage.

THIRD READING

SB 1046 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, Boyd, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--90.

Nay: Bryant, Calvey.--2.

Excused: Adkins, Braddock, Fields, Frame, Glover, McCarter, Morgan, Sellers, Wells.--9.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1046** and ordered same returned to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to **HB 2014** were rejected upon motion of Representative Begley. Conferees to be named later.

GENERAL ORDER

SB 1406 by Crutchfield of the Senate and Nance of the House was read and considered.

Representative Wells moved to amend **SB 1406**, Page 16 by inserting a new Section 5 to read as follows and renumbering subsequent section, which amendment was declared adopted:

“SECTION 5. AMENDATORY 47 O.S. 1991, Section 6-103, as last amended by Section 1, Chapter 161, O.S.L. 1999 (47 O.S. Supp. 1999, Section 6-103), is amended to read as follows:

Section 6-103. A. Except as otherwise provided by law, the Department of Public Safety shall not issue a driver license to:

1. Any person who is under eighteen (18) years of age, except that the Department may issue a Class D license to any person who attains sixteen (16) years of age on or after August 15, 2000, and meets the requirements of Sections 6-105 and 6-107.3 of this title;

2. Any unemancipated person who is under eighteen (18) years of age and whose custodial parent or guardian objects to the issuance of a license or permit by filing an objection pursuant to Section 6-103.1 of this title;

3. Any person whose driving privilege has been suspended, revoked, canceled or denied in this state or any other state until the driving privilege has been reinstated by the state withdrawing the privilege;

4. Any person whose driving privilege has been revoked for a period of three (3) years pursuant to the provisions of paragraph 4 of subsection A of Section 6-205.1 of this title, until the passage of the three-year period;

5. Any person who is required by Section 6-101 et seq. of this title to take an examination, unless the person shall have successfully passed the examination;

6. Any person who is required under the laws of this state to deposit proof of financial responsibility and who has not deposited such proof;

7. Any person who is physically deformed or who is afflicted with any mental disease or physical condition that would impair the driving ability of the person or when the Commissioner of Public Safety, from information concerning the person or from the records and reports on file in the Department of Public Safety, determines that the operation of a motor vehicle by such person on the highways would be inimical to public safety or welfare;

8. Any person who is a nonresident, as defined in Section 1-137 of this title;

9. Any alien unless such person presents valid documentation of identity issued pursuant to the laws of the United States; ~~or~~

10. Any person who possesses a valid license to operate a motor vehicle issued by another state until the other state license has been surrendered; or

11. Any male who is at least eighteen (18) years of age but less than twenty-six years of age who does not, at the time of application or renewal, present documentation that he has complied with the requirements of Section 3 of the Military Selective Service Act, 50 U.S.C. App. Sec. 453, as amended.

B. Any applicant who is denied a license under the provisions of subsection A of this section shall have the right to an appeal as provided in Section 6-211 of this title.”

Speaker Pro Tempore Adair Presiding

Representative Matlock moved to amend **SB 1406**, Page 16, Line 12 ½ by inserting a new section, and renumbering subsequent section, to read as follows: "The Department of Public Safety shall notify citizens of expired driver license by mail.", which amendment was withdrawn.

Representative Nance moved that **SB 1406** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **SB 1406** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1406 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Benge, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Dank, Davis, Ferguson, Glover, Graves, Greenwood, Hastings, Hiatt, Hilliard, Ingmire, Jones, Kouba, Lindley, Liotta, Maddux, Miller, Nance, Newport, Perry, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roberts, Roggow, Smith (Hopper), Staggs, Sullivan (John), Sullivan (Leonard), Thornbrugh, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--48.

Nay: Adair, Begley, Beutler, Blackburn, Bonny, Corn, Covey, Cox, Culver, Dunegan, Easley, Eddins, Ervin, Erwin, Gilbert, Gray, Hefner, Hutchison, Kinnamon, Kirby, Langmacher, Leist, Mass, Matlock, Mitchell, Nations, Ostrander, Paulk, Plunk, Pope (Clay), Rice, Roach, Ross, Seikel, Settle, Smith (Dale), Stanley, Stites, Sweeden, Taylor, Thomas, Toure, Turner, Tyler.--44.

Excused: Adkins, Braddock, Deutschendorf, Fields, Frame, McCarter, Morgan, Sellers, Wells.--9.

The measure failed.

Representative Nance served notice to reconsider the vote whereby **SB 1406** failed.

GENERAL ORDER

SB 857 by Herbert of the Senate and Seikel of the House was read and considered.

Representative Seikel moved to amend **SB 857** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Xerox copies for Members)

Representative Greenwood moved to amend the floor substitute, Page 4 by inserting new Sections 3 and 4 to read as follows and renumbering subsequent sections, which amendment was declared adopted:

"SECTION 3. AMENDATORY 68 O.S. 1991, Section 2888, as amended by Section 1, Chapter 138, O.S.L. 1997 (68 O.S. Supp. 1999, Section 2888), is amended to read as follows:

Section 2888. A. 1. The term homestead, as used in the provisions of the Ad Valorem Tax Code governing homestead exemptions, shall mean and include the actual residence of a natural person who is a citizen of the State of Oklahoma, provided the record actual ownership of such residence be vested in such natural person residing and domiciled thereon. Any single person of legal age, married couple and their minor child or children, or the minor child or children of a deceased person, whether residing together or separated, or surviving spouse shall be allowed under this Code only one homestead exemption in this state. No person or the family of such person shall be required to be domiciled thereon if such person is in the armed service of the United States in time of war or during a state of national emergency as declared by the Congress or the President of the United States, and such person shall not be required to be domiciled thereon in order to assert or claim the exemption provided in Section 2889 of this title, and such exemption may be claimed by any agent of, or member of the family of, such person. The surviving spouse and/or minor children of a deceased person shall be considered record owners of the homestead where the title of record in the office of the county clerk on January 1 is in the name of the deceased, but in all other cases the deed or other evidence of ownership must be of record in the office of the county clerk on January 1 in order for any person to be qualified as the record owner. However, a natural person actually owning, residing and domiciled in the residence on January 1 shall be deemed to be the record owner of the residence on January 1, within the meaning of this section, if the deed or other evidence of ownership of such person, executed on or before January 1, be of record in the office of the county clerk on or before February 1 immediately following. Despite any provision to the contrary in this section, if a parent or parents residing and domiciled in the residence own the residence jointly with one or more of their children, whether residing together or separated, and where the record joint ownership of the property is recorded in the office of the county clerk in accordance with the provisions of this section, the parent or parents residing and domiciled in the residence shall be entitled to the entire homestead exemption. A rural homestead shall not include more than one hundred sixty (160) acres of land and the improvements thereon. An urban homestead shall not include any land except the lot or lots, or the unplatted tract, upon which are located the dwelling, garage, barn and/or other outbuildings necessary or convenient for family use.

2. Despite any provision to the contrary in this section, the person actually owning, residing and domiciled in the residence on May 15, 2000, shall be deemed to be the record owner of the residence on May 15, 2000, within the meaning of this section, if the deed or other evidence of ownership of such person, executed on or before May 15, 2000, be of record in the office of the county clerk on or before such date. However, the provisions of this paragraph shall only apply to any person who is eligible to claim the income tax credit pursuant to Section 2357.29 of this title, or to any person whose primary residence was damaged or destroyed in the May 3, 1999, tornado and who purchased or built a new primary residence at a location within this state other than the location of the damaged or destroyed residence.

B. The term rural homestead as used herein shall mean and include any homestead located outside a city or town or outside any platted subdivision or addition.

C. The term urban homestead as used herein shall mean and include any homestead located within any city or town whether incorporated or unincorporated, or located within a platted subdivision or addition, whether such subdivision or addition be a part of a city or town. In no case shall an urban homestead exceed in area one (1) acre.

SECTION 4. AMENDATORY 68 O.S. 1991, Section 2892, as last amended by Section 11, Chapter 405, O.S.L. 1998 (68 O.S. Supp. 1999, Section 2892), is amended to read as follows:

Section 2892. A. To receive a homestead exemption, a taxpayer shall be required to file an application with the county assessor. Such application may be filed at any time; ~~provided.~~ However, the county assessor shall, if such applicant otherwise qualifies, grant a homestead exemption for a tax year only if the application is filed on or before March 15 of such year. If Except as provided in this subsection, if an application for a homestead exemption is filed after March 15, the county assessor shall, if such applicant otherwise qualifies, grant the homestead exemption beginning with the following tax year. For any owner of real property who is eligible to claim the income tax credit pursuant to Section 2357.29 of this title, or for any owner of real property whose primary residence was damaged or destroyed in the May 3, 1999, tornado and who purchased or built a new primary residence at a location within this state other than the location of the damaged or destroyed residence, the application for a homestead exemption may be filed after March 15, 2000, but no later than June 1, 2000, and the homestead exemption shall be granted for such year.

B. Any taxpayer who has been granted a homestead exemption and who continues to occupy such homestead property as a homestead, shall not be required to reapply for such homestead exemption.

C. Once granted, the homestead exemption shall remain in full force and effect for each succeeding year, so long as:

1. The record of actual property ownership is vested in the taxpayer;
2. The instrument of ownership is on record in the county clerk's office;
3. The owner-taxpayer is in all other respects entitled by law to the homestead exemption; and

4. The taxpayer has no delinquent accounts appearing on the personal property tax lien docket in the county treasurer's office. On October 1st of each year, the county treasurer will provide a copy of the personal property tax lien docket to the county assessor. Based upon the personal property tax lien docket, the county assessor shall act to cancel the homestead exemption of all property owners having delinquent personal property taxes. Such cancellation of the homestead exemption will become effective January 1 of the following year and will remain in effect for at least one (1) calendar year; however, such cancellation will not become effective January 1 of the following year if the taxpayer pays such delinquent personal property taxes prior to January 1. Cancellation of the homestead exemption will require the county assessor to notify each taxpayer no later than January 1 of the next calendar year whose homestead is canceled and will require the taxpayer to refile an application for homestead exemption by those dates so indicated in this section and the payment of all delinquent personal property taxes before the homestead can be reinstated.

D. Any purchaser or new owner of real property must file an application for homestead exemption as herein provided.

E. The application for homestead exemption shall be filed with the county assessor of the county in which the homestead is located.

A taxpayer applying for homestead exemption shall not be required to appear before the county assessor in person to submit such application.

F. The property owner shall sign and swear to the truthfulness and correctness of the application's contents. If the property owner is a minor or incompetent, the legal guardian shall sign and swear to the contents of the application.

G. The county assessor and duly appointed deputies are authorized and empowered to administer the required oaths.

H. The taxpayer shall notify the county assessor following any change in the use of property with homestead exemption thereon. The notice of change in homestead exemption status of property shall be in writing and may be filed with the county assessor at any time on or before March 15 of the next following year after which such change occurs. The filing of a deed or other instrument evidencing a change of ownership or use shall constitute sufficient notice to the county assessor.

I. Any single person of legal age, married couple and their minor child or children, or the minor child or children of a deceased person, whether residing together or separated, or surviving spouse shall be allowed under this Code only one homestead exemption in the State of Oklahoma.

J. Any property owner who fails to give notice of change to the county assessor and permits the allowance of homestead exemption for any succeeding year where such homestead exemption is unlawful and improper shall owe the county treasurer:

1. An amount equal to twice the amount of the taxes lawfully due but not paid by reason of such unlawful and improper allowance of homestead exemption; and

2. The interest and penalty on such total sum as provided by statutes on delinquent ad valorem taxes. There shall be a lien on the property while such taxes are unpaid, but not for a period longer than that provided by statute for other ad valorem tax liens.

K. Any person who has intentionally or knowingly permitted the unlawful and improper allowance of homestead exemption shall forfeit the right to a homestead exemption on any property in this state for the two (2) succeeding years."

Representative Seikel moved that **SB 857** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Seikel, **SB 857** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 857 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, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope

(Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Wright, Mr. Speaker.--92.

Excused: Adkins, Braddock, Fields, Frame, McCarter, Morgan, Sellers, Wells, Worthen.--9.

The measure and emergency passed.

SB 857 was referred for engrossment.

GENERAL ORDER

SB 1443 by Brown et al of the Senate and Blackburn et al of the House was read and considered.

Coauthored by Representative(s) Collins

Representative Blackburn moved to amend **SB 1443** by striking the enacting clause, which amendment was declared adopted.

Representative Blackburn moved that **SB 1443** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Blackburn, **SB 1443** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1443 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, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--91.

Nay: Ervin, Graves, Leist.--3.

Excused: Adkins, Braddock, Fields, Frame, McCarter, Morgan, Wells.--7.

The measure and emergency passed.

SB 1443 was referred for engrossment.

GENERAL ORDER

SB 1568 by Williams of the Senate and Boyd et al of the House was read and considered.

Representative Greenwood moved to amend **SB 1568**, Page 1 by creating new Sections 2-8 to read as follows:

“SECTION 2. AMENDATORY 70 O.S. 1991, Section 5-106, as last amended by Section 1, Chapter 18, O.S.L. 1997 (70 O.S. Supp. 1999, Section 5-106), is amended to read as follows:

Section 5-106. A. The governing board of each school district in Oklahoma is hereby designated and shall hereafter be known as the board of education of such district. Except as otherwise provided in this section, the superintendent of schools appointed and employed by the board shall be the executive officer of said board and shall perform duties as said board directs.

B. The board may contract with a superintendent for a term as mutually agreed upon but not to exceed three (3) years beyond the fiscal year in which the contract is approved by the board and accepted by the superintendent. The contract shall include all other terms and conditions as agreed upon in writing by the board and the superintendent.

C. The boards of two or more school districts may contract with one superintendent to serve as the superintendent of the school districts as provided in Section 5 of this act.

D. No board of a school district having average daily membership (ADM) of fewer than five hundred (500) pupils shall be prohibited from allowing a superintendent to serve simultaneously as a principal.

E. The chief executive officer of the board of education of a district in which a public developmental research school is established shall be the director of the school appointed as provided in Section 1210.577 of this title.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 5-117, as last amended by Section 18 of Enrolled House Bill No. 2711 of the 2nd Session of the 47th Oklahoma Legislature, is amended to read as follows:

Section 5-117. A. The board of education of each school district shall have power to:

1. Elect its own officers;
2. Make rules, not inconsistent with the law or rules of the State Board of Education, governing the board and the school system of the district;
3. Maintain and operate a complete public school system of such character as the board of education shall deem best suited to the needs of the school district;
4. Designate the schools to be attended by the children of the district;
5. Provide and operate, when deemed advisable, cafeterias or other eating accommodations, thrift banks or other facilities for the teaching and practice of thrift and economy, bookstores, print shops, and vocational and other shops;

6. Provide informational material concerning school bond elections and millage elections, including but not limited to all pertinent financial information relative to the bond issue, a statement of revenue sources necessary to retire proposed bonds, a statement of current bonded indebtedness of the school district, and a statement of proposed use of funds to be generated by the proposed bond issue. The informational material shall not contain the words "vote yes" or "vote no" or any similar words or statement any place on such informational material;

7. Purchase, construct or rent, and operate and maintain, classrooms, libraries, auditoriums, gymnasiums, stadiums, recreation places and playgrounds, teacherages, school bus garages, laboratories, administration buildings, and other schoolhouses and school buildings, and acquire sites and equipment therefor;

8. Have school district property insured;

9. Acquire property by condemnation proceedings in the same manner as land is condemned for railroad purposes. School district funds may be used to erect buildings on leased land on which other buildings have been erected prior to April 3, 1969, or on land which is leased from a governmental entity;

10. Lease real or personal property to the state or any political subdivision thereof for nominal cash consideration for so long as the use of the property by the lessee substantially benefits, in whole or in part, the same public served by the school district;

11. Dispose of personal or real property no longer needed by the district by sale, exchange, lease, lease-purchase, sale and partial lease back, or otherwise. Real property shall be conveyed pursuant to a public sale, public bid, or private sale, provided however, unless otherwise prohibited by law, the board of education of a consolidated or annexed school district may convey real property to a local political subdivision without consideration. Prior to the sale of any real property, the board of education shall have the real property appraised. The appraisal shall be confidential until the real property is sold. When the real property is sold the board of education shall make the appraisal available for public inspection. Prior to the conveyance of any real property by private sale, the board of education shall have offered the real property for sale by public sale or public bid. Any conveyance of real property by private sale to a nonprofit organization, association, or corporation to be used for public purposes, unless for exchange, shall contain a reversionary clause which returns the real property to the board of education upon the cessation of the use without profit or for public purposes by the purchaser or the assigns of the purchaser;

12. Purchase necessary property, equipment, furniture, and supplies necessary to maintain and operate an adequate school system;

13. Incur all expenses, within the limitations provided for by law, necessary to perform all powers granted by the provisions of this section;

14. Contract with and fix the duties and compensation of physicians, dentists, optometrists, nurses, attorneys, superintendents, principals, teachers, bus drivers, janitors, and other necessary employees of the district. The board of education shall establish a written policy for reimbursement of necessary travel expenses of employees and members of the board. The policy may include in-district travel from the site of employment assignment which is necessary in the performance of employment duties. The written policy shall specify procedures, contain documentation requirements, and may include payment of meal expenses during authorized travel on a per diem allowance basis rather than itemized documentation. Per diem meal reimbursement may not exceed the amounts authorized for state employees in Section 500.8 of Title 74 of the Oklahoma Statutes, but such reimbursement shall be available for necessary travel that does not require overnight

stays. The board shall designate the funds from which reimbursement is to be made. Reimbursement of meal expenses for an employee or a board member shall not be considered compensation;

15. Pay necessary travel expenses and other related expenses of prospective employees for sponsored visits to the school district pursuant to a written policy specifying procedures containing documentation requirements equal to or greater than the requirements specified by law for state employees in the State Travel Reimbursement Act;

16. Provide for employees' leaves of absence without pay;

17. Exercise sole control over all the schools and property of the district, subject to other provisions of the Oklahoma School Code;

18. Allow district-owned school buses to be used for transportation of students from other districts or educational institutions while within the district on educational tours. This shall not restrict the authority of the board to authorize any other use of such buses which may now be permitted by law or rule of the State Board of Education;

19. Enter into contractual agreements with the board of trustees of a multicounty library system, as defined in Section 4-103 of Title 65 of the Oklahoma Statutes, a city-county library commission, as defined in Section 152 of Title 65 of the Oklahoma Statutes, or a rural single county library system, as defined in Section 1-104 of Title 65 of the Oklahoma Statutes, on such terms as may be mutually agreed, except no district board of education may enter into any agreement under which the library services for the school would be provided at any site other than the school site or which would result in library services that do not meet accreditation standards as required by law or rule;

20. Perform all functions necessary to the administration of a school district in Oklahoma as specified in the Oklahoma School Code, and in addition thereto, those powers necessarily implied but not delegated by law to any other agency or official; and

21. Prepare and distribute at the expense of the school district any and all material which has the purpose of informing the public about district activities.

B. The board of education of any school district may rent, on a monthly basis, real and personal property, if such items are necessary for the operation of the school, and pay the rental charges for the usage during any fiscal year, or portion thereof, out of appropriations made and approved for current expense purposes during the fiscal year. Any such rental contract extending beyond June 30 of such fiscal year shall be void unless it contains provisions for mutual ratification of renewal pursuant to the conditions provided for in this subsection. It is the intent of this subsection to authorize boards of education to enter into lease contracts but not to incur any obligation against the school district in excess of the income and revenue provided for such purposes for the fiscal year in which such lease contract is operative. Any lease agreement entered into by any board of education shall state the purchase price of real or personal property so leased. The lease shall not be extended so as to cause payment of more than the original purchase price of the real or personal property, plus interest not to exceed the legal rate. When the purchase price plus interest has been paid, the property shall belong to the lessee and the lessor shall deliver a deed or bill of sale to the property to the lessee. When any real or personal property has been leased or rented during any fiscal year pursuant to the provisions of any contract which permits continuance of such rental for the remainder of such fiscal year, the renting or leasing thereof must be continued for the remainder of the fiscal year unless the board of education renting or leasing the same certifies by proper resolution entered in the minutes of the board of education that the continuance of such rental is unnecessary and contrary to the public interest.

C. The boards of education of two or more school districts may enter into cooperative agreements and maintain joint programs including but not limited to, courses of instruction for handicapped children, courses of instruction in music and other subjects, practical instruction for trades and vocations, practical instruction in driver training courses, and health programs including visual care by persons legally licensed for such purpose, without favoritism as to either profession. The revenues necessary to operate a joint program approved in cooperative agreements, whether from federal, state or local sources, including the individual contributions of participating school districts, shall be deposited into a fund separate from all other appropriated funds. The beginning fund balance each year, combined with all actual revenues, including collected and estimated revenues, must be appropriated before being expended. Purchase orders shall be issued against available appropriations and, once goods or services have been received, either payable or nonpayable warrants shall be issued in payment of all purchase orders. The fund shall be reported as a separate appropriated fund in all the financial reports of the school district which is chosen by the other school districts to keep the accounting records of the joint program.

D. The boards of education of two or more school districts may enter into a mutual contract or separate contracts with a person to serve as a superintendent, administrator, or teacher for each school district; or with an appropriately qualified person to provide support services for a superintendent, administrator, or teacher for each school district, or to provide support services for each school district, upon such terms and conditions as the parties may agree. Provided, nothing in this act shall be construed to authorize or require the annexation or consolidation of any school districts except pursuant to law as set forth in Section 7-101 et seq. of this title.

E. Any school district may operate or maintain a school or schools on any military reservation which is within the boundaries of the school district or which is adjacent to the school district, and provide the instruction in the school or schools to children of personnel on the military reservation and, in doing so, shall conform to all federal laws and requirements.

F. The board of education of each school district shall adopt and maintain on file in the office of the superintendent of schools appropriate personnel policy and sick leave guide. The guide shall be made available to the public.

SECTION 4. AMENDATORY 70 O.S. 1991, Section 6-101, as amended by Section 28, Chapter 239, O.S.L. 1993 (70 O.S. Supp. 1999, Section 6-101), is amended to read as follows:

Section 6-101. A. Except as provided in subsection E of this section, no person shall be permitted to teach in any school district of the state without a written contract, except as provided herein for substitute teachers and except teachers of classes in adult education. The board of education of each school district, wherein school is expected to be conducted for the ensuing year, shall employ and contract in writing with qualified teachers for and in the name of the district. One copy of the contract shall be filed with the clerk of the board of education and one copy shall be retained by the teacher.

B. Except as otherwise provided by law, no board of education shall have authority to enter into any written contract with a teacher who does not hold a valid certificate issued or recognized by the State Board of Education authorizing said teacher to teach the grades or subject matter for which the teacher is employed. Any board of education paying or authorizing the payment of the salary of any teacher not holding a certificate, as required herein, shall be adjudged to be guilty of a fraudulent expenditure of public funds and

members voting for such payment shall be held jointly responsible for the return of the amount of any public monies thus expended, upon suit brought by the district attorney or by any interested citizen in the district where such funds have been expended.

C. It shall be the duty of the superintendent of schools under whose supervision teachers have been contracted to teach to certify to the treasurer of the contracting district the names of the teachers holding valid certificates with whom contracts have been made and the names of substitute teachers employed in accordance with law. Said treasurer shall not register any warrant issued in payment of salary to any teacher whose name is not included in such list and shall be liable on ~~his~~ the treasurer's official bond for the amount of any warrant registered in violation of the provisions of this section.

D. Whenever any person shall enter into a contract with any school district in Oklahoma to teach in such school district the contract shall be binding on the teacher and on the board of education until the teacher legally has been discharged from ~~his~~ the teaching position or released by the board of education from ~~his~~ the contract. ~~Until~~ Except as otherwise provided for in this section, until such teacher has been thus discharged or released, the teacher shall not have authority to enter into a contract with any other board of education in Oklahoma for the same time covered by his original contract. If upon written complaint by the board of education in a district any teacher is reported to have failed to obey the terms of the contract previously made and to have entered into a contract with another board of education without having been released from the former contract or except as authorized pursuant to this section, the teacher, upon being found guilty of said charge at a hearing held before the State Board of Education, shall have such teacher's certificate suspended for the remainder of the term for which said contract was made.

E. A board of education shall have authority to enter into written contracts with teachers for the ensuing fiscal year prior to the beginning of such year. If, prior to April 10, a board of education has not entered into a written contract with a regularly employed teacher or notified the teacher in writing by registered or certified mail that a recommendation has been made not to reemploy the teacher for the ensuing fiscal year, and if, by April 25, such teacher has not notified the board of education in writing by registered or certified mail that such teacher does not desire to be reemployed in such school district for the ensuing year, such teacher shall be considered as employed on a continuing contract basis and on the same salary schedule used for other teachers in the school district for the ensuing fiscal year, and such employment and continuing contract shall be binding on the teacher and on the school district.

F. No school district or any member of the board of education of a district shall be liable for the payment of compensation to a teacher or administrator under the provisions of any contract for the ensuing year, if it becomes necessary to close the school because of insufficient attendance, disorganization, annexation, consolidation, or by dispensing with the school according to law, provided, such cause is known or action is taken prior to July 1 of such ensuing year.

G. No school district or any member of a board of education shall be liable for the payment of compensation to any teacher or administrator for the unexpired term of any contract if the school building to which the teacher or administrator has been assigned is destroyed by accident, storm, fire, or otherwise and it becomes necessary to close the school because of inability to secure a suitable building or buildings for continuation of school. Teachers and administrators shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

H. A teacher may contract with more than one school district for the same school year as provided in Section 5 of this act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-106A of Title 70, unless there is created a duplication in numbering, reads as follows:

A person may contract with more than one school district to serve as superintendent, administrator, or teacher, as appropriately qualified, or to provide support services for each contracting district. The contract with the person may be mutual with all the agreeing school districts as parties, or each school district may enter into separate contracts with the person. A person contracting as a superintendent, administrator, or teacher may not enter into contracts with more than one school district without the assent and knowledge of all the school districts with which the person is contracting. The districts who contract either mutually or separately with a superintendent, administrator, or teacher, or with a person to provide support services may enter into agreements upon such terms and conditions as the parties may agree and may include terms related to the division of payments for items, including but not limited to payment of benefits or travel reimbursement. Unless otherwise provided by contract, each district shall pay into the Teachers' Retirement System of Oklahoma the district's pro rata share of the payment required to be paid into the System on behalf of the employee.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 201.1a of Title 70, unless there is created a duplication in numbering, reads as follows:

A. For purposes of the weighted teacher experience and degree calculation as provided in Section 18-201.1 of Title 70 of the Oklahoma Statutes, each superintendent, administrator, or teacher who is employed by more than one school district pursuant to a mutual contract or separate contracts as provided for in Section 5 of this act shall be counted as a full-time employee for each district with which the superintendent, administrator, or teacher contracts to provide at least the equivalent of half-time service. For a district with which the superintendent, administrator, or teacher contracts to provide less than the equivalent of half-time service, the service shall be prorated for purposes of the weighted teacher experience and degree calculation.

B. A district for which the weighted teacher experience and degree calculation is calculated pursuant to subsection A of this section shall ensure that any State Aid funds the district receives over and above what the district would have received if the shared employee's service had been prorated rather than credited as full time shall be applied toward instructional costs. The funds and the uses of the funds shall be reported through use of the Oklahoma Cost Accounting System pursuant to Section 5-135 of Title 70 of the Oklahoma Statutes in a manner that allows tracking of the funds and expenditures.

SECTION 7. This act shall become effective July 1, 2000.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.”

Representative Begley moved to table the Greenwood amendment, which tabling motion prevailed upon roll call as follows:

Aye: Adair, Askins, Begley, Beutler, Bonny, Collins, Corn, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Glover, Hefner, Hilliard, Hutchison, Kinnamon,

Kirby, Langmacher, Leist, Lindley, Mass, Matlock, Mitchell, Nations, Paulk, Plunk, Pope (Clay), Rice, Roberts, Ross, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Thomas, Toure, Turner, Tyler, Mr. Speaker.--45.

Nay: Benge, Bryant, Calvey, Case, Claunch, Coleman, Culver, Dank, Davis, Ferguson, Graves, Gray, Greenwood, Hastings, Hiatt, Ingmire, Jones, Kouba, Liotta, Maddux, Miller, Nance, Newport, Perry, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roggow, Seikel, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Taylor, Thornbrugh, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright.--43.

Excused: Adkins, Blackburn, Boyd, Braddock, Covey, Fields, Frame, Gilbert, McCarter, Morgan, Ostrander, Roach, Wells.--13.

Representative Boyd moved that **SB 1568** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Boyd, **SB 1568** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1568 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--92.

Excused: Adkins, Braddock, Covey, Easley, Fields, Frame, McCarter, Morgan, Wells.-
-9.

The measure passed.

SB 1568 was referred for engrossment.

GENERAL ORDER

SB 1027 by Stipe of the Senate and Tyler of the House was read and considered.

Representative Tyler moved to amend **SB 1027** by striking the enacting clause, which amendment was declared adopted.

Representative Tyler moved that **SB 1027** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Tyler, **SB 1027** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1027 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, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--93.

Excused: Adkins, Braddock, Fields, Frame, Gray, McCarter, Morgan, Wells.--8.

The measure and emergency passed.

SB 1027 was referred for engrossment.

GENERAL ORDER

SB 1096 by Herbert of the Senate and Paulk of the House was read and considered.

Representative Paulk moved to amend **SB 1096** by inserting a new Section 2 to read as follows and renumbering subsequent section, which amendment was declared adopted:

"SECTION 2. Repealing 66 O. S. 1991, Section 203 and 21 O. S. 1991, Section 1254."

Representative Paulk moved that **SB 1096** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Paulk, **SB 1096** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1096 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--93.

Nay: Dank.--1.

Excused: Adkins, Braddock, Fields, Frame, McCarter, Morgan, Wells.--7.

The measure passed.

SB 1096 was referred for engrossment.

GENERAL ORDER

SB 1551 by Weedn of the Senate and Kirby of the House was read and considered.

Representative Kirby moved to amend **SB 1551** by striking the title and the enacting clause, which amendment was declared adopted.

Representative Kirby moved that **SB 1551** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Kirby, **SB 1551** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1551 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf,

Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Adkins, Braddock, Fields, Frame, McCarter, Morgan, Wells.--7.

The measure passed.

SB 1551 was referred for engrossment.

GENERAL ORDER

SB 992 by Morgan et al of the Senate and Dunegan et al of the House was read and considered.

Representative Dunegan moved to amend **SB 992** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Xerox copies for Members)

Representative Mass moved to amend the floor substitute, Page 4, Section 1, Line 2, by after the comma "," and before the word "or" adding the following language, which amendment was declared adopted:

"or an associate's degree or a minimum of sixty-two (62) successfully completed semester hours from a college or university which is recognized by and accepted by the American Association of Collegiate Registrars and Admissions Officers and whose hours are transferrable between such recognized institutions and at least two (2) years' experience as a CLEET certified law enforcement officer".

Representative Dunegan moved that **SB 992** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Dunegan, **SB 992** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 992 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, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf,

Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Adkins, Braddock, Fields, Frame, McCarter, Morgan, Wells.--7.

The measure and emergency passed.

SB 992 was referred for engrossment.

GENERAL ORDER

SB 1588 by Monson of the Senate and Seikel of the House was read and considered.

Representative Seikel moved that **SB 1588** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Seikel, **SB 1588** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1588 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Mitchell, 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, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Adkins, Braddock, Fields, Frame, McCarter, Morgan, Wells.--7.

The measure passed.

SB 1588 was referred for engrossment.

GENERAL ORDER

SB 1444 by Horner of the Senate and Toure of the House was read and considered.

Coauthored by Representative(s) Cox

Representative Graves moved to amend **SB 1444**, Section 3, Pages 2-3, by striking subsection A. and relettering subsequent subsection.

Representative Toure moved to table the Graves' amendment, which tabling motion prevailed upon roll call as follows:

Aye: Adair, Begley, Beutler, Blackburn, Bonny, Boyd, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Gilbert, Glover, Hefner, Hilliard, Hutchison, Kinnamon, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, Mitchell, Nations, Paulk, Plunk, Pope (Clay), Rice, Roberts, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Weaver, Mr. Speaker.--52.

Nay: Benge, Bryant, Calvey, Case, Claunch, Coleman, Dank, Davis, Ferguson, Graves, Gray, Greenwood, Hastings, Hiatt, Ingmire, Jones, Kouba, Liotta, Maddux, Miller, Nance, Newport, Ostrander, Perry, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roach, Roggow, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Thornbrugh, Vaughn, Webb, Wilt, Winchester, Worthen, Wright.--41.

Excused: Adkins, Askins, Braddock, Fields, Frame, McCarter, Morgan, Wells.--8.

Representative Phillips moved to amend **SB 1444**, Page 2, Section 1, Line 5, by deleting the language "D. A violation of this section shall be a misdemeanor." and relettering subsequent paragraph and Page 2, Section 2, Line 17, by deleting the language "and/or criminal prosecution", which amendment failed of adoption upon roll call as follows:

Aye: Bryant, Case, Claunch, Coleman, Dank, Davis, Ferguson, Glover, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Kouba, Liotta, Maddux, Miller, Nance, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Roach, Roggow, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Thornbrugh, Vaughn, Webb, Wilt, Winchester, Worthen, Wright.--37.

Nay: Adair, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Gray, Hefner, Hilliard, Hutchison, Kinnamon, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, Mitchell, Nations, Newport, Ostrander, Paulk, Plunk, Rice, Roberts, Ross, Seikel, Sellers, Smith (Dale), Staggs, Stites, Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Weaver, Mr. Speaker.--51.

Excused: Adkins, Askins, Braddock, Calvey, Fields, Frame, Gilbert, McCarter, Morgan, Perry, Settle, Stanley, Wells.--13.

Representative Worthen moved to amend **SB 1444**, Page 2, Section 1, Line 8, by inserting the language ", if convicted" before the period ".", which amendment was declared adopted.

Representative Webb moved to amend **SB 1444**, Page 2, Section 3, Line 21, by changing the word "may" to the word "shall", which amendment was declared adopted.

Representative Hastings moved that **SB 1444** be advanced from General Order, which motion was declared adopted upon a division of the question.

By unanimous consent, upon request of Representative Toure, **SB 1444** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1444 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Bryant, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Ervin, Erwin, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kinnamon, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, Mitchell, Nations, Ostrander, Paulk, Perry, Phillips, Plunk, Rice, Roach, Roberts, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Weaver, Webb, Worthen, Mr. Speaker.--64.

Nay: Benge, Calvey, Coleman, Dank, Davis, Graves, Greenwood, Hiett, Ingmire, Jones, Kouba, Maddux, Miller, Nance, Newport, Pettigrew, Piatt, Pope (Tim), Reese, Roggow, Vaughn, Wilt, Winchester, Wright.--24.

Excused: Adkins, Braddock, Easley, Eddins, Ferguson, Fields, Frame, Hastings, McCarter, Morgan, Pope (Clay), Smith (Hopper), Wells.--13.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Adair, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Bryant, Case, Coleman, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Ervin, Erwin, Ferguson, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, Mitchell, Nations, Ostrander, Paulk, Pettigrew, Phillips, Plunk, Pope (Clay), Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sullivan (John), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Weaver, Webb, Wilt, Winchester, Worthen, Mr. Speaker.--69.

Nay: Bengé, Calvey, Claunch, Dank, Davis, Graves, Greenwood, Hiatt, Kouba, Maddux, Miller, Nance, Newport, Perry, Piatt, Pope (Tim), Reese, Smith (Hopper), Sullivan (Leonard), Vaughn, Wright.--21.

Excused: Adkins, Braddock, Easley, Eddins, Fields, Frame, Hastings, McCarter, Morgan, Rice, Wells.--11.

The emergency passed.

SB 1444 was referred for engrossment.

MOTION

Representative Calvey asked that the Journal reflect that had he been present in the Chamber, he would have voted 'Aye' on the Phillips' amendment to **SB 1444**, which was the order.

MOTION

Representative Smith (Hopper) asked that the Journal reflect that had he been present in the Chamber, he would have voted 'Nay' on **SB 1444**, which was the order.

PENDING CONSIDERATION OF SAs

SAs to **HB 2320** were called up for consideration.

Upon motion of Representative Tyler, the House concurred in the **SAs** to **HB 2320**.

HB 2320, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adair, Askins, Begley, Bengé, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Ervin, Erwin, Ferguson, Gilbert, Glover, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, Miller, Mitchell, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Reese, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Wilt, Winchester, Worthen, Mr. Speaker.--83.

Nay: Graves, Gray, Liotta, Smith (Hopper), Webb, Wright.--6.

Excused: Adkins, Braddock, Easley, Eddins, Fields, Frame, Hastings, McCarter, Morgan, Pope (Clay), Rice, Wells.--12.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

Speaker Benson Presiding

PENDING CONSIDERATION OF SAs

SAs to HB 1932 were rejected upon motion of Representative Erwin. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 1879 and 2100 were rejected upon motion of Representative Dunegan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2317 were called up for consideration.

Remove Representative Gray as principal House author and substitute with Representative Phillips

Coauthored by Representative(s) Gray

Upon motion of Representative Gray, the House concurred in the **SAs to HB 2317**.

HB 2317, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adair, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Bryant, Calvey, Case, Coleman, Collins, Corn, Covey, Cox, Dank, Deutschendorf, Ervin, Erwin, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Lindley, Liotta, Maddux, Mass, Matlock, Miller, Nations, Ostrander, Paulk, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Hopper), Staggs, Stanley, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Weaver, Webb, Wilt, Winchester, Wright, Mr. Speaker.--72.

Nay: Benge, Claunch, Culver, Davis, Dunegan, Ferguson, Langmacher, Mitchell, Nance, Newport, Perry, Reese, Smith (Dale), Stites, Vaughn.--15.

Excused: Adkins, Braddock, Easley, Eddins, Fields, Frame, Hastings, Leist, McCarter, Morgan, Pope (Clay), Rice, Wells, Worthen.--14.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

MESSAGES FROM THE SENATE

Announcing the passage of **HBs 1995**, Remove Senator Long as principal Senate author and substitute with Senator Smith, **2002, 2043, 2054, 2321, 2323, 2587** and **2592**.

The above-numbered measures were referred for enrollment.

Returning enrolled measures

Announcing that Enrolled **HCR 1081** has been signed by the Presiding Officer of Senate, in open session.

HCR 1081 was ordered filed with the Secretary of State.

Announcing that Enrolled **HBs 1002, 1902, 2038** and **2446** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1266**, Coauthored by Senators Littlefield, Monson, Weedn, Dunlap, Morgan, Herbert, Rabon, **1319, 1869**, Coauthored by Senators Shurden, Long, Capps, Fisher, Herbert, Rabon, Harrison, Leftwich, Price, Crutchfield, Monson, **1877**, Coauthored by Senator Muegge, **1908, 1916**, Coauthored by Senator Crutchfield, **1962, 1967, 1997, 2010**, Coauthored by Senators Capps, Muegge, Rabon, Crutchfield, **2081, 2082, 2113**, Coauthored by Senator Crutchfield, **2115, 2139, 2169, 2191**, Coauthored by Representative Paulk, **2296, 2306**, Coauthored by Senator Muegge, **2310, 2353, 2418, 2493**, Coauthored by Senator Ford, **2495, 2507**, Coauthored by Senator Crutchfield, **2509, 2522, 2543, 2560, 2562, 2582, 2585, 2717** and **2725** and **HJR 1019**

Senate amendments were read on the above numbered measures.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SCR 61** and the passage of said measure, as amended thereby.

Representative Thomas moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 11:00 a.m., Monday, April 17, 2000, which was the order.

Pursuant to the motion of Representative Thomas, the House was adjourned at 1:58 p.m., to reconvene Monday, April 17, 2000, at 11:00 a.m.