

Forty-third Legislative Day

Wednesday, April 19, 2000

The House was called to order by Speaker Benson.

The roll was called with 100 Members present.

The following Member was excused: Coleman.—1.

The Speaker declared a quorum present.

Prayer was offered by Pastor David Henson, Twelve Corners Baptist Church, Norman, Oklahoma.

The Journal for the last legislative day was approved.

MOTION

Upon unanimous consent request of Representative Thomas, pursuant to Article 5, Section 30 of the Oklahoma Constitution, the House granted the request of the Honorable Senate to adjourn for more than 3 days beginning on April 19, 2000, and ending on April 24, 2000.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 524, 881, 888, 953, 956, 957, 958, 960, 961, 962, 963, 964, 965, 966, 968, 970, 971, 972, 973, 974, 975, 976, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 996, 1002, 1015, 1024, 1026, 1112, 1115, 1119, 1123, 1175, 1239, 1337, 1356, 1402, 1403, 1406, 1424, 1451, 1480, 1481, 1496, 1522, 1527, 1532, 1537, 1553 and 1585 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1228, 1979, 2021, 2188, 2408, 2539, 2559 and 2665 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION REFERRED

The following was withdrawn from the Calendar and referred to committee:

HR 1055 – Rules

MESSAGES FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 1507, 1860, 1871, 1960, 1977, 2036**, Remove Senator Morgan as principal Senate author and substitute with Senator Williams and Coauthored by Senator Wilcoxson, **2044**, Remove Senator Littlefield as principal Senate author and substitute with Senator Williams and Coauthored by Senator Ford, **2057, 2072, 2099**, Coauthored by Senator Littlefield, **2104, 2269, 2324, 2428, 2453, 2505, 2541, 2552, 2635**, Coauthored by Senator Cain, **2638, 2668, 2676 and 2679** and **HJR 1049**, (Emergency failed).

Senate amendments were read on the above numbered measures.

Transmitting enrolled measures

Advising the signing of and transmitting for signature Enrolled **SCRs 62 and 65**.

The above-numbered enrolled measures were properly signed and ordered returned to the Honorable Senate.

Advising fourth reading of and transmitting for signature Enrolled **SBs 838, 1109, 1120, 1180, 1228 and 1330**.

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

Returning enrolled measures

Announcing that Enrolled **HBs 1228, 1979, 2021, 2188, 2408, 2539, 2559 and 2665** 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.

Transmitting engrossed measure

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 86 – Dickerson, Brown, Cain, Campbell, Capps, Coffee, Crutchfield, Douglass, Dunlap, Easley, Fair, Fisher, Ford, Haney, Harrison, Helton, Henry, Herbert, Hobson, Horner, Johnson, Kerr, Laughlin, Leftwich, Littlefield, Long, Maddox, Martin, Mickle, Milacek, Monson, Morgan, Muegge, Price, Pruitt, Rabon, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Weedn, Wilcoxson, Wilkerson, Williams and Williamson of the Senate and Seikel of the House.

A Concurrent Resolution praising the principles and performance of Oklahoma People First; and directing distribution.

COMMEMORATION

The ceremony honoring the memory of the victims of the April 19, 1995, bombing of the Alfred P. Murrah Federal Office Building in Oklahoma City, Oklahoma, commenced in the House Chamber with Speaker Benson making the following opening remarks followed by prayer:

“Five years ago this morning everyone in this chamber knows exactly where they were at 9:02 a.m. The greatest tragedy that has occurred on soil occupied by the United States of America occurred right here in Oklahoma City, Oklahoma.

During that tragedy a new standard was set that has been recognized worldwide. The tremendous loss of 168 lives and 600 injured that resulted from that tragedy brought great credit to Oklahoma and to Oklahomans.

This morning, at the same time of 9:02 a.m., we are going to memorialize and honor those people who paid the greatest sacrifice that you can pay - the sacrifice of their life.

We know that the world stage was set and Oklahomans performed admirably with a faith-based spirituality that the world did not understand, but we as Oklahomans understood very clearly.

As the clock moves to 9:02 a.m., I am going to ask that we stand in silence for 168 seconds for each of the lives that was lost during that great tragedy on American soil. Would you please bow your heads for a moment of silence.

Lord as we allow these last 48 seconds to tick away, we ask that your healing hand be on the mothers, the fathers, the husbands, the wives, those that lost loved ones during this tremendous tragedy that only took two minutes to occur but has caused grief and losses that cannot be described here today. We recognize your omnipotent presence in this body and we recognize your powerful force and we ask that your love and your lifting hands be with those families today who are again going through the memory of the loss of their loved ones. Lift them up, give them strength, give them courage, heal them Lord, for it is in His name we pray. Amen.”

The Speaker introduced Reverend Margot Nesbitt, St. Paul's Episcopal Cathedral, Oklahoma City, Oklahoma, whose church was affected by the tragedy. Reverend Nesbitt offered the following prayer:

“Oh almighty God, Father of us all, look down with mercy upon us and upon the members of this legislative body and its guests gathered here in the holiest week of the Christian and Jewish year to commemorate the lives lost and the lives changed forever by the bombing of the Murrah Building five years ago this morning.

Hear our prayers as they rise to you from hearts made tender by the sorrows we have all endured, individually and as a community. We commend this nation and especially Oklahoma and Oklahoma City to your merciful care, oh God, that being guided by your providence we may dwell secure in our land.

Grant to all in authority wisdom and strength to know and to do thy will. Help to strengthen the bonds which bind us together. Teach us to be strong but gentle, upright, but not rigid, fearless but not foolhardy. May your holy and life-giving spirit so move every human heart that barriers that divide us may crumble, suspicions despair, and hatred cease, that we may live together in justice and peace and may the blessing of God Almighty, the Father, the Son and the Holy Spirit be with you now and forever more, Amen.”

Speaker Benson recognized Representative Blackburn who called to the podium Representatives Cox, Nance and Winchester.

Representative Blackburn introduced J. D. Strong, Jim Summers, Michael Albano and Harold Springer who are employees of the Water Resources Board and who represent state employees who were impacted by the bombing as well as the federal employees who lost their lives. Other impacted agencies were Small Business Development Center, Risk Management of Department Services, State Historic Preservation Office of the Oklahoma Historical Society, Oklahoma Guaranteed Student Loan Program, Oklahoma Tuition Aid Grant Program, Water Resources Board, Basic Health Benefits Board, Oklahoma Department of Securities and Criminal Justice Resource Center.

Representative Blackburn introduced first Representative Nance, who is one of our own and who lost a partner in the federal building bombing on April 19th - five years ago.

Representative Nance addressed the House Members as follows:

“First, I want to thank Debbie for organizing this moment of honor and I'm thankful to be part of this tribute. The scripture says righteousness exalts a nation...but sin is a reproach to any people. One of the Ten Commandments says Thou Shalt Not Kill. What happened on April 19, 1995, was a sin...and a reproach to us as a nation. The scripture also says there are seven things that the Lord hates - one is hands that shed innocent blood.

Last evening, Donna and I had dinner with most of the Timothy McVeigh jury and a lot of other victims, friends and family. These people are fellow Americans, Oklahomans and loved ones. Their lives and our lives were changed forever. Our entire nation and world has been touched by this tragedy. Last evening we released 168 balloons into the air as another tribute to those who lost their lives. The over 100 people applauded as it was announced that \$2.3 million dollars in appropriations was passed in this house yesterday for the completion of the Memorial. That group of people was very grateful.

I was employed in the Oklahoma City Federal Courthouse and watched as they cleared the entire block north of the Federal Court House in Oklahoma City. This became the Murrah Building Complex. In the 1980's I worked in the Murrah Building in the Organized Crime Drug Task Force in the DEA office directly above where the bomb exploded. I had personal friends killed in the Drug Enforcement Administration, United States Secret Service, General Service Administration, Federal Employees Credit Union and US Customs Service. Many other friends sustained serious injury. I retired after 28 years with the US Treasury in 1990.

I have to tell you that after looking at the paper this morning and the picture of the drawings of the Memorial - he is more than chair number 117. He was my good friend and former partner - he was a Senior Special Agent with the U.S. Customs Service. His name is Paul Ice. Paul was a wonderful person, a marine pilot, a great partner and I know that in this five minutes that I have I cannot give you but just a small snapshot of my experiences. Paul was cut down in the prime of his life and his career. One of the cases that we worked together resulted in a large amount of money being donated to El Reno. Out of courtesy to his family, they named their firearms range in El Reno after Paul. Last evening as I talked to Paul's mother and one of his sisters, we discussed this wonderful human being. One of the traits he was always recognized by, to those of us who knew him, was that he always looked like a teenager. At the age of 42 he still looked young.

This is only a sample of one family who represents so many families that still suffer under this terrible loss. I see my friends in the Credit Union who helped members with their banking needs. I see a GSA friend who was a very active member in the US Posse. I see friends in the Secret Service, DEA and other federal agencies that I worked with over the years when I look at the pictures and think of the names. I remember that these people were just working and going about their business innocently and they died or were injured because they were good citizens.

These are good people who have gone into history because a person or persons who were angry at our government decided to choose to take their vengeance out on these innocent people. One hundred sixty-eight victims blood cries for justice. Government is ordained of God and is not a terror to good works. According to scripture precious in the site of the Lord is the death of his saints. We lost so much that fateful day five years ago. May those who made the ultimate sacrifice and those who suffered injury never be forgotten.

May God bless us all.”

Representative Blackburn next introduced Representative Cox who made the following remarks:

“I too want to thank Representative Blackburn and the House for recognizing what went on five years ago. Sunday one of my Masonic Lodges led by one of Sergeant of Arms Deacon, Dennis Baker, Commander and Chief of the Great Western District 34 and I visited a church. The church we visited as a group this past Sunday sang my absolute favorite gospel song, “All Day and All Night the Angels Watch Over Me.”

I don't understand how I escaped that morning of April 19, 1995, but I had just left the post office downtown on 5th street and was coming out of the post office. I saw Cody Graves, our Corporation Commissioner at the time, and we stopped and talked in the street.

If it weren't for an 18-wheeler blowing his horn Cody and I would have been standing right there as the bomb went off. I have a receipt from the U.S. Post Office that I will keep for the rest of my life and also pass on to my 10-year-old son. It is from the Central City Post Office, April 19, 1995 at 8:59 a.m and 16 seconds. As you all know that post office was destroyed. A bunch of glass in front of the post office would have cut me up as I was coming out of there.

I don't know why the angels watched over me that day because in my church alone we had four that died in the bombing - Clarence Wilson, Chief Legal Council at HUD, Castine Deveroux, a single mother who left 4 or 5 kids and was an usher with me at St. John's Missionary Baptist Church, Lula Garrison who was just a visitor in the Social Security Office and also Deacon, Larry Turner, who worked for the Department of Defense. We didn't know Larry had perished in the bombing. That evening we had, as you masons in the chamber here know, our second degree which is called Fellow Crab and we are waiting on Larry to come. He never did show up. By kind of figuring out what went on and what happened, we figured Larry had perished in the bombing.

I want to say that I was very honored last night that my fraternity loaned us the fraternity house and a fellow shiner and I fed the LaKesha Levy family. I have LaKesha's button here. I never met LaKesha but she was a 21-year-old airman. You all might say that out of 168 victims you never heard of LaKesha Levy, but she was from New Orleans, Louisiana. Her family came up in three vans and one car, 16 or 17 of them and, of course, the expense was great. They were going to bring their own food and I got a call from them and I said, "Let me and my shiner brothers feed you" and we did. But LaKesha was the one, bear with me, I'm sensitive about this, LaKesha was the one that her leg was blown off and they had a leg that they didn't know who it belonged to. For the longest time they thought maybe the leg belonged to the 169th victim. But through DNA and after several months, not days but several months later, they identified that leg as LaKesha Levy's leg. They shipped it down to New Orleans and had a military service in her honor. They exhumed LaKesha's body with her family there and replaced it with the correct leg. As a result I have become very close to that family.

I just want to say that I am a historian and I take history very seriously and I do have momentos that I was able to collect during the rescue. I want to say that I was just leaving the post office and was in front of the YMCA building when the bomb blew. It destroyed my car with me in it and the angels watched over me that day and that night. This is a piece of my head light that I went back to pick up and I'm going to save it in my archives. There were cars destroyed, especially marine vehicles, I'm not sure if that was a fan belt from a marine vehicle but the cars that were in front of the Murrah building were completely twisted and destroyed. Some of the police tape I kept because the police and the firemen did such an excellent job on trying to save those people that we thought might still be alive. Also, I'm not sure what the bomb making material was stored in but I'm not sure if that might not have been the barrel of something that the bomb making material was stored in. And lastly, out of better than 30,000 IDs that were given out for those people that went down there to try to help out, which I did every day for three weeks except two days, this was my badge number that the FBI gave me, number 5091 out of 30,000.

I just want to say that I too don't understand why it happened and I hope all of those victims that died were in grace because if the angels don't watch over you we might not see eternal life. I just want to say that I'm blessed. I have bad days and I have good days but considering what happened five years ago today I know that I am a blessed person. Thank you.

Representative Blackburn then introduced Representative Winchester who addressed the House Members as follows:

"I too want to thank Representative Blackburn and Speaker Benson for doing this this morning. As many of you know my sister was one of those 168 people and as I look back on that day I know that there are certain days that all of us remember. We remember the day that we met our husband or our wives. We remember the day our children were born and we remember the day that we lost a loved one. Psychologists call those anniversary dates and they are dates that will always stay with us and dates that will always remain in our heart and that we never forget.

There are also historical anniversaries. Dates that we always remember. December 7, 1941 - I wasn't there but I heard over and over again growing up what happened on that day. In my mind I vividly remember decorating the Christmas tree that day, listening to the radio and I still have that great big monstrosity of a radio that belonged to my grandparents, but listening as President Roosevelt declared war. I remember November 23, 1963. I remember that one personally. I remember watching television as a newscaster broke in and announced to the world that President Kennedy had been killed. I remember watching for the next few days as we swore in a new president as well as saw Lee Harvey Oswald shot before our very eyes. We watched a small three year old boy salute the caisson carrying the body of his slain father.

I will never in my life forget April 19, 1995. I was sitting in my office five blocks south of the Murrah building when I heard what I thought was a sonic boom. As I've just told you I'm a child of the 60's, so Representative Corn and Representative Jones, I know you probably have never heard a sonic boom because we don't hear those any more. When I was growing up it was a very loud noise that sometimes shook the windows and sometimes caused us to fall in our offices and that is what happened. After I thought for just a minute I knew that we didn't have sonic booms anymore so I thought perhaps it was a gas explosion that had happened. We went outside of the building - we saw black smoke - we saw dust falling from the air and we heard from people passing by that a building in downtown Oklahoma City had been bombed. The thought of a bomb never crossed my mind because this is the heart of the heartland and bombs don't happen here. Bombings happen in places like Cairo, New York or London but they don't happen in Oklahoma City, Oklahoma.

I went back into my office and made three phone calls. I called my husband to tell him I was okay. He was in court and didn't even know what was going on. He said, "Of course you're okay, I saw you this morning." I called my grandmother because we always call our grandmothers when something happens to make sure they know we are okay because they never quit looking out for you. I made one other phone call - I called my sister's office because my sister worked in downtown Oklahoma City. The phone rang but no one answered.

I didn't know until many days later the irony of what had just happened. My sister worked in the Murrah building along with the 168 other people who had just been senselessly murdered, but again, we didn't know that. After I called her office I called her husband to check on her. He said she was fine. She was supposed to be doing a presentation at OSU. She'll be in a government truck, there was no radio, and by this time he had heard what had happened. She was a doctor with the Department of Agriculture, a veterinarian. Her truck had no radio. He said she won't even know there is a problem. She

is so independent she won't think that we will be worried about her. So she won't call but as soon as she gets to the meeting and we have called and left a message, she will call back and let us know. She didn't make her meeting, because she had gone by her office that morning to pick up some materials that she was going to use in that presentation. She wasn't supposed to be there that day.

I also remember that day driving home, leaving Oklahoma City driving back to Chickasha. They sent us home, as many of you left here. They requested, if we possibly could, leave the downtown area because there were threats of a second bomb. I remember walking outside and seeing how still it was, dust was still falling in the air, getting in my car going back and passing ambulance after ambulance coming to Oklahoma City. Still, I wasn't worried about my family. I was very concerned about what had happened but didn't realize even then the impact that it was going to have on me. I got back to Chickasha. I went by the schools that afternoon to pick up my three nieces because that's what I did everyday. We went home and started watching the most devastating act of violence to ever happen on American soil. Later that evening by five o'clock, when their mom hadn't shown up as she always did that afternoon, had not made her meeting, we realized that she was one of the people that we were looking for.

As we continued to watch the things progress, the search that went on and on for many, many days, we saw something besides our own personal tragedy. We saw rescuers. We saw citizens working day after day after day, hour after hour, taking care of one another. Those of us that were at the Christian church waiting to hear news of what was going on were served meals by people who didn't know us, will never know us. Our every single need was taken care of. People from everywhere came in to take care of the rescuers. They washed clothes. They even put mints on pillows - anything and everything to take care of those many, many people that were here helping in this tragedy. As we worked for days and days together, we began to set, as Speaker Benson said, that Oklahoma standard, that standard that has become known nationwide as the benchmark that everyone must meet.

On April 19, 1995, we faced a tragedy unprecedented not only in the state of Oklahoma but the nation as well. I lost a sister. Others lost family members, neighbors, and best friends. There is no one whose life was not forever changed by what happened on that terrible day. Yet as we have seen through tragedy, we have been brought together and we here in this room today along with countless others throughout the state and throughout the nation have shown everyone what it truly means to be an Oklahoman.

For the past ten years I have had several opportunities to talk about leadership and I have talked in those presentations about leadership versus management, leadership versus authority, situational leadership and something called servant leadership. On April 19th, five years ago today and for the days that followed, I have truly understood the meaning of the term and have learned the value in the deepest meaning of the Bible verse Mark 10:45 "For the Son of God came not to be served but to serve."

We are truly blessed to have so many leaders leading us in here and on behalf of my family I want to thank each and every one of you for everything you have done, for what you did yesterday, for what you have done the past five years. From the bottom of my heart, thank you."

Representative Blackburn read the following poem:

And The Angels Cried

Nothing gave any warning that morning!
There was no time or place to hide...
A bomb brought the walls and floors crashing down.
And in heaven all the angels cried!

Tears and sweat streaked the bloody faces,
As many hands reached to help those inside...
Bringing out injured people from everywhere.
And silently, the angels cried!

A tiny toddler drew much attention there,
While lying in a fireman's arms, it died...
Stunned adults, broken and bleeding stood back.
These, too, explain why the angels cried!

Emergency crews swarmed over the scene,
To a building hundreds daily occupied...
They found a task without beginning or end,
And still, God's angels cried!

Hospitals quickly became overflowing.
Casualties came on a blood-red tide...
Their eyes reflecting their inner terror and fear.
You could see why the angels cried!

Another child was carried out by a medic.
And from his grasp she had to be pried...
As he held on tightly to her security.
Yes, even this little angel cried!

While the world watched in shocked disbelief.
In Oklahomans they all took pride...
And those days of rain was not rain, you see
It was really the tears all the angels cried!!

Anonymous
4-24-95

Speaker Benson introduced Oklahoma songwriter, Dale Phillips, who sang "Shedding Innocent Blood."

Representative Blackburn asked Representative Nance to lead the House Members and their guests in singing "God Bless America."

The victims of the April 19, 1995, bombing of the Alfred P. Murrah Federal Office Building in Oklahoma City, Oklahoma, are remembered as follows:

Social Security Administration

Teresa Antionette Alexander, Richard A. Allen, Pamela Cleveland Argo, Sandra G. (Sandy) Avery, Calvin Battle, Peola Battle, Oleta C. Biddy, Casandra Kay Booker, Carol Louise Bowers, Peachlyn Bradley, Gabreon D.L. Bruce, Katherine Louise Cregan, Ashley Megan Eckles, Don Fritzier, Mary Anne Fritzier, Laura Jane Garrison, Margaret Betterton Goodson, Ethel L. Griffin, Cheryl E. Hammon, Ronald Vernon Harding, Sr., Thomas Lynn Hawthorne, Sr., Dr. Charles E. Hurlburt, Jean Nutting Hurlburt, Raymond "Lee" Johnson, Airman 1st Class LaKesha Richardson Levy, Robert Lee Luster, Jr., Aurelia Donna Luster, Rev. Gilbert X. Martinez, Airman 1st Class Cartney J. McRaven, Darwin W. Miller, Eula Leigh Mitchell, Emilio Tapia, Charlotte Andrea Lewis Thomas, Michael George Thompson, LaRue A. Treanor, Luther H. Treanor, Robert N. Walker, Jr., Julie Marie Welch, W. Stephen Williams, Sharon Louise Wood-Chestnut

General Services Administration

Steven Douglas Curry, Michael L. Loudenslager

Outside

Rebecca Needham Anderson

America's Kids Day-Care Center

Baylee Almon, Danielle Nicole Bell, Zackary Taylor Chavez, Dana LeAnne Cooper, Anthony Christopher Cooper II, Antonio Ansara Cooper, Jr., Aaron M. Coverdale, Elijah S. Coverdale, Jaci Rae Coyne, Brenda Faye Daniels, Tylor Santoi Eaves, Tevin D'Aundrae Garrett, Kevin "Lee" Gottshall II, Wanda Lee Howell, Blake Ryan Kennedy, Dominique Ravae (Johnson)-London, Chase Dalton Smith, Colton Wade Smith, Scott D. Williams,

Department of Defense Investigative Service

Harley Richard Cottingham, Peter L. DeMaster, Norma "Jean" Johnson, Larry L. Turner, Robert G. Westberry

Federal Employees Credit Union

Woodrow Clifford "Woody" Brady, Kimberly Ruth Burgess, Kathy A. Finley, Jamie (Fialkowski) Genzer, Sheila R. Gigger-Driver and unborn infant Gregory N. Driver, II, Linda Coleen Housley, Robbin Ann Huff and unborn infant Amber Denise Huff, Christi Yolanda Jenkins, Alvin J. Justes, Valerie Jo Koelsch, Kathy Cagle Leinen, Claudette

(Duke) Meek, Frankie Ann Merrell, Jill Diane Randolph, Claudine Ritter, Christy Rosas, Sonja Lynn Sanders, Karan Howell Shepherd, Victoria Jeanette Texter, Virginia M. Thompson, Tresia Jo “Mathes” Worton

Oklahoma Water Resources Building

Robert N. Chipman

Department of Transportation

Lucio Aleman, Jr., Mark Allen Bolte, Michael Carrillo, Larry James Jones, James K. Martin, Ronota Ann Newberry-Woodbridge, Jerry Lee Parker, Michelle A. Reeder, Rick L. Tomlin, Johnny Allen Wade, John A. Youngblood

U.S. Army recruiting office

Sgt. 1st Class Lola Bolden, Karen Gist Carr, Peggy Louise Holland, John C. Moss, III, Master Sgt. Victoria (Vickey) L. Sohn, Dolores (Dee) Stratton, Kayla Marie Titsworth, Wanda Lee Watkins

Department of Agriculture

Olen Burl Bloomer, James E. Boles, Dr. Margaret L. “Peggy” Clark, Richard (Dick) Cummins, Doris “Adele” Higginbottom, Carole Sue Khalil, Rheta Bender Long

Inspector General’s Office, Department of Housing and Urban Development

Paul Gregory Beatty Broxterman

Customs Service

Paul D. Ice, Claude Arthur Medearis

Jobs Corps

Anita Christine Hightower

U.S. Marine Corps

Sgt. Benjamin LaRanzo Davis, Capt. Randolph A. Guzman

Department of Housing and Urban Development

Diane E. (Hollingsworth) Althouse, Andrea Yvette Blanton, Kim R. Cousins, Diana Lynne Day, Castine Brooks Hearn Deveroux, Judy J. (Froh) Fisher, Linda Louise Florence, J. Colleen Guiles, Thompson Eugene “Gene” Hodges, Jr., Ann Kreyborg, Teresa Lea Taylor Lauderdale, Mary Leasure-Rentie, James A. McCarthy, II, Betsy J. (Beebe)

McGonnell, Patricia Ann Nix, Terry Smith Rees, John Thomas Stewart, John Karl Van Ess, III, Jo Ann Whittenberg

Parking lot

Kathryn Elizabeth Ridley

Department of Housing and Urban Development

Ted L. Allen, Peter R. Avillanoza, David Neil Burkett, Donald Earl Burns, Sr., Kimberly Kay Clark, Susan Jane Ferrell, Dr. George Michael Howard, Antonio "Tony" C. Reyes, Lanny Lee David Scroggins, Leora Lee Sells, Jules A. Valdez, David Jack Walker, Michael D. Weaver, Frances "Fran" Ann Williams, Clarence Eugene Wilson, Sr.

Drug Enforcement Administration

Shelly D. Bland, Carrol June "Chip" Fields, Carrie Ann Lenz and unborn infant Michael James Lenz, III, Rona Linn Kuehner-Chafey, Kenneth Glenn McCullough, Cynthia L. Brown

Secret Service

Donald Ray Leonard, Mickey B. Maroney, Linda G. McKinney, Kathy Lynn Seidl, Alan G. Whicher

Water Resources Building

Trudy Jean Rigney

GENERAL ORDER

SB 1520 by Cain of the Senate and Blackburn of the House was read and considered.

Representative Blackburn moved that **SB 1520** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Blackburn, **SB 1520** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1520 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, Braddock, Bryant, Case, Claunch, Collins, Corn, Covey, Culver, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Gray, Hastings,

Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Mitchell, Morgan, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Winchester, Worthen, Wright, Mr. Speaker.--87.

Nay: Calvey, Cox, Davis, Graves, Greenwood, Liotta, Reese, Smith (Hopper), Wilt.--9.

Excused: Coleman, Frame, Miller, Pope (Tim), Thornbrugh.--5.

The measure passed.

SB 1520 was referred for engrossment.

RECONSIDERATION

Representative Benge moved to reconsider the vote whereby **SB 1325** failed, which motion prevailed upon roll call as follows:

Aye: Adair, Adkins, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Mitchell, Morgan, Nance, Nations, Newport, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Coleman, Frame, Miller, Ostrander, Pope (Tim), Thornbrugh.--6.

THIRD READING

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

Aye: Adair, Adkins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Mitchell, Morgan, Nance, Nations, Newport, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roberts, Roggow, Seikel, Sellers, Smith (Dale), Smith (Hopper), Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas,

Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--87.

Nay: Askins, Culver, Ervin, Ross, Settle, Staggs.--6.

Excused: Coleman, Frame, Leist, Miller, Ostrander, Pope (Tim), Thornbrugh, Weaver.--8.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1325** and ordered same returned to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to **HB 1905** were rejected upon motion of Representative Covey. Conferees to be named later.

RECONSIDERATION

Representative Toure moved to reconsider the vote whereby **SB 805** failed, which motion prevailed upon roll call as follows:

Aye: Adair, Adkins, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Deuschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Mitchell, Morgan, Nance, Nations, Newport, Paulk, Perry, Pettigrew, Phillips, Plunk, Pope (Clay), Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sullivan (John), Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilt, Mr. Speaker.--84.

Nay: Davis, Graves, Greenwood, Piatt, Reese, Smith (Hopper), Sullivan (Leonard), Worthen, Wright.--9.

Excused: Coleman, Frame, Miller, Ostrander, Pope (Tim), Thornbrugh, Weaver, Winchester.--8.

Upon unanimous consent request of Representative Toure, **SB 805** was returned to General Order.

GENERAL ORDER

Representative Toure moved to amend **SB 805** by striking the title and the enacting clause, which amendment was declared adopted.

Representative Toure moved to amend **SB 805** by deleting Section 7, and renumbering subsequent sections, which amendment was declared adopted.

Representative Toure moved that **SB 805** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Toure, **SB 805** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 805 was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Nay: Adkins, Askins, Bengel, Blackburn, Braddock, Bryant, Claunch, Dank, Davis, Ferguson, Graves, Greenwood, Hiett, Ingmire, Jones, Kouba, Liotta, Maddux, Morgan, Nance, Newport, Paulk, Perry, Pettigrew, Phillips, Piatt, Reese, Roach, Roggow, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Vaughn, Webb, Wilt, Worthen, Wright.--37.

Excused: Coleman, Frame, Kinnamon, Mass, McCarter, Miller, Ostrander, Pope (Tim), Roberts, Thornbrugh, Weaver, Winchester.--12.

The measure passed.

SB 805 was referred for engrossment.

GENERAL ORDER

SB 1287 by Mickle of the Senate and Thomas of the House was read and considered.

Representative Thomas moved to amend **SB 1287** by striking the enacting clause, which amendment was declared adopted.

Representative Thomas moved that **SB 1287** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Thomas, **SB 1287** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1287 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, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deuschendorf, Dunegan, Easley, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, 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), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilt, Worthen, Wright, Mr. Speaker.--94.

Excused: Coleman, Eddins, Frame, Pope (Tim), Thornbrugh, Weaver, Winchester.--7.

The measure passed.

SB 1287 was referred for engrossment.

GENERAL ORDER

SB 1036 by Stipe of the Senate and Corn of the House was read and considered.

Coauthored by Representative(s) Hilliard

Representative Corn moved to amend **SB 1036** by striking the enacting clause, which amendment was declared adopted.

Representative Roberts moved to amend **SB 1036** by deleting Sections 1 and 2 and inserting new Sections 1 and 2 to read as follows which amendment was declared adopted:

“SECTION 1. AMENDATORY 47 O.S. 1991, Section 2-300, as last amended by Section 22, Chapter 257, O.S.L. 1999 (47 O.S. Supp. 1999, Section 2-300), is amended to read as follows:

Section 2-300. As used in this act:

1. “System” means the Oklahoma Law Enforcement Retirement System;
2. “Act” means Sections 2-300 through 2-313 of this title;
3. “Board” means the Oklahoma Law Enforcement Retirement Board of the System;
4. “Executive Director” means the managing officer of the System employed by the Board;
5. “Fund” means the Oklahoma Law Enforcement Retirement Fund;
6. “Member” means all law enforcement officers of the Oklahoma Highway Patrol and the State Capitol Division of the Department of Public Safety and all commissioned officers in the Gunsmith/Ammunition Reloader Division of the Department of Public Safety who

have obtained certification from the Council on Law Enforcement Education and Training, the Oklahoma State Bureau of Investigation, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and the and prevention of crime and the enforcement Oklahoma Alcoholic Beverage Control Board designated to perform duties in the investigation of the criminal laws of this state, and members of the Communications Division to include radio technicians, tower technicians and commissioned officers of the Lake Patrol Division of the Oklahoma Department of Public Safety, park rangers of the Oklahoma Tourism and Recreation Department and inspectors of the Oklahoma State Board of Pharmacy, ~~and~~ any park manager or park supervisor of the Oklahoma Tourism and Recreation Department who was employed in such a position prior to July 1, 1985, and who elects on or before September 1, 1996, to participate in the System and any correctional or probation and parole officer of the Oklahoma Department of Corrections who was employed in such a position prior to July 1, 2000, and who elects on or before December 31, 2000, to participate in the System. A member does not include a "leased employee" or independent contractor, including a leased employee, as defined under Section 414(n)(2) of the Internal Revenue Code of 1986, as amended. Any individual who contracts with the Board for services to be performed as a leased employee or an independent contractor shall not be a member regardless of any classification as a common-law employee by the Internal Revenue Service or any other governmental agency, or any court of competent jurisdiction, provided that all persons who shall be offered a position of a law enforcement officer shall participate in the System upon the person meeting the requisite post-offer-pre-employment physical examination standards which shall be subject to the following requirements:

- a. all such persons shall be of good moral character, free from deformities, mental or physical conditions, or disease and alcohol or drug addiction which would prohibit the person from performing the duties of a law enforcement officer,
- b. said physical-medical examination shall pertain to age, sight, hearing, agility and other conditions the requirements of which shall be established by the Board,
- c. the person shall be required to meet the conditions of this subsection prior to the beginning of actual employment but after an offer of employment has been tendered by a participating employer,
- d. the Board shall have authority to deny or revoke membership of any person submitting false information in such person's membership application,
- e. the Board shall have final authority in determining eligibility for membership in the System, pursuant to the provisions of this subsection;

7. "Normal retirement date" means the date at which the member is eligible to receive the unreduced payments of the member's accrued retirement benefit. Such date shall be the first day of the month coinciding with or following the date the member:

- a. completes twenty (20) years of vesting service; or
- b. attains sixty-two (62) years of age with ten (10) years of vesting service; or
- c. attains sixty-two (62) years of age, if:
 - (1) the member has been transferred to this System from the Oklahoma Public Employees Retirement System on or after July 1, 1981; and

(2) the member would have been vested had the member continued to be a member of the Oklahoma Public Employees Retirement System;

Effective July 1, 1989, notwithstanding any other provision contained herein to the contrary, in no event shall commencement of distribution of the accrued retirement benefit of a member be delayed beyond April 1 of the calendar year following the later of:

1. The calendar year in which the member reaches seventy and one-half (70 1/2) years of age; or
2. The actual retirement date of the member. The preceding sentence does not allow deferral of benefit commencement beyond the age of sixty-five (65).

A member who was required to join the System effective July 1, 1980, because of the transfer of the employing agency from the Oklahoma Public Employees Retirement System to the System, and was not a member of the Oklahoma Public Employees Retirement System on the date of such transfer shall be allowed to receive credit for prior law enforcement service rendered to this state, if the member is not receiving or eligible to receive retirement credit or benefits for such service in any other public retirement system, upon payment to the System of the employee contribution the member would have been subject to had the member been a member of the System at the time, plus five percent (5%) interest. Service credit received pursuant to this paragraph shall be used in determining the member's retirement benefit, and shall be used in determining years of service for retirement or vesting purposes;

8. "Actual paid base salary" means the salary received by a member, excluding payment for any accumulated leave or uniform allowance. Salary shall include any amount of nonelective salary reduction under Section 414(h) of the Internal Revenue Code of 1986;

9. "Final average salary" means the average of the highest thirty (30) consecutive complete months of actual paid gross salary. Gross salary shall include any amount of elective salary reduction under Section 457 of the Internal Revenue Code of 1986 and any amount of nonelective salary reduction under Section 414(h) of the Internal Revenue Code of 1986. Only salary on which required contributions have been made may be used in computing the final average salary.

In addition to other applicable limitations, and notwithstanding any other provision to the contrary, for plan years beginning on or after July 1, 1996, the annual gross salary of each "Noneligible Member" taken into account under the System shall not exceed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) annual salary limit. The OBRA '93 annual salary limit is One Hundred Fifty Thousand Dollars (\$150,000.00), as adjusted by the Commissioner for increases in the cost of living in accordance with Section 401(a)(17)(B) of the Internal Revenue Code of 1986, as amended. The annual salary limit in effect for a calendar year applies to any period, not exceeding twelve (12) months, over which salary is determined ("determination period") beginning in such calendar year. If a determination period consists of fewer than twelve (12) months, the OBRA '93 salary limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is twelve (12). For purposes of this section, a "Noneligible Member" is any member who first became a member during a plan year commencing on or after July 1, 1996.

For plan years beginning on or after July 1, 1996, any reference in the System to the annual salary limit under Section 401(a)(17) of the Internal Revenue Code of 1986, as amended, shall mean the OBRA '93 salary limit set forth in this provision.

If gross salary for any prior determination period is taken into account in determining a Noneligible Member's benefits accruing in the current plan year, the gross salary for that prior determination period is subject to the OBRA '93 annual salary limit in effect for that prior determination period. For this purpose, for determination periods beginning before the first day of the first plan year beginning on or after July 1, 1996, the OBRA '93 annual salary limit is One Hundred Fifty Thousand Dollars (\$150,000.00).

Effective July 1, 1989, through June 30, 1997, in determining the gross salary of a member for purposes of this limitation, the rules of Section 414(q)(6) of the Internal Revenue Code of 1986, as amended, shall apply, except in applying such rules, the term "family" shall include only the spouse of the member and any lineal descendants of the member who have not attained age nineteen (19) before the close of the year. If, as a result of the application of such rules, the adjusted annual salary limitation is exceeded, then the limitation shall be prorated among the affected individuals in proportion to each such individual's gross salary as determined under this section prior to the application of this limitation.

The family member aggregation rules set forth in the preceding paragraph shall apply only to plan years beginning prior to July 1, 1997;

10. "Credited service" means the period of service used to determine the amount of benefits payable to a member. Credited service shall consist of the period during which the member participated in the System or the predecessor Plan as an active employee in an eligible membership classification, plus any service prior to the establishment of the predecessor Plan which was credited under the predecessor Plan and for officers of the Oklahoma State Bureau of Investigation and the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control who became members of the System on July 1, 1980, any service credited under the Oklahoma Public Employees Retirement System as of June 30, 1980, and for members of the Communications and Lake Patrol Divisions of the Oklahoma Department of Public Safety, who became members of the System on July 1, 1981, any service credited under the predecessor Plan or the Oklahoma Public Employees Retirement System as of June 30, 1981, and for law enforcement officers of the Oklahoma Alcoholic Beverage Control Board who became members of the System on July 1, 1982, any service credited under the Oklahoma Public Employees Retirement System as of June 30, 1982, and for park rangers of the Oklahoma Tourism and Recreation Department who became members of the System on July 1, 1985, any service credited under the Oklahoma Public Employees Retirement System as of June 30, 1985, and for inspectors of the Oklahoma State Board of Pharmacy who became members of the System on July 1, 1986, any service credited under the Oklahoma Public Employees Retirement System as of June 30, 1986, for law enforcement officers of the State Capitol Division of the Department of Public Safety who became members of the System effective July 1, 1993, any service credited under the Oklahoma Public Employees Retirement System as of June 30, 1993, and for all commissioned officers in the Gunsmith/Ammunition Reloader Division of the Department of Public Safety who became members of the System effective July 1, 1994, any service credited under the Oklahoma Public Employees Retirement System as of June 30, 1994, and for the park managers or park supervisors of the Oklahoma Tourism and Recreation Department who were employed in such a position prior to July 1, 1985, and who elect to become members of the System effective September 1, 1996, any service transferred pursuant to subsection C of Section 2-309.6 of this title, and for the correctional officers or probation and parole officers of the Oklahoma Department of Corrections who were employed in such a position prior to July 1, 2000, and who elect to become members of the

System effective not later than December 31, 2000, any service transferred pursuant to subsection D of Section 2-309.6 of this title. Effective August 5, 1993, an authorized leave of absence shall include a period of absence pursuant to the Family and Medical Leave Act of 1993;

11. "Disability" means a physical or mental condition which, in the judgment of the Board, totally and presumably permanently prevents the member from engaging in the usual and customary duties of the occupation of the member and thereafter prevents the member from performing the duties of any occupation or service for which the member is qualified by reason of training, education or experience. A person is not under a disability when capable of performing a service to the employer, regardless of occupation, providing the salary of the employee is not diminished thereby; and

12. "Limitation year" means the year used in applying the limitations of Section 415 of the Internal Revenue Code of 1986, which year shall be the calendar year.

SECTION 2. AMENDATORY Section 2, Chapter 277, O.S.L. 1993, as amended by Section 2, Chapter 60, O.S.L. 1996 (47 O.S. Supp. 1999, Section 2-309.6), is amended to read as follows:

Section 2-309.6 A. For purposes of this section, "capitol patrol members" means law enforcement officers of the State Capitol Division of the Department of Public Safety employed on July 1, 1993, who, pursuant to the provisions of this act, transfer membership from the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System.

B. Capitol patrol members are hereby transferred from the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System subject to the following:

1. Effective July 1, 1993, capitol patrol members who are members of the Oklahoma Public Employees Retirement System shall cease accruing benefits in the Oklahoma Public Employees Retirement System and shall commence accruing benefits in the Oklahoma Law Enforcement Retirement System;

2. Before January 1, 1994, the Oklahoma Public Employees Retirement System shall transfer to the Oklahoma Law Enforcement Retirement System the actual amount contributed to the Oklahoma Public Employees Retirement System from time to time by the capitol patrol members while members of the Oklahoma Public Employees Retirement System and the contributions by the participating employer or employers on behalf of each capitol patrol member to the Oklahoma Law Enforcement Retirement System along with the retirement records of said transferring capitol patrol members;

3. Service credit accrued by a capitol patrol member while a member of the Oklahoma Public Employees Retirement System shall be treated as credited service for such transferring capitol patrol member in the Oklahoma Law Enforcement Retirement System if the capitol patrol member is not receiving or eligible to receive service credit or benefits from said service in any other public retirement system and the member has not received service credit for the same years of service pursuant to Sections 2-307.1, 2-307.3 and 2-307.4 of ~~Title 47 of the Oklahoma Statutes~~ this title. Provided, however, that the total of credited service for each transferring employee shall not exceed the credited service said employee could have accrued if his or her entire employment with an agency of the State of Oklahoma had been as an employee of the Department of Public Safety. Provided further, that only transferred credited service related to actual law enforcement service with the State Capitol Patrol Division of the Department of Public Safety will be included in the determination of a capitol patrol member's normal retirement date or vesting date; and

4. All service credit with the Oklahoma Public Employees Retirement System which is ineligible for transfer to the Law Enforcement Retirement System shall be canceled.

C. Any park manager or park supervisor of the Oklahoma Tourism and Recreation Department who was employed in such a position prior to July 1, 1985, and who elects on or before September 1, 1996, to participate in the Oklahoma Law Enforcement Retirement System is hereby transferred from the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System subject to the following:

1. Effective July 1, 1996, park managers and park supervisors who are members of the Oklahoma Public Employees Retirement System and who elect on or before September 1, 1996, to participate in the Oklahoma Law Enforcement Retirement System shall cease accruing benefits in the Oklahoma Public Employees Retirement System and shall commence accruing benefits in the Oklahoma Law Enforcement Retirement System;

2. Before January 1, 1997, the Oklahoma Public Employees Retirement System shall transfer to the Oklahoma Law Enforcement Retirement System the actual amount contributed to the Oklahoma Public Employees Retirement System by the park manager or park supervisor while he or she was a member of the Oklahoma Public Employees Retirement System and the contributions by the participating employer or employers on behalf of each park manager or park supervisor who elects to become a member of the Oklahoma Law Enforcement Retirement System along with the retirement records of said transferring park manager or park supervisor;

3. To receive service credit accrued by such park manager or park supervisor prior to July 1, 1996, or prior to the date as of which the person making the election ceases to be a member of the Oklahoma Public Employees Retirement System, whichever date occurs last, the member shall pay the difference between the amount transferred by the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System in paragraph 2 of this subsection and the amount determined by the Board of Trustees pursuant to Section 2-307.5 of this title. The park manager or park supervisor shall elect to either pay any difference to receive full credit for the years sought to be transferred or receive prorated service credit for only the amount received from the Oklahoma Public Employees Retirement System pursuant to this subsection. Such an election shall be made in writing, filed with the System prior to receiving the credit provided for in paragraph 10 of Section 2-300 of this title, and shall be irrevocable. Payments made by park managers or park supervisors pursuant to this paragraph shall be made on or before January 1, 1997;

4. Service credit accrued by a park manager or park supervisor while a member of the Oklahoma Public Employees Retirement System shall be treated as credited service for such transferring park managers or park supervisors in the Oklahoma Law Enforcement Retirement System if the park manager or park supervisor is not receiving or eligible to receive service credit or benefits from said service in any other public retirement system and the member has not received service credit for the same years of service pursuant to Sections 2-307.1, 2-307.3 and 2-307.4 of this title. Provided, however, that the total of credited service for each transferring employee shall not exceed the credited service the employee could have accrued if his or her entire employment with an agency of the State of Oklahoma had been as an employee of the Oklahoma Tourism and Recreation Department. Provided further, that only transferred credited service related to park ranger, park manager or park supervisor service with the Oklahoma Tourism and Recreation Department will be included in the determination of a park manager or park supervisor's normal retirement date or vesting date; and

5. All service credit with the Oklahoma Public Employees Retirement System which is ineligible for transfer to the Oklahoma Law Enforcement Retirement System shall be canceled.

D. Any correctional officer or probation and parole officer of the Oklahoma Department of Corrections who was employed in such a position prior to July 1, 2000, and who elects on or before December 31, 2000, to participate in the Oklahoma Law Enforcement Retirement System is hereby transferred from the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System subject to the following:

1. Effective July 1, 2000, correctional officers and probation and parole officers who are members of the Oklahoma Public Employees Retirement System and who elect on or before December 31, 2000, to participate in the Oklahoma Law Enforcement Retirement System shall cease accruing benefits in the Oklahoma Public Employees Retirement System and shall commence accruing benefits in the Oklahoma Law Enforcement Retirement System;

2. Before January 1, 2001, the Oklahoma Public Employees Retirement System shall transfer to the Oklahoma Law Enforcement Retirement System the actual amount contributed to the Oklahoma Public Employees Retirement System by the correctional officer or probation and parole officer while such person was a member of the Oklahoma Public Employees Retirement System and the contributions by the participating employer or employers on behalf of each correctional officer or probation and parole officer who elects to become a member of the Oklahoma Law Enforcement Retirement System along with the retirement records of said transferring correctional officer or probation and parole officer;

3. To receive service credit accrued by such correctional officer or probation and parole officer prior to July 1, 2000, or prior to the date as of which the person making the election ceases to be a member of the Oklahoma Public Employees Retirement System, whichever date occurs last, the member shall pay the difference between the amount transferred by the Oklahoma Public Employees Retirement System to the Oklahoma Law Enforcement Retirement System in paragraph 2 of this subsection and the amount determined by the Board of Trustees pursuant to Section 2-307.5 of this title. The correctional officer or probation and parole officer shall elect to either pay any difference to receive full credit for the years sought to be transferred or receive prorated service credit for only the amount received from the Oklahoma Public Employees Retirement System pursuant to this subsection. Such an election shall be made in writing, filed with the System prior to receiving the credit provided for in paragraph 10 of Section 2-300 of this title, and shall be irrevocable. Payments made by correctional officers or probation and parole officers pursuant to this paragraph shall be made on or before January 1, 2001;

4. Service credit accrued by a correctional officer or a probation and parole officer while a member of the Oklahoma Public Employees Retirement System shall be treated as credited service for such transferring correctional officers or probation and parole officers in the Oklahoma Law Enforcement Retirement System if the correctional officer or probation and parole officer is not receiving or eligible to receive service credit or benefits from said service in any other public retirement system and the member has not received service credit for the same years of service pursuant to Sections 2-307.1, 2-307.3 and 2-307.4 of this title. Provided, however, that the total of credited service for each transferring employee shall not exceed the credited service the employee could have accrued if his or her entire employment with an agency of the State of Oklahoma had been as an employee

of the Oklahoma Department of Corrections. Provided further, that only transferred credited service related to correctional officer or probation and parole officer service with the Oklahoma Department of Corrections will be included in the determination of a correctional officer's or a probation and parole officer's normal retirement date or vesting date; and

5. All service credit with the Oklahoma Public Employees Retirement System which is ineligible for transfer to the Oklahoma Law Enforcement Retirement System shall be canceled."

Representative Corn moved that **SB 1036** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Corn, **SB 1036** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1036 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adair, Adkins, Askins, Begley, Bengé, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Fields, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, 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, 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, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilt, Worthen, Wright, Mr. Speaker.--94.

Nay: Phillips.--1.

Excused: Coleman, Ferguson, Frame, Thornbrugh, Weaver, Winchester.--6.

The measure and emergency passed.

SB 1036 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1084 was called up for consideration.

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

Upon motion of Representative Taylor, **HCR 1084** was considered and adopted.

HCR 1084 was referred for engrossment.

GENERAL ORDER

SB 954 by Haney et al of the Senate and Settle et al of the House was read and considered.

Representative Settle moved to amend **SB 954** by striking the enacting clause, which amendment was declared adopted.

Representative Settle moved that **SB 954** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Settle, **SB 954** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 954 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, Braddock, Bryant, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Fields, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiett, 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, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Worthen, Wright, Mr. Speaker.--93.

Nay: Calvey, Dank, Graves.--3.

Excused: Coleman, Ferguson, Frame, Thornbrugh, Winchester.--5.

The measure passed.

SB 954 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1056 was called up for consideration.

Upon motion of Representative Taylor, **HR 1056** was considered and adopted.

HR 1056 was referred for enrollment.

GENERAL ORDER

SB 955 by Haney et al of the Senate and Settle et al of the House was read and considered.

Representative Settle moved to amend **SB 955** by striking the enacting clause, which amendment was declared adopted.

Representative Settle moved that **SB 955** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Settle, **SB 955** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 955 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adair, Adkins, Askins, Begley, Bengé, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, 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), Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Worthen, Wright, Mr. Speaker.--96.

Excused: Coleman, Frame, Sullivan (Leonard), Thornbrugh, Winchester.--5.

The measure and emergency passed.

SB 955 was referred for engrossment.

GENERAL ORDER

SB 969 by Haney et al of the Senate and Settle et al of the House was read and considered.

Representative Settle moved to amend **SB 969** by striking the enacting clause, which amendment was declared adopted.

Representative Settle moved that **SB 969** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Settle, **SB 969** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 969 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adair, Adkins, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, 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, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Worthen, Wright, Mr. Speaker.--97.

Excused: Coleman, Frame, Thornbrugh, Winchester.--4.

The measure and emergency passed.

SB 969 was referred for engrossment.

GENERAL ORDER

SB 1519 by Henry of the Senate and Toure of the House was read and considered.

Representative Morgan asked a ruling of the Presiding Officer whether Sections 145, 173 and 176 were germane to **SB 1519**.

The Presiding Officer ruled the point not well taken and the Sections germane.

Speaker Pro Tempore Emeritus Glover Presiding

Representative Toure moved to amend **SB 1519** by striking the enacting clause, which amendment was declared adopted.

Representative Morgan moved to amend **SB 1519** by deleting Section 168 and renumbering subsequent Sections, which amendment was declared adopted.

Representative Toure moved that **SB 1519** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Toure, **SB 1519** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1519 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adair, Beutler, Blackburn, Bonny, Boyd, Braddock, Case, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Frame, Gilbert, Glover, Hastings, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Mass, Matlock, McCarter, Nations, Newport, Ostrander, Perry, Pettigrew, Plunk, Roach, Ross, Seikel, Sellers, Settle, Stanley, Sweeden, Taylor, Thomas, Toure, Turner, Weaver, Wells, Mr. Speaker.--53.

Nay: Adkins, Begley, Bengé, Bryant, Calvey, Claunch, Dank, Davis, Fields, Graves, Gray, Greenwood, Hefner, Hiatt, Kinnamon, Lindley, Liotta, Maddux, Miller, Mitchell, Morgan, Nance, Paulk, Piatt, Pope (Clay), Pope (Tim), Reese, Roberts, Roggow, Smith (Dale), Smith (Hopper), Staggs, Stites, Sullivan (John), Sullivan (Leonard), Vaughn, Webb, Wilt, Worthen, Wright.--40.

Excused: Askins, Coleman, Kouba, Phillips, Rice, Thornbrugh, Tyler, Winchester.--8.

The measure passed.

SB 1519 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising of his approval of **HB 2021** on April 19, 2000.

COMMITTEE REPORT

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

DO PASS, As Amended:

CS for HR 1055 – Rules, Coauthored by Representative(s) Benson, Kouba

Representative Thomas moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 8:30 a.m., Thursday, April 20, 2000, which was the order.

Pursuant to the motion of Representative Thomas, the House was adjourned at 11:57 a.m., to reconvene Thursday, April 20, 2000, at 8:30 a.m.