

## **Fifty-eighth Legislative Day**

**Tuesday, May 16, 2000**

The House was called to order by Representative Matlock.

The roll was called with 101 Members present.

Representative Matlock declared a quorum present.

Prayer was offered by Dr. Donald O. Tyler, Grace Apostolic Temple, Tulsa, Oklahoma.

The Journal for the last legislative day was approved.

### **ENGROSSED AND ENROLLED MEASURES**

**HB 2128** was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

### **CONFEREES NAMED**

The Speaker named the following conferees:

**HB 1130** – Gray, Mass, Webb

**HB 1293** – Settle, Askins, Begley, Maddux

**HB 1351** – Stanley, Lindley, Adkins, Boyd, Coleman, Cox, Culver, Deutschendorf, Eddins, Glover, Gray, Greenwood, Hilliard, Morgan, Ostrander, Paulk, Piatt, Roach, Smith (Hopper), Staggs, Sullivan (John), Vaughn, Webb, Wright

**HB 1670** – Rice, Kinnamon, Thornbrugh

**HB 2037** – Askins, Toure, Case, Braddock, Paulk

**HB 2062** – GCCA

**HB 2474** – Lindley, Gilbert, McCarter, Collins, Fields, Kirby, Liotta

**HB 2567** – Braddock, Beutler, Bonny, Reese

**HB 2582** – Frame, Gray, Erwin, Mass, Hastings, Cox

### **CONFEREES ADDED**

The Speaker added as conferees Matlock on **HB 2088**, Glover on **HB 2420** and Adair, Ingmire on **SB 1496**. The conferees are as follows:

**HB 2088** – Hilliard, Langmacher, Corn, Settle, Begley, Adair, Ferguson, Maddux, Thornbrugh, Matlock

**HB 2420** – Rice, Maddux, Ferguson, Adair, Settle, Thornbrugh, Corn, Begley, Langmacher, Glover

**SB 1496** – Stanley, Pope (Tim), Adkins, Calvey, Worthen, Leist, Pope (Clay), Bonny, Roach, Adair, Ingmire

### **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 513** – Gray, Mass, Webb

**SB 524** – Toure, Gilbert, Hefner, Hastings

**SB 558** – Weaver, Thomas, Erwin, Bryant

**SB 805** – Toure, Ross, Dunegan

**SB 860** – Adair, Culver, Hutchison, Sullivan (John)

**SB 1024** – Leist, Begley, Stites, Roberts, Settle, Thomas, Kouba, Ingmire

**SB 1057** – Corn, Maddux, Langmacher, Adair, Settle, Begley, Ferguson, Thornbrugh

**SB 1096** – Paulk, Boyd, Webb

**SB 1105** – Adair, Hutchison, Culver, Thornbrugh

**SB 1237** – Paulk, Seikel, Coleman

**SB 1360** – Toure, Ervin, Roach, Beutler, Sullivan (Leonard)

**SB 1378** – Toure, Settle, Vaughn, Davis, Braddock, Askins

**SB 1480** – Roberts, Stites, Settle, Begley, Thomas, Kouba, Ingmire

**SB 1535** – Easley, Liotta, Newport, Deutschendorf, Askins

### **FURTHER CONFERENCE GRANTED**

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

**SB 1139** – Staggs, Culver, Wells, Leist, Collins, Ingmire, Kouba, Deutschendorf, Jones

## **MESSAGES FROM THE SENATE**

Advising naming Senate conferees as follows:

**SB 1098** - Helton, Stipe, Hobson, Haney, Douglass

**SB 1375** - Helton, Maddox, Martin, Muegge, Easley, Price, Johnson

**SB 1591** - Pruitt, Long, Fisher, Smith, Morgan

### **Conference granted**

Advising conference granted and the Senate naming conferees as follows:

**HB 1863** - Helton, Wilkerson, Long, Stipe, Ford, Haney, Hobson

**HB 1871** - Helton, Ford, Monson, Morgan

### **Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 1239, 1300, 1392 and 1481**.

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

### **Returning CCR**

Returning **HB 1927** together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

The above-numbered measure, as amended by the conference committee report, was referred for enrollment.

### **Transmitting CCRs**

Transmitting the following measures, together with the conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

**SB 1037**

**SB 1078**

**SB 1324**

**SB 1522**

Conference committee reports were read on the above-numbered measures.

**Transmitting engrossed measures**

Announcing the passage of the following engrossed measures.

The measures were introduced and read.

**SCR 96** – Hobson of the Senate and Nations and Miller of the House.

A Concurrent Resolution authorizing the Board of Regents of the University of Oklahoma, acting on behalf of the University of Oklahoma, to issue certain revenue bonds pursuant to Section 4002.1 of Title 70 of the Oklahoma Statutes; and directing distribution.

**SCR 97** – Hobson of the Senate and Settle, Nations and Miller of the House.

A Concurrent Resolution authorizing the Board of Regents of the University of Oklahoma, acting on behalf of the University of Oklahoma, to issue certain revenue bonds pursuant to Section 4002.1 of Title 70 of the Oklahoma Statutes; and directing distribution.

**Returning enrolled measure**

Announcing that Enrolled **HB 2128** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

**Returning engrossed measures**

Announcing the passage of **HCRs 1083**, Coauthored by all members of the Senate and **1091**, Coauthored by all members of the Senate.

The above-numbered measures were referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 881** was called up for consideration.

Upon motion of Representative Lindley, the **CCR** on **SB 881** was adopted.

**SB 881**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

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

Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--92.

Excused: Ervin, Glover, Miller, Morgan, Roberts, Ross, Settle, Sullivan (Leonard), Sweeden.--9.

The measure passed.

**SB 881**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1038** was called up for consideration.

Upon motion of Representative Adair, the **CCR** on **SB 1038** was adopted.

**SB 1038**, as amended in conference, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adair, Adkins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Frame, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Mitchell, Nance, Nations, Newport, Ostrander, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Seikel, Sellers, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Askins, Ervin, Glover, Miller, Morgan, Ross, Settle.--7.

The measure and emergency passed.

**SB 1038**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

### **MOTION**

Representative Askins asked that the Journal reflect that had she been present in the Chamber, she would have voted 'Aye' on **SB 1038**, which was the order.

**RESOLUTION FOR CONSIDERATION**

**SCR 93** was called up for consideration.

Upon motion of Representative Thornbrugh, **SCR 93** was considered and adopted.

**SCR 93** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**HCR 1098** was called up for consideration.

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

Upon motion of Representative Langmacher, **HCR 1098** was considered and adopted.

**HCR 1098** was referred for engrossment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2104** was called up for consideration.

Coauthored by Representative(s) Graves, Adkins, Dank

Upon motion of Representative Paulk, the **CCR** on **HB 2104** was adopted.

**HB 2104**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adair, Adkins, Askins, Begley, Benge, Beutler, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Frame, 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, 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, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--99.

Excused: Blackburn, Ervin.--2.

The measure passed.

**HB 2104**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1438** was called up for consideration.

Coauthored by Representative(s) Dank

Upon motion of Representative Nance, the **CCR** on **SB 1438** was adopted.

**SB 1438**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adair, Adkins, Askins, Begley, Bengé, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Calvey, Case, Claunch, Coleman, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Frame, 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, Thornbrugh, Turner, Tyler, Vaughn, Weaver, Webb, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--99.

Nay: Toure.--1.

Excused: Ervin.--1.

The measure passed.

**SB 1438**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2299** was called up for consideration.

Coauthored by Representative(s) Smith (Dale)

Upon motion of Representative Taylor, the **CCR** on **HB 2299** was adopted.

**HB 2299**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adair, Askins, Begley, Benge, Beutler, Blackburn, Bonny, Boyd, Braddock, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Frame, Gilbert, Glover, Gray, 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, 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, Weaver, Wells, Wilt, Winchester, Mr. Speaker.--87.

Nay: Adkins, Bryant, Calvey, Coleman, Davis, Graves, Greenwood, Perry, Pettigrew, Phillips, Vaughn, Webb, Worthen, Wright.--14.

The measure passed.

**HB 2299**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2562** was called up for consideration.

Upon motion of Representative Taylor, the **CCR** on **HB 2562** was adopted.

**HB 2562**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adair, Adkins, Askins, Begley, Benge, Blackburn, Bonny, Boyd, Bryant, Case, Claunch, Collins, Corn, Covey, Cox, Culver, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Frame, Gilbert, Glover, Graves, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Kouba, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller, Mitchell, Morgan, Nance, Nations, Newport, Ostrander, Paulk, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (Leonard), Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Vaughn, Weaver, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--89.

Nay: Calvey, Coleman, Greenwood, Leist, Perry, Pettigrew, Phillips, Thornbrugh, Webb.--9.

Excused: Beutler, Braddock, Sullivan (John).--3.

The measure passed.

**HB 2562**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **HJR 1019** was called up for consideration.

Representative Staggs moved adoption of the **CCR** on **HJR 1019**, which motion prevailed upon roll call as follows:

Aye: Adair, Askins, Begley, Beutler, Blackburn, Bonny, Boyd, Braddock, Bryant, Case, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Fields, Frame, Gilbert, Glover, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Langmacher, Leist, Mass, Matlock, McCarter, Miller, Mitchell, Nance, Nations, Ostrander, Plunk, Rice, Roach, Roberts, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Thomas, Toure, Turner, Tyler, Weaver, Wells, Mr. Speaker.--64.

Nay: Adkins, Benge, Calvey, Claunch, Coleman, Dank, Davis, Ferguson, Graves, Gray, Greenwood, Hiatt, Lindley, Liotta, Maddux, Morgan, Newport, Paulk, Perry, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Roggow, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Vaughn, Webb, Wilt, Winchester, Worthen, Wright.--35.

Excused: Kouba, Thornbrugh.--2.

**HJR 1019**, as amended in conference, 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, Braddock, Bryant, Case, Collins, Corn, Covey, Cox, Culver, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Frame, Gilbert, Glover, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kinnamon, Kirby, Langmacher, Leist, Mass, Matlock, McCarter, Miller, Mitchell, Nance, Nations, Ostrander, Plunk, Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Seikel, Sellers, Settle, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Thomas, Thornbrugh, Toure, Turner, Tyler, Weaver, Wells, Winchester, Mr. Speaker.--69.

Nay: Adkins, Benge, Calvey, Claunch, Coleman, Dank, Davis, Graves, Gray, Greenwood, Hiatt, Lindley, Liotta, Maddux, Morgan, Newport, Paulk, Perry, Pettigrew, Phillips, Piatt, Pope (Clay), Smith (Hopper), Sullivan (John), Sullivan (Leonard), Vaughn, Webb, Wilt, Worthen, Wright.--30.

Excused: Ervin, Kouba.--2.

The measure passed.

**HJR 1019**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**HJR 1019** was ordered printed in full as follows:

**HJR 1019** – By Staggs and Nance of the House and Weedn of the Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection proposed amendments to Sections 9 and 10 of Article X of the Constitution of the State of Oklahoma, which relate to ad valorem taxes; providing procedure for making of certain ad valorem tax levies permanent; deleting obsolete language; requiring voter approval; providing for rescinding of prior approval; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE

2ND SESSION OF THE 47TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Sections 9 and 10 of Article X of the Constitution of the State of Oklahoma to read as follows:

Section 9. (a) Except as herein otherwise provided, the total taxes for all purposes on an ad valorem basis shall not exceed, in any taxable year, fifteen (15) mills on the dollar, no less than five (5) mills of which is hereby apportioned for school district purposes, the remainder to be apportioned between county, city, town and school district, by the County Excise Board, until such time as a regular apportionment thereof is otherwise provided for by the Legislature.

No ad valorem tax shall be levied for State purposes, nor shall any part of the proceeds of any ad valorem tax levy upon any kind of property in this State be used for State purposes.

(b) A tax of four (4) mills on the dollar valuation of all taxable property in the county shall be levied annually in each county of the State for school purposes and, until otherwise provided by law, the proceeds thereof shall be apportioned to the school districts of the county by the County Treasurer on the basis of the legal average daily attendance for the preceding school year as certified by the State Board of Education. Provided that in case a school district lies in more than one county, such district shall be deemed a school district of the county having the greater part of the area comprising such district, unless otherwise provided by law, and shall be entitled to participate in the proceeds of such tax on the same basis as districts lying wholly within such county but revenue from such tax on the assessed valuation of the district in other counties shall, when collected, be transmitted to the County Treasurer of such county having the greater part of the area comprising the district, unless otherwise provided by law, and be apportioned as hereinbefore provided for the proceeds of such tax on the assessed valuation of such county. Not to exceed seventy-five per centum (75%) of the amount received by a school district from the proceeds of such county levy in any year shall be required to finance the State guaranteed program of such district.

(c) Upon certification of a need therefor by the board of education of any school district an additional tax of not to exceed fifteen (15) mills on the dollar valuation of all taxable property in the district shall be levied for the benefit of the schools of such district.

(d) In addition to the levies hereinbefore authorized, any school district may make an emergency levy for the benefit of the schools of such district, in an amount not to exceed five (5) mills on the dollar valuation of the taxable property in such district when approved by a majority of the electors of the district voting on the question at an election called for such purpose. This emergency levy shall provide only sufficient additional revenue to meet the needs of the district each fiscal year as determined by the board of such district and must be approved by a majority of the electors voting on said question at such an election for each fiscal year.

(d-1) In addition to the levies hereinbefore authorized, any school district may make a local support levy for the benefit of the schools of such district, in an amount not to exceed ten (10) mills on the dollar valuation of the taxable property in such district, when approved by a majority of the ad valorem taxpaying voters voting on said question at an election for each fiscal year called for such purposes. This local support levy shall provide only sufficient additional revenue to meet the needs of the district for each such fiscal year as determined by the board of such district; provided, an elector desiring to vote upon such local support levy must present an ad valorem tax receipt for the year immediately preceding before being issued a ballot, or sign a sworn affidavit certifying the fact of such payment.

(d-2) A school district may upon approval by a majority of the electors of the district voting on the question make the ad valorem levy for emergency levy and local support levy under (d) and (d-1) of this section permanent. If the question is approved, the levies, in the amount approved as required by this section, shall be made each fiscal year thereafter until such time as a majority of the electors of the district voting on the question rescind the making of the levy permanent. An election on such question shall be held at such time as a petition is signed by ten percent (10%) of the school district electors or a recommendation by the board of education of the school district is made asking that the levies be made each fiscal year.

(e) The amount of revenue from school district ad valorem taxes levied under (a) and (c) of this Section which any school district may be required to use to finance its State guaranteed program shall not be in excess of its share, based upon its relative taxpaying ability as may be defined by law, of an amount equivalent to the net proceeds from a fifteen (15) mill tax levy on the aggregate net assessed valuation of the State; but until such relative taxpaying ability is defined by the Legislature, the amount of revenue from such taxes which any school district may be required to use to finance its State guaranteed program shall not be in excess of the net proceeds from an ad valorem tax levy of fifteen (15) mills on the dollar net assessed valuation of the district. No part of the proceeds from any ad valorem levy for emergency levy and local support levy under (d) and (d-1) of this Section shall be required to finance the State guaranteed program of such district.

Nothing in the amendments to the Constitution incorporated herein shall be construed to amend, alter or supersede the present application of Article XII-A, Sections 1 and 2 of the Oklahoma Constitution.

~~(f) Should the amendment contained in subsection (d-1) hereof be adopted on September 14, 1965, the school board of any school district in the State may within ten (10) days thereafter file with the Excise Board of the county a supplemental estimate of needs and call a special election within fifteen (15) days after such call upon the new local support~~

~~levy or emergency levy if not previously submitted, or both. The school board shall advertise notice of such election by publication in at least one issue of a newspaper having general circulation in the school district, or by posting in five public places in the district at least five (5) days before such election. Should the electors of the school district vote such additional levy in such election, the County Excise Board shall forthwith compute the levy and certify appropriations for all affected school districts and refile the budgets with the County Clerk and with the State Auditor. Notice of the filing of said budget shall be given as required by law. The forty (40) day protest period shall begin immediately upon the filing of said budgets.~~

~~For the fiscal year 1965-66, the Excise Board of each county shall not finally compute the levy nor certify the appropriations for the school districts of the State until after the school district shall have had the opportunity to hold a special election as provided herein.~~

~~Temporary appropriations, up to forty per centum (40%) of the estimated funds needed by the school board of any district in the State for the fiscal year 1965-66, may be approved any time after the beginning of such fiscal year.~~

~~Upon the computation of the levy and certification of appropriations by the Excise Board, the County Assessor shall prepare or revise the tax rolls and deliver the same to the County Treasurer who shall proceed with the collection of the taxes as required by law.~~

~~Should it become necessary, because of the delay in computing levies and certifying appropriations as herein provided, the Governor may, by executive order, extend the time when taxes will be delinquent for the year of 1965, and that year only. Such extension of time shall be for the minimum time necessary to permit the County Assessor and County Treasurer to perform their duties as required by law.~~

Section 10. A. For the purpose of erecting public buildings in counties or cities, or for the purpose of raising money for a building fund for a school district which may be used for erecting, remodeling or repairing school buildings, and for purchasing furniture, the rates of taxation herein limited may be increased, when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and a majority of the qualified voters of such county, city, or school district, voting at such election, shall vote therefor: Provided, that such increase shall not exceed five (5) mills on the dollar of the assessed value of the taxable property in such county, city, or school district.

B. A school district may upon approval by a majority of the electors of the district voting on the question make the ad valorem levy for a building fund under subsection A of this section permanent. If the question is approved, the levy in the amount approved as required by this section, shall be made each fiscal year thereafter until such time as a majority of the electors of the district voting on the question rescind the making of the levy permanent. An election on such question shall be held at such time as a petition is signed by ten percent (10%) of the school district electors or a recommendation by the board of education of the school district is made asking that the levies be made each fiscal year.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_

State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. It amends Sections 9 and 10 of Article 10. It affects certain school millage levies. The change is to the emergency levy, local support levy, and the building fund levy for school districts. It would

allow each school district to decide to eliminate the need for an annual election for those levies. Once the levies are approved, the voters of the school district would also decide whether to allow them to continue from year to year. The vote on the levies would change only if another election is held and the voters rescind their prior action. Such an election would be held if a petition is signed or the board of education recommends an annual vote be taken.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

#### **RESOLUTION FOR CONSIDERATION**

**HR 1059** was called up for consideration.

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

Upon motion of Representative Sellers, **HR 1059** was considered and adopted.

**HR 1059** was referred for enrollment.

#### **CONFERENCE GRANTED**

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

**SB 1356** – GCCA

#### **MESSAGES FROM THE SENATE**

Advising naming Senate conferees as follows:

**SB 108** - Long, Shurden, Stipe, Henry, Douglass, Coffee, Morgan

**SB 524** - Henry, Morgan, Smith

**SB 845** - Helton, Mickle, Smith

**SB 1004** - Leftwich, Haney, Hobson, Price, Douglass, Coffee

**SB 1040** - Monson, Robinson, Pruitt

**SB 1062** - Kerr, Muegge, Price, Snyder  
**SB 1223** - Easley, Muegge, Price, Douglass  
**SB 1592** - Herbert, Price, Pruitt  
**SB 1596** - Williams, Hobson, Haney, Morgan, Ford

Advising naming GCCA as Senate conferees on the following: **SBs 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, 953, 954, 955, 956, 957, 958, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988 and 989.**

### Conference granted

Advising conference granted and the Senate naming conferees as follows:

**HB 1881** - Morgan, Henry, Stipe, Douglass, Smith  
**HB 1923** - Harrison, Douglass, Shurden, Williamson, Maddox, Pruitt, Morgan  
**HB 2115** - Long, Taylor, Dunlap  
**HB 2117** - Horner, Williams, Wilcoxson, Martin  
**HB 2418** - Long, Shurden, Coffee  
**HB 2532** - Williams, Hobson, Morgan, Haney, Wilcoxson  
**HB 2708** - Douglass, Haney, Mickle

Advising conference granted and the Senate naming GCCA as follows: **HBs 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291 and 2292 and HJR 1036**

### Further conference requested

Advising rejection of the **3rd CCR** to **HB 1289** and requesting further conference thereon, the Senate naming same conferees as follows:

**HB 1289** - Henry, Muegge, Coffee, Monson, Ford

### **Returning CCRs**

Returning **HBs 2046, 2104, 2299 and 2310** and **HJR 1019** together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

### **Transmitting CCRs**

Transmitting the following measures, together with the conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

**SB 862**  
**SB 991**  
**SB 1009**  
**SB 1105**  
**SB 1119**  
**SB 1139** (2nd)  
**SB 1224**  
**SB 1393**, Coauthored by Senator Williams  
**SB 1396**  
**SB 1402**  
**SB 1444**

Conference committee reports were read on the above-numbered measures.

### **FIRST READING**

The following were introduced and read for the first time:

**HJR 1058** – By Gray of the House and Weedn of the Senate.

A Joint Resolution relating to a promulgated rule of the Oklahoma Insurance Department; disapproving promulgated permanent rule OAC 365:25-9-8(b) and (e)(1)(J), relating to prepaid funeral benefits; providing for distribution; and declaring an emergency.

**HJR 1059** – By Gray.

A Joint Resolution relating to promulgated rules and amendments to rules of the Oklahoma State Department of Health; disapproving finally adopted amendments to permanent rules OAC 310:638-1-2, OAC 310:638-1-3, OAC 310:638-1-4, OAC 310:638-1-5, OAC 310:638-1-6, OAC 310:638-1-7, OAC 310:638-1-8, OAC 310:638-1-10, OAC 310:638-3-1, OAC 310:638-3-3, OAC 310:638-3-6, OAC 310:638-5-3, OAC 310:638-5-4, OAC 310:638-5-6, OAC 310:638-5-9 and OAC 310:638-5-10, and finally adopted permanent rules OAC 310:638-1-5.1, OAC 310:638-1-6.1, OAC 310:638-1-7.1 and OAC

310:638-1-8.1, relating to drug and alcohol testing; providing for distribution; and declaring an emergency.

**HJR 1060** – By Gray.

A Joint Resolution relating to promulgated rules and amendments to rules of the Oklahoma Housing Finance Agency; disapproving in part promulgated permanent rule OAC 330:36-3-2(b)(1), relating to selection of applications for award of tax credit allocation; directing promulgation of an emergency rule; providing language consistent with legislative intent; providing for distribution; and declaring an emergency.

**HJR 1061** – By Gray.

A Joint Resolution relating to proposed rules of the Oklahoma Corporation Commission; disapproving proposed amendments to permanent rules OAC 165:55-1-4, OAC 165:55-5-13, OAC 165:55-5-14 and OAC 165:55-5-50, and proposed permanent rules OAC 165:55-5-64, OAC 165:55-5-65, OAC 165:55-5-66, OAC 165:55-5-67, OAC 165:55-5-68, OAC 165:55-5-69, OAC 165:55-5-70, OAC 165:55-5-71, OAC 165:55-5-72, OAC 165:55-5-73, OAC 165:55-5-74, OAC 165:55-5-75 and OAC 165:55-5-76, regarding telecommunication services; providing for distribution; and declaring an emergency.

## RESOLUTIONS

The following were introduced and read:

**HCR 1099** – By Gray.

A Concurrent Resolution relating to rules of the Oklahoma State Regents for Higher Education; waiving the thirty-legislative-day review period for proposed amendments to permanent rules OAC 610:1-1-3, OAC 610:25-1-1, OAC 610:25-1-3, OAC 610:25-1-4, OAC 610:25-1-5, OAC 610:25-1-6, OAC 610:25-1-7, OAC 610:25-1-8, OAC 610:25-7-1, OAC 610:25-7-2, OAC 610:25-7-6, OAC 610:25-23-1, OAC 610:25-23-2, OAC 610:25-23-3, OAC 610:25-23-4, OAC 610:25-23-7, and OAC 610:25-23-8 and proposed revocation of permanent rule OAC 610:25-1-2, relating to the administration of the State System institutions, constituent agencies, and community junior colleges, the Academic Scholars Program, the Oklahoma Tuition Aid Grant Program, and the Oklahoma Higher Learning Access Program; and directing distribution.

**HCR 1100** – By Gray.

A Concurrent Resolution relating to rules of the Physician Manpower Training Commission; waiving the thirty-legislative-day review period for proposed amendments to permanent rules OAC 540:30-13-5, OAC 540:40-1-3, OAC 540:40-1-4, and OAC 540:40-1-7, relating to the Oklahoma Nursing Student Assistance Program and the Family/General Practice Resident Rural Scholarship Program; and directing distribution.

**HCR 1101** – By Thornbrugh of the House and Ford of the Senate.

A Concurrent Resolution congratulating Paul and Freda Thornbrugh on the occasion of their 59th Wedding Anniversary; and directing distribution.

**HCR 1102** – By Thornbrugh of the House and Ford of the Senate.

A Concurrent Resolution honoring Chester Cadieux, founder and Chairman of the QuikTrip Corporation; and directing distribution.

**HCR 1103** – By Thornbrugh of the House and Ford of the Senate.

A Concurrent Resolution honoring Michael Stanford, Vice President of Operations for the QuikTrip Corporation; and directing distribution.

**HCR 1104** – By Gray.

A Concurrent Resolution relating to rules of the Oklahoma Department of Labor; waiving the thirty-legislative-day review period for proposed permanent rules OAC 380:40-1-22, OAC 380:45-2-1, OAC 380:45-2-2, and OAC 380:45-3-8, and proposed amendments to permanent rules OAC 380-1-1-5, OAC 380:40-1-2, OAC 380:40-1-21; OAC 380:45-1-1, OAC 380:45-1-2, OAC 380:45-1-3, OAC 380:45-1-4, OAC 380:45-1-5, OAC 380:45-3-1, OAC 380:45-3-2, OAC 380:45-3-3, OAC 380:45-3-4, OAC 380:45-3-5, OAC 380:45-3-6, OAC 380:45-3-7, OAC 380:45-5-1, OAC 380:45-5-2, OAC 380:45-5-3, OAC 380:45-5-4, OAC 380:45-5-5, OAC 380:45-5-6, OAC 380:45-7-1, OAC 380:45-7-2, OAC 380:45-9-1, OAC 380:45-9-2, OAC 380:45-9-3, OAC 380:45-9-4, OAC 380:45-13-2, OAC 380:45-13-3, OAC 380:45-15-2, OAC 380:45-17-1, OAC 380:45-17-2, OAC 380:45-17-3, OAC 380:45-19-1, OAC 380:45-21-1, OAC 380:45-21-2, OAC 380:45-21-3, OAC 380:45-21-4, OAC 380:45-21-5, OAC 380:45-21-6, OAC 380:50-7-1, OAC 380:60-1-7, OAC 380:60-1-9, which relate to administrative operations of the Department of Labor, the Oklahoma Occupational Health and Safety Standards Act, hazard communication standards and abatement of friable asbestos materials; and directing distribution.

**HR 1060** – By Boyd.

A Resolution recognizing and commending the work of Postadjudication Review Board members; and directing distribution.

## **CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1905**

**HB 1929**

**HB 1967**, Coauthored by Senator Milacek

**HB 1983**

**HB 1997**

**HB 2099**

**HB 2315**

**HB 2403**

**HB 2529**

**HB 2546**, Coauthored by Senators Coffee, Fair, Ford, Laughlin, Martin, Pruitt, Wilcoxson

**HB 2728**

Representative Thomas moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Wednesday, May 17, 2000, which was the order.

Pursuant to the motion of Representative Thomas, the House was adjourned at 11:19 a.m., to reconvene Wednesday, May 17, 2000, at 9:00 a.m.