

## **Nineteenth Legislative Day**

**Tuesday, March 6, 2001**

The House was called to order by Speaker Pro Tempore Matlock.

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Byron Coleman, Fifth Street Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

### **MESSAGE FROM THE SENATE**

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

**SB 9** – Monson of the Senate and Pope (Clay) of the House.

[ revenue and taxation - state licenses - state income tax laws - effective date – emergency ]

**SB 35** – Cain of the Senate and Toure of the House.

[ revenue and taxation – credits against income tax – effective date ]

**SB 37** – Fisher of the Senate and Winchester of the House.

[ children - Oklahoma Partnership for School Readiness Act - effective date - emergency ]

**SB 42** – Crutchfield of the Senate and Hilliard of the House.

[ Oklahoma School for the Blind and the Oklahoma School for the Deaf –  
administration - minimum salary level - availability of funds - effective date - emergency ]

**SB 59** – Monson of the Senate and Mitchell of the House.

An Act relating to state government; amending Section 5, Chapter 364, O.S.L. 1993 (74 O.S. Supp. 2000, Section 166.5), which relates to powers and duties of the Commission for Rehabilitation Services; deleting obsolete language; expanding powers and duties; and providing an effective date.

**SB 76** – Herbert of the Senate and Nance of the House.

An Act relating to county jails; allowing detention officers who have completed training to carry chemical sprays, stun guns or other nonlethal devices while on duty inside the jail facility; providing for codification; and providing an effective date.

**SB 84** – Capps of the Senate and Braddock of the House.

An Act relating to motor vehicles; amending 47 O.S. 1991, Sections 1102, as last amended by Section 7, Chapter 150, O.S.L. 2000, 1114.2, 1133.1, as last amended by Section 1, Chapter 19, O.S.L. 1994, and 1141.1, as last amended by Section 6, Chapter 250, O.S.L. 2000 (47 O.S. Supp. 2000, Sections 1102, 1133.1 and 1141.1), which relate to the Oklahoma Vehicle License and Registration Act; modifying lettering requirement for certain commercial vehicles; modifying definitions; modifying residency requirements for motor license agents; construing provisions of section; deleting requirement for certain inspection; deleting fee for such inspection; and providing an effective date.

**SB 118** – Monson of the Senate and Blackburn of the House.

An Act relating to banks and trust companies; amending 6 O.S. 1991, Sections 416, as amended by Section 49, Chapter 111, O.S.L. 1997, 2206, as amended by Section 4, Chapter 346, O.S.L. 1996, and 3001 (6 O.S. Supp. 2000, Sections 416 and 2206), which relate to records, bank service corporations and deposits; modifying fees which financial institution may charge for certain services; modifying requirements for duplication of records of bank or trust company; modifying definition; and providing an effective date.

**SB 123** – Herbert of the Senate and Roach and Blackburn of the House.

An Act relating to public finance; amending 62 O.S. 1991, Sections 351, 352, 353 and 354, which relate to issuance and sales of bonds by political subdivisions; modifying amount for which certain bonds may be sold; modifying definition; modifying method by which bids may be submitted for sales of certain bonds; modifying amount of interest which must be stipulated in bid; modifying form of deposit submitted with bid; clarifying language; providing an effective date; and declaring an emergency.

**SB 130** – Cain of the Senate and Benson of the House.

An Act relating to The Governmental Tort Claims Act; amending 51 O.S. 1991, Sections 152, as last amended by Section 2, Chapter 59, O.S.L. 2000 and 156, as amended by Section 4, Chapter 285, O.S.L. 1992 (51 O.S. Supp. 2000, Sections 152 and 156), which relate to definitions and presentment of claims pursuant to The Governmental Tort Claims Act; conforming language; making language gender neutral; clarifying language; modifying

definition to clarify situations in which certain faculty members and staff are not employees or agents of the state; limiting scope of definition; modifying time for presentment of claim in wrongful death cases; providing clarification of the immunity of the state; and providing an effective date.

**SB 154** – Shurden of the Senate and Turner of the House.

An Act relating to professions and occupations; amending 59 O.S. 1991, Sections 622, as last amended by Section 2, Chapter 147, O.S.L. 1996, 626, as amended by Section 7, Chapter 230, O.S.L. 1993, 627, as amended by Section 8, Chapter 230, O.S.L. 1993, 632, as last amended by Section 4, Chapter 152, O.S.L. 1995, 633, as amended by Section 14, Chapter 230, O.S.L. 1993, 637, as amended by Section 17, Chapter 230, O.S.L. 1993, 641, as amended by Section 20, Chapter 230, O.S.L. 1993, 643, as amended by Section 22, Chapter 230, O.S.L. 1993, and 644, as amended by Section 23, Chapter 230, O.S.L. 1993 (59 O.S. Supp. 2000, Sections 622, 626, 627, 632, 633, 637, 641, 643, and 644), which relate to the Oklahoma Osteopathic Medicine Act; requiring specified interns be licensed; providing limits on practice involving electronic means; clarifying places where access, entrance, or inspection is authorized; deleting requirement that records be kept in a book; requiring notice of change of address within specified period of time; deleting provisions for retaking of examination; modifying conditions for requiring license be issued; modifying grounds for actions by board; recognizing equivalent education; modifying purposes for which monies in fund may be expended; modernizing usage; deleting superfluous language; repealing 59 O.S. 1991, Section 628, as amended by Section 9, Chapter 230, O.S.L. 1993 (59 O.S. Supp. 2000, Section 628), which relates to examinations; and providing an effective date.

**SB 157** – Fisher of the Senate and Hiett of the House.

[ juvenile sex offenders - Juvenile Sex Offender Registration Act – codification - effective date – emergency ]

**SB 170** – Monson of the Senate and Mitchell of the House.

[ revenue and taxation - sales tax exemptions - Oklahoma School for the Deaf/Oklahoma School for the Blind Revolving Fund – codification - effective date - emergency ]

**SB 340** – Dickerson of the Senate and Corn of the House.

An Act relating to Indians; amending 74 O.S. 1991, Section 1201, as last amended by Section 1, Chapter 150, O.S.L. 1998 (74 O.S. Supp. 2000, Section 1201), which relates to the Oklahoma Indian Affairs Commission; updating names of certain entities; and declaring an emergency.

**SB 353** – Fisher of the Senate and Tyler of the House.

An Act relating to property; amending 60 O.S. 1991, Section 175.23, as last amended by Section 22, Chapter 351, O.S.L. 1995 (60 O.S. Supp. 2000, Section 175.23), which relates to venue in trust actions; clarifying language; modifying venue; and providing an effective date.

**SB 444** – Shurden of the Senate and Leist of the House.

[ Department of Public Safety - Capitol Patrol Section - providing uniforms, vehicles and equipment – reclassification - emergency ]

**SB 449** – Snyder of the Senate and Davis of the House.

[ State Department of Health - utilization of clearing account - emergency ]

**SB 465** – Stipe of the Senate and Tyler of the House.

[ public building and public works - state consultants - emergency ]

**SB 469** – Stipe of the Senate and Dunegan of the House.

An Act relating to courts; providing for judicial determination of validity of bonds; authorizing specified entities to file application for approval of obligations; conferring exclusive original jurisdiction upon Supreme Court to hear each application; requiring Court give precedence to applications; providing for notice and stating procedures thereto; requiring Court to render written opinion approving obligations when specified conditions are met; requiring fixing of time within which petition for rehearing may be filed; stating effects of decision of the Court; providing for rules and procedures; providing for codification; and declaring an emergency.

**SB 477** – Shurden of the Senate and Smith (Dale) of the House.

An Act relating to game and fish; amending 29 O.S. 1991, Section 3-103, as last amended by Section 4, Chapter 7, O.S.L. 1996 (29 O.S. Supp. 2000, Section 3-103), which relates to powers and duties of the Wildlife Conservation Commission; expanding powers and duties of the Commission; and providing an effective date.

**SB 497** – Harrison of the Senate and Kirby of the House.

[ state personnel – State and Education Employees Group Insurance Board – unclassified service – emergency ]

**SB 508** – Rabon, Capps and Littlefield of the Senate and Erwin of the House.

[ revenue and taxation – Oklahoma Tourism Development Act – modifying definitions and defining terms – effective date – emergency ]

**SB 516** – Harrison of the Senate and Leist of the House.

An Act relating to waters and water rights; amending 82 O.S. 1991, Section 1085.60, which relates to annual audits of the Wastewater Facility Construction Revolving Loan Account; requiring the Oklahoma Water Resources Board to complete annual audit; and declaring an emergency.

**SB 535** – Hobson of the Senate and Nations of the House.

An Act relating to revenue and taxation; amending 68 O.S. 1991, Section 1356, as last amended by Section 15, Chapter 314, O.S.L. 2000 (68 O.S. Supp. 2000, Section 1356), which relates to sales tax exemptions; exempting certain sales from sales taxes; and declaring an emergency.

**SB 544** – Hobson of the Senate and Askins of the House.

An Act relating to the State Treasurer; amending 47 O.S. 1991, Sections 11-801, as last amended by Section 1, Chapter 285, O.S.L. 2000, 11-901, as amended by Section 2, Chapter 285, O.S.L. 2000, 11-902, as last amended by Section 20, Chapter 8, First Extraordinary Session, O.S.L. 2000, 11-1403 and 17-101, as last amended by Section 4, Chapter 285, O.S.L. 2000 (47 O.S. Supp. 2000, Sections 11-801, 11-901, 11-902 and 17-101), which relate to motor vehicles; modifying procedure for deposit of certain monies; amending 52 O.S. 1991, Section 558, which relates to oil and gas property owners; transferring certain duties from Oklahoma Tax Commission to State Treasurer; amending 60 O.S. 1991, Sections 661, as amended by Section 7, Chapter 10, O.S.L. 1999, 674, as last amended by Section 6, Chapter 136, O.S.L. 2000, 668.1, as amended by Section 15, Chapter 10, O.S.L. 1999, and Section 1, Chapter 304, O.S.L. 1994, as last amended by Section 1, Chapter 426, O.S.L. 1999 (60 O.S. Supp. 2000, Sections 661, 668.1, 674 and 674.2), which relate to the Uniform Unclaimed Property Act; modifying requirements for reporting of certain property; modifying property which may be claimed subject to certain procedure; deleting provision that certain property escheat to state; allowing certain information submitted with property claim to be kept confidential; prohibiting paying over or delivery of certain property unless certain items provided; modifying property which may be paid over or delivered upon certain affidavit; allowing State Treasurer to require certain documentation; allowing State Treasurer to enter into certain contracts and delegate certain authority; amending 62 O.S. 1991, Sections 71.1, as last amended by Section 1, Chapter 68, O.S.L. 1996 and 89.2, as last amended by Section 5, Chapter 292, O.S.L. 1999 (62 O.S. Supp. 2000, Sections 71.1 and 89.2), which relate to public finance; modifying membership of Cash Management and Investment Oversight Commission; deleting obsolete language; modifying duties of State Treasurer's investment officer; repealing 60 O.S. 1991, Section 659.1, which relates to unclaimed property; and declaring an emergency.

**SB 596** – Hobson of the Senate and Nations of the House.

[ higher education - tuition - effective date – emergency ]

**SB 609** – Coffee of the Senate and Vaughn of the House.

An Act relating to unincorporated nonprofit associations; creating the Uniform Unincorporated Nonprofit Association Act; providing short title; defining terms; declaring principles of law and equity to be supplementary; authorizing nonprofit association to acquire, hold, encumber, or transfer certain property with limitations; allowing nonprofit association to be legatee, devisee, or beneficiary of trust or contract; stating members are not owners of association property; providing for statements of authority to transfer estate or interest in real property and for amendments, cancellations, procedures, information, and fees; declaring recorded statement of authority to be conclusive for certain purposes; clarifying liability in tort and contract of certain persons; stating capacity and standing of association to take certain actions; stating judgment or order against association not to be against member; providing for disposition of personal property of inactive association; providing for appointment of agent to receive service of process; providing content of certain statement; declaring that claims for relief against association are not abated by certain change; stating venue of actions; providing for service of summons and complaint; requiring uniform interpretation; clarifying validity of transfer of certain property and interest and certain actions and proceedings prior to effective date of act; providing for

exceptions to application of the act; providing for codification; and providing an effective date.

**SB 617** – Littlefield of the Senate and Hutchison of the House.

[ water boards - amending 82 O.S. 1991, Sections 1085.2 and 1324.16 - removing exemption from training for certain board members - requiring new and existing board members to obtain certain continuing education - emergency ]

**SB 620** – Littlefield of the Senate and Hefner of the House.

An Act relating to officers; amending 51 O.S. 1991, Section 6, as last amended by Section 1, Chapter 162, O.S.L. 2000 (51 O.S. Supp. 2000, Section 6), which relates to dual office holding; modifying certain exemptions; and providing an effective date.

**SB 665** – Wilkerson of the Senate and Easley of the House.

An Act relating to Oklahoma Open Records Act; amending 51 O.S. 1991, Section 24A.5, as last amended by Section 8, Chapter 342, O.S.L. 2000 (51 O.S. Supp. 2000, Section 24A.5), which relates to exemptions; providing exemption from specified information in files of Board of Medicolegal Investigations; and declaring an emergency.

**SB 689** – Dunlap of the Senate and Morgan of the House.

[ mental health - hospital services for inmates - effective date ]

**SB 692** – Coffee of the Senate and Vaughn of the House.

An Act relating to the Uniform Commercial Code; amending Sections 31, 37, 122 and 141, Chapter 371, O.S.L. 2000 (12A O.S. Supp. 2000, Sections 1-9-311, 1-9-317, 1-9-615 and 1-9-707), which relate to perfection of security interests; exempting certain collateral under certain circumstances; describing certain types of chattel paper; providing for certain disposition of collateral; clarifying language; providing an effective date; and declaring an emergency.

**SB 734** – Smith of the Senate and Hastings of the House.

An Act relating to criminal procedure; creating the Pretrial Release Act; providing short title; authorizing pretrial release for misdemeanor or felony offenses prior to formal charge or indictment; providing exception; setting criteria for use in determining pretrial release bail and bond; providing certain prohibitions to release on personal recognizance bond; making persons arrested for certain offenses ineligible for pretrial release on personal recognizance; requiring notification of certain surety under certain conditions; authorizing release under electronic monitoring upon approval of judge; authorizing exemption from certain restrictions by district judge or associate district judge; requiring the court to have reliable information in certain form at pretrial release hearing; authorizing use of pretrial services programs; providing procedure to present new evidence in request for personal recognizance bond; authorizing denial of certain motion without hearing; authorizing evaluation of certain persons by pretrial services programs prior to consideration; allowing standing order for pretrial evaluation within all or part of judicial districts; authorizing pretrial services programs to serve district courts; requiring an advisory board for certain programs; setting term and membership; requiring a plan to be approved by the chief judge; exempting pre-existing pretrial services programs; establishing criteria for pretrial services

programs; establishing methods of supervision for pretrial service programs; requiring an annual report of pretrial services programs; setting contents of report; providing for codification; providing an effective date; and declaring an emergency.

**SB 741** – Dunlap and Campbell of the Senate and Askins of the House.

[ public health and safety - Oklahoma Breast Cancer Prevention and Treatment Advisory Committee - effective date ]

Announcing the passage of the following engrossed measures.

The measures were introduced and read.

**SCR 3** – Maddox of the Senate and Benson of the House.

A Concurrent Resolution relating to healthcare; creating the Oklahoma State Prescription Drug Program Task Force; stating purpose of task force; providing for study of certain issues; requiring a report; stating membership; providing travel reimbursement and staffing.

**SCR 10** – Hobson and Nichols of the Senate and Nations 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 11** – Hobson and Nichols of the Senate and Nations 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.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1023, 1028, 1029, 1063, 1066, 1070, 1074, 1087, 1103, 1106, 1116, 1154, 1169, 1195, 1246, 1274, 1276, 1308, 1330, 1355, 1361, 1364, 1378, 1422, 1433, 1475, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1603, 1624, 1629, 1641, 1675, 1711, 1718, 1719, 1767, 1848 and 1961 and HCR 1006** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **SECOND READING**

The following were read for the second time and referred to committee:

**SB 5** – Revenue and Taxation

**SB 21** – Revenue and Taxation

**SB 38** – Revenue and Taxation

**SB 40** – Transportation  
**SB 45** – Criminal Justice  
**SB 55** – Revenue and Taxation  
**SB 86** – Wildlife  
**SB 139** – Revenue and Taxation  
**SB 150** – Common Education  
**SB 159** – Appropriations and Budget  
**SB 160** – Government Operations and Agency Oversight  
**SB 161** – Banking and Finance  
**SB 172** – Commerce, Industry and Labor  
**SB 190** – Rules  
**SB 200** – Direct To Calendar  
**SB 201** – Direct To Calendar  
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- SB 334** – Direct To Calendar
- SB 342** – Appropriations and Budget
- SB 346** – County and Municipal Government

**SB 348** – Revenue and Taxation  
**SB 376** – Energy and Utility Regulation  
**SB 388** – Common Education  
**SB 389** – Appropriations and Budget  
**SB 394** – Appropriations and Budget  
**SB 395** – Judiciary  
**SB 410** – Rules  
**SB 415** – Revenue and Taxation  
**SB 417** – Government Operations and Agency Oversight  
**SB 432** – Government Operations and Agency Oversight  
**SB 451** – Criminal Justice  
**SB 453** – Criminal Justice  
**SB 454** – County and Municipal Government  
**SB 458** – Transportation  
**SB 470** – Transportation  
**SB 495** – Revenue and Taxation  
**SB 499** – Common Education  
**SB 500** – Appropriations and Budget  
**SB 539** – Revenue and Taxation  
**SB 568** – Appropriations and Budget  
**SB 582** – Appropriations and Budget  
**SB 610** – Judiciary  
**SB 611** – Government Operations and Agency Oversight  
**SB 612** – Appropriations and Budget  
**SB 616** – Rules  
**SB 621** – Appropriations and Budget  
**SB 648** – Revenue and Taxation  
**SB 653** – Revenue and Taxation  
**SB 654** – Appropriations and Budget  
**SB 685** – Government Operations and Agency Oversight  
**SB 708** – Human Services  
**SB 765** – Small Business

## **GENERAL ORDER**

**HB 1196** by Ervin et al of the House and Fisher of the Senate was read and considered.

Coauthored by Representative(s) Morgan, Ferguson, Reese, Toure

Representative Ervin moved to amend **HB 1196** by striking the title, which amendment was declared adopted.

Representative Ervin moved that **HB 1196** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ervin, **HB 1196** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1196** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Nay: Coleman, Dank, Davis, Graves, Greenwood, Liotta, Smith (Hopper).--7.

Excused: Wells.--1.

The measure and emergency passed.

**HB 1196** was referred for engrossment.

### GENERAL ORDER

**HB 1022** by Easley of the House and Crutchfield of the Senate was read and considered.

Representative Easley moved to amend **HB 1022** by striking the title, which amendment was declared adopted.

Representative Easley moved that **HB 1022** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Easley, **HB 1022** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1022** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Wells.--1.

The measure and emergency passed.

**HB 1022** was referred for engrossment.

## GENERAL ORDER

**HJR 1008** by Smith (Dale) of the House and Shurden of the Senate was read and considered.

Representative Smith (Dale) moved that **HJR 1008** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Smith (Dale), **HJR 1008** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HJR 1008** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Balkman, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Covey, Deutschendorf, Dunegan, Eddins, Ervin, Erwin, Fields, Gilbert, Glover, Hefner, Hilliard, Hutchison, Kirby, Leist, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Perry, Plunk, Rice, Roach, Roan, Ross, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sweeden, Toure, Turner, Mr. Speaker.--44.

Nay: Adkins, Begley, Benge, Calvey, Claunch, Coleman, Corn, Cox, Dank, Davis, Easley, Ericson, Ferguson, Friskup, Graves, Gray, Greenwood, Hastings, Hiatt, Ingmire, Jones, Langmacher, Lindley, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Paulk, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Roberts, Roggow, Smaligo, Sullivan (John), Sullivan (Leonard), Taylor, Tibbs, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young.--56.

Excused: Wells.--1.

The measure failed.

Representative Smith (Dale) served notice to reconsider the vote whereby **HJR 1008** failed.

## GENERAL ORDER

**HB 1738** by Pope (Tim) of the House and Smith of the Senate was read and considered.

Representative Pope (Tim) moved to amend **HB 1738**, Page 1, Section 1, Line 4 by changing the word "when" to the word "where", which amendment was declared adopted.

Representative Pope (Tim) moved to amend **HB 1738**, Page 2, Section 1, Line 7 ½ by inserting new language to read as follows, which amendment was declared adopted:

"Nothing in this section shall be interpreted to authorize any private investigator with a firearms authorization in actual physical possession of a weapon to consume low-point beer or alcoholic beverages in any establishment where low-point beer or alcoholic beverages are consumed."

Representative Pope (Tim) moved that **HB 1738** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Pope (Tim), **HB 1738** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1738** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Ingmire, Jones, Lindley, Liotta, Maddux, Matlock, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--84.

Nay: Blackburn, Corn, Deutschendorf, Ervin, Fields, Gilbert, Hutchison, Kirby, Langmacher, Leist, Mass, McCarter, Mitchell, Paulk, Toure, Wilson.--16.

Excused: Wells.--1.

The measure passed.

**HB 1738** was referred for engrossment.

## GENERAL ORDER

**HB 1670** by Roach of the House and Williams of the Senate was read and considered.

Representative Roach moved to amend **HB 1670** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Xerox copies for Members)

Representative Roach moved to amend the floor substitute, Page 8, Section 3, Line 11 after the word "degree" and Page 8, Line 18 and Page 37, Section 7, Line 25 after the word "child" by adding the language ", despite having an opportunity to do so," which amendment was declared adopted.

Representative Roach moved to amend the floor substitute, Page 40, Section 8, Line 19 by adding after the figure "7510-1.2" the letter "A" and on Page 41, Line 11 ½ by adding the following new subsection "B" to read as follows, which amendment was declared adopted:

"B. For purposes of the Subsidized Adoption Act, adoption subsidies specified by Section 7510-1.5 of this Title shall not exceed that which would be allowable from time to time for such child under traditional foster family care, not therapeutic foster care, or in the case of a special service, the reasonable fee for the service rendered."

Representative Roach moved that **HB 1670** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roach, **HB 1670** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1670** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Piatt, Plunk, Pope

(Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Nay: Calvey, Coleman, Davis, Graves, Greenwood, Phillips, Webb.--7.

Excused: Wells.--1.

The measure and emergency passed.

**HB 1670** was referred for engrossment.

### GENERAL ORDER

**HB 1351** by Morgan of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Morgan moved that **HB 1351** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Morgan, **HB 1351** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1351** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Wells.--1.

The measure and emergency passed.

**HB 1351** was referred for engrossment.

## GENERAL ORDER

**HB 1202** by Pope (Clay) et al of the House and Monson of the Senate was read and considered.

Coauthored by Representative(s) Bengé, Braddock, Ericson, Ervin, Jones, Roach, Roggow, Taylor, Turner, Tyler

Representative Pope (Clay) moved to amend **HB 1202** by striking the title, which amendment was declared adopted.

Representative Winchester moved to amend **HB 1202** by inserting a new Section 14, and renumbering subsequent sections, which amendment was declared adopted. (Xerox copies for Members)

Representative Pope (Clay) moved that **HB 1202** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Pope (Clay), **HB 1202** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1202** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Wells.--1.

The measure and emergency passed.

**HB 1202** was referred for engrossment.

## GENERAL ORDER

**HB 1203** by Pope (Clay) et al of the House and Monson of the Senate was read and considered.

Coauthored by Representative(s) Tyler

Representative Pope (Clay) moved to amend **HB 1203** by striking the title, which amendment was declared adopted.

Representative Pope (Clay) moved that **HB 1203** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Pope (Clay), **HB 1203** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1203** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Smith (Hopper), Wells, Winchester.--3.

The measure passed.

**HB 1203** was referred for engrossment.

**GENERAL ORDER**

**HB 1904** by Roach of the House and Williams of the Senate was read and considered.

Representative Roach moved that **HB 1904** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roach, **HB 1904** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1904** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Worthen, Young, Mr. Speaker.--92.

Nay: Hastings, Wright.--2.

Excused: Calvey, Hiatt, Morgan, Roggow, Smith (Hopper), Wells, Winchester.--7.

The measure passed.

**HB 1904** was referred for engrossment.

**GENERAL ORDER**

**HB 1291** by Roach et al of the House and Williams of the Senate was read and considered.

Coauthored by Representative(s) Blackburn, Braddock, Deutschendorf, Easley, Liotta, Sweeden, Turner

Representative Graves moved to amend **HB 1291**, Page 10, Section 11, Lines 12-13 by striking the words "at-large" and Lines 14-17 by deleting the new language as follows: "Each congressional district Presidential Elector shall cast a vote for the Presidential and

Vice Presidential candidates who received the highest number of votes in the congressional district that the Presidential Elector represents.", which amendment was declared adopted.

Representative Reese moved to amend **HB 1291** by deleting Section 12 and renumbering subsequent section.

Representative Graves moved to table the Reese amendment, which tabling motion prevailed upon a division of the question.

Representative Perry moved to amend **HB 1291** by creating new Sections 12 and 13 to read as follows, and renumbering subsequent section, which amendment was declared adopted:

"SECTION 12. AMENDATORY 26 O.S. 1991, Section 4-101, is amended to read as follows:

Section 4-101. A. Every person who is a qualified elector as defined by Section 1 of Article III of the Oklahoma Constitution shall be entitled to become a registered voter in the precinct of his in which the person's residence is located, with the following exceptions:

1. Persons convicted of a felony shall be ineligible to register for a period of time equal to the time prescribed in the judgment and sentence, when such convictions have become final.

2. Any person who has been adjudged to be an incapacitated person as such term is defined by Section 1-111 of Title 30 of the Oklahoma Statutes, shall be ineligible to register to vote. When such incapacitated person has been adjudged to be no longer incapacitated such person shall be eligible to become a registered voter. The provisions of this paragraph shall not prohibit any person adjudged to be a partially incapacitated person as such term is defined by Section 1-111 of Title 30 of the Oklahoma Statutes from being eligible to register to vote unless the order adjudging the person to be partially incapacitated restricts such persons from being eligible to register to vote.

B. As used in this section, "residence" means the person's actual or primary dwelling place.

SECTION 13. AMENDATORY 26 O.S. 1991, Section 4-120.3, as last amended by Section 6, Chapter 88, O.S.L. 1999 (26 O.S. Supp. 2000, Section 4-120.3), is amended to read as follows:

Section 4-120.3 A. The State Health Department shall each month transmit to the Secretary of the State Election Board a certified list of all deaths of residents that have occurred within the state for the immediately preceding month. The Secretary of the State Election Board shall transmit said list to the secretary of the county election board who shall then use said list to ascertain those voters who are deceased, and shall thereafter remove such deceased person's name from the central registry and the Oklahoma Election Management System. Said list shall be used only for the purposes hereinbefore described.

B. In addition, the registration of a deceased voter may be canceled by the secretary of a county election board upon the execution by the next of kin of said deceased voter of a form and upon the nature of proof of the fact thereof as prescribed by the Secretary of the State Election Board. Said form must be executed in person by said next of kin at the county election board office, in which case it shall be witnessed by the secretary or other designated employees, at the voter's precinct polling place on the day of any election, in which case it shall be witnessed by the inspector of said precinct, or the form may be

personally signed by the next of kin, such signature to be notarized by a notary public, and returned to the county election board.

C. In addition, the registration of a deceased voter may be canceled by the secretary of a county election board upon the execution by any person of a form prescribed by the Secretary of the State Election Board and submission of the death certificate and any other information required by the Secretary of the State Election Board. The form must be executed in person by the person at the county election board office, in which case it shall be witnessed by the secretary or other designated employees, or at the voter's precinct polling place on the day of any election, in which case it shall be witnessed by the inspector of said precinct, or the form may be personally signed by the person, such signature to be notarized by a notary public, and returned to the county election board."

Representative Roach moved that **HB 1291** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roach, **HB 1291** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1291** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Pettigrew, Piatt, Plunk, Pope (Tim), Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Mr. Speaker.--84.

Nay: Case, Davis, Peterson, Phillips, Reese, Worthen, Wright, Young.--8.

Excused: Calvey, Hiatt, Maddux, Morgan, Pope (Clay), Roggow, Smith (Hopper), Wells, Winchester.--9.

The measure passed.

**HB 1291** was referred for engrossment.

### **GENERAL ORDER**

**HB 1312** by Benson of the House and Williams of the Senate was read and considered.

Representative Benson moved that **HB 1312** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benson, **HB 1312** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1312** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Worthen, Wright, Young, Mr. Speaker.--90.

Nay: Hastings, Sullivan (John).--2.

Excused: Calvey, Hiatt, Maddux, Morgan, Pope (Clay), Roggow, Smith (Hopper), Wells, Winchester.--9.

The measure and emergency passed.

**HB 1312** was referred for engrossment.

### **GENERAL ORDER**

**HB 1429** by Benson of the House and Robinson of the Senate was read and considered.

Representative Benson moved that **HB 1429** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benson, **HB 1429** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1429** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Worthen, Wright, Young, Mr. Speaker.--91.

Excused: Calvey, Eddins, Ervin, Hiett, Maddux, Pope (Clay), Roggow, Smith (Hopper), Wells, Winchester.--10.

The measure and emergency passed.

**HB 1429** was referred for engrossment.

## GENERAL ORDER

**HB 1499** by Benson of the House and Williams of the Senate was read and considered.

Representative Reese moved to amend **HB 1499** by adding after the word "provided" the words "for the specific purposes of this section" on Page 3, Section 1, Line 7; Page 4, Section 2, Line 14; Page 9, Section 3, Line 18; Page 12, Section 4, Line 13; Page 15, Section 5, Line 22; Page 17, Section 6, Line 2; Page 18, Section 7, Line 11; Page 19, Section 8, Line 20; Page 26, Section 9, Line 9; Page 28, Section 10, Line 2 and Page 29, Section 11, Line 2, which amendment was declared adopted.

Representative Benson moved that **HB 1499** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benson, **HB 1499** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1499** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Reese, Rice, Roach, Roan, Roberts,

Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--96.

Nay: Wright.--1.

Excused: Morgan, Pope (Clay), Smith (Hopper), Wells.--4.

The measure and emergency passed.

**HB 1499** was referred for engrossment.

### GENERAL ORDER

**HB 1823** by Benson of the House and Capps of the Senate was read and considered.

Coauthored by Representative(s) Roach, Davis, Vaughn, Worthen, Lindley, Wilson, Adair, Kirby, Braddock

Representative Benson moved to amend **HB 1823** by striking the title, which amendment was declared adopted.

Representative Benson moved that **HB 1823** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benson, **HB 1823** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1823** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Wells.--1.

The measure and emergency passed.

**HB 1823** was referred for engrossment.

## GENERAL ORDER

**HB 1212** by Jones of the House and Coffee of the Senate was read and considered.

Representative Staggs moved to amend **HB 1212**, Page 1, Section 1, Line 7 by striking the word "voluntarily" before the word "submits" and Line 8 by adding the word "the voluntary" after the word "for" and before the word "screening".

Representative Roach moved to table the Staggs amendment, which tabling motion was declared adopted.

Representative Paulk moved to amend **HB 1212**, Page 1, Section 1, Line 8 by after the word "students" and before the period "." the language "superintendents, principals, teachers, and employees"; Page 2, Lines 5-6 by changing the word "student" to the word "person" and Page 2, Line 13 by changing the word "students" to the words "those persons", which amendment was declared adopted.

Representative Jones moved that **HB 1212** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Jones, **HB 1212** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1212** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Blackburn, Leist.--2.

Excused: Glover, Wells.--2.

The measure and emergency passed.

**HB 1212** was referred for engrossment.

## GENERAL ORDER

**HB 1144** by Sullivan (Leonard) of the House and Stipe of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Bengel, Peters, Piatt, Pope (Tim), Smith (Hopper), Tibbs, Young

Representative Sullivan (Leonard) moved to amend **HB 1144** by striking the title, which amendment failed of adoption upon roll call as follows:

Aye: Askins, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Ericson, Erwin, Fields, Gilbert, Glover, Hefner, Hilliard, Hutchison, Ingmire, Leist, Lindley, Maddux, Mass, Matlock, Miller (Ray), Mitchell, O'Neal, Paulk, Perry, Pettigrew, Piatt, Plunk, Pope (Clay), Reese, Roan, Smith (Dale), Stanley, Stites, Sullivan (Leonard), Toure, Turner, Vaughn, Walker, Wilson, Mr. Speaker.--46.

Nay: Adkins, Balkman, Begley, Bengel, Calvey, Cargill, Case, Claunch, Coleman, Dank, Easley, Eddins, Ervin, Ferguson, Friskup, Graves, Gray, Greenwood, Hastings, Hiatt, Jones, Kirby, Langmacher, Liotta, McCarter, Miller (Doug), Morgan, Nance, Newport, Peters, Peterson, Phillips, Pope (Tim), Rice, Roach, Roberts, Roggow, Smaligo, Smith (Hopper), Staggs, Steele, Sullivan (John), Sweeden, Taylor, Tibbs, Tyler, Webb, Wilt, Winchester, Worthen, Wright, Young.--52.

Excused: Nations, Ross, Wells.--3.

Representative Balkman moved to amend **HB 1144** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute. (Xerox copies for Members)

Representative Sullivan (Leonard) moved to table the Balkman amendment, which tabling motion failed upon roll call as follows:

Aye: Askins, Benson, Blackburn, Corn, Dank, Davis, Dunegan, Easley, Eddins, Glover, Lindley, Mass, Matlock, Miller (Ray), Nations, Paulk, Perry, Pettigrew, Roach, Roan, Smith (Dale), Staggs, Toure, Walker, Webb, Wells, Mr. Speaker.--27.

Nay: Adkins, Balkman, Begley, Bengel, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Covey, Cox, Deutschendorf, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Liotta, Maddux, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Peters, Peterson, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roberts, Roggow, Ross, Smaligo, Smith (Hopper), Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Wilson, Wilt, Winchester, Worthen, Wright, Young.--73.

Excused: Hefner.--1.

Representative Balkman pressed adoption of the floor substitute, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Balkman, Begley, Benge, Benson, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Liotta, Maddux, Matlock, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Stanley, Sullivan (John), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young.--76.

Nay: Askins, Blackburn, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Lindley, Mass, McCarter, Miller (Ray), Pettigrew, Roach, Roan, Roberts, Ross, Staggs, Steele, Stites, Sullivan (Leonard), Toure, Walker, Mr. Speaker.--24.

Excused: Davis.--1.

Representative Phillips moved that **HB 1144** be advanced from General Order, which motion failed of adoption upon roll call as follows:

Aye: Adkins, Balkman, Benge, Benson, Cargill, Cox, Ericson, Ferguson, Friskup, Gray, Hiett, Ingmire, Jones, Leist, Liotta, Maddux, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Reese, Roggow, Ross, Smaligo, Smith (Hopper), Sullivan (John), Tibbs, Wilt, Winchester, Wright, Young.--39.

Nay: Askins, Begley, Blackburn, Bonny, Braddock, Case, Claunch, Coleman, Corn, Covey, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Fields, Gilbert, Glover, Graves, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Lindley, Mass, Matlock, McCarter, Miller (Ray), Nations, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Worthen, Mr. Speaker.--60.

Excused: Calvey, Davis.--2.

Representative Fields moved to amend the floor substitute by deleting Section 1 and renumbering subsequent sections, which amendment was declared adopted upon roll call as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Fields, Friskup, Gilbert, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray),

Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--90.

Nay: Ferguson, Glover, Graves, Leist, Maddux, Steele, Worthen.--7.

Excused: Davis, Reese, Ross, Sullivan (John).--4.

Representative Sullivan (Leonard) moved that **HB 1144** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Sullivan (Leonard), **HB 1144** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1144** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Deutschendorf, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--87.

Nay: Askins, Dank, Dunegan, Fields, Leist, Mass, Miller (Ray), Roan, Staggs, Steele, Walker.--11.

Excused: Davis, Maddux, Reese.--3.

The measure and emergency passed.

**HB 1144** was referred for engrossment.

**Speaker Adair Presiding**

**GENERAL ORDER**

**HB 1221** by Staggs of the House and Rozell of the Senate was read and considered.

Coauthored by Representative(s) Wells

Representative Staggs moved that **HB 1221** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Staggs, **HB 1221** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1221** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Balkman, Begley, Benson, Blackburn, Bonny, Braddock, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nations, Newport, O'Neal, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--80.

Nay: Adkins, Benge, Cargill, Graves, Lindley, Morgan, Nance, Paulk, Peters, Peterson, Roach, Smaligo, Smith (Hopper), Sullivan (Leonard), Worthen, Wright.--16.

Excused: Calvey, Davis, Maddux, Perry, Reese.--5.

The measure passed.

**HB 1221** was referred for engrossment.

**GENERAL ORDER**

**HB 1003** by Askins of the House and Taylor of the Senate was read and considered.

Coauthored by Representative(s) Vaughn

Representative Askins moved to amend **HB 1003** by striking the title, which amendment was declared adopted.

Representative Askins moved that **HB 1003** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Askins, **HB 1003** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1003** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Calvey, Davis, Maddux.--3.

The measure and emergency passed.

**HB 1003** was referred for engrossment.

### **GENERAL ORDER**

**HB 1072** by Mitchell et al of the House and Monson of the Senate was read and considered.

Coauthored by Representative(s) Wells

Representative Askins moved to amend **HB 1072** by striking the title, which amendment was declared adopted.

Representative Mitchell moved that **HB 1072** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 1072** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1072** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Graves, Leist.--2.

Excused: Calvey, Davis, Maddux.--3.

The measure passed.

**HB 1072** was referred for engrossment.

**GENERAL ORDER**

**HB 1064** by Mitchell of the House and Monson of the Senate was read and considered.

Coauthored by Representative(s) Gilbert, Hefner, Cox

Representative Mitchell moved that **HB 1064** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 1064** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1064** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Hastings, Hefner,

Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Mr. Speaker.--90.

Nay: Coleman, Dank, Graves, Greenwood, Liotta, Smith (Hopper), Tibbs, Wright, Young.--9.

Excused: Calvey, Davis.--2.

The measure and emergency passed.

**HB 1064** was referred for engrossment.

## GENERAL ORDER

**HB 1069** by Mitchell of the House and Morgan of the Senate was read and considered.

Coauthored by Representative(s) Hefner, Cox

Representative Mitchell moved to amend **HB 1069** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Xerox copies for Members)

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

Representative Mitchell moved that **HB 1069** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 1069** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1069** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller

(Ray), Mitchell, Morgan, Nance, Nations, Newport, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--92.

Nay: Graves, Liotta, Smaligo, Smith (Hopper), Sullivan (John), Wright.--6.

Excused: Calvey, Davis, O'Neal.--3.

The measure and emergency passed.

**HB 1069** was referred for engrossment.

### GENERAL ORDER

**HB 1384** by Matlock of the House and Henry of the Senate was read and considered.

Representative Matlock moved that **HB 1384** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Matlock, **HB 1384** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1384** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Calvey, Davis.--2.

The measure passed.

**HB 1384** was referred for engrossment.

**GENERAL ORDER**

**HB 1933** by Toure et al of the House and Cain of the Senate was read and considered.

Coauthored by Representative(s) Cox, Deutschendorf, Lindley, Roberts, Ross, Turner, Wilson

Representative Toure moved to amend **HB 1933** by striking the title, which amendment was declared adopted.

Representative Young moved to amend **HB 1933** by inserting a new Section 2 to read as follows, and renumbering subsequent section, which amendment was declared adopted upon a division of the question:

“SECTION 2. AMENDATORY 68 O.S. 1991, Section 2355, as last amended by Section 2, Chapter 427, O.S.L. 1998 (68 O.S. Supp. 2000, Section 2355), is amended to read as follows:

Section 2355. A. Individuals. Except as otherwise provided in Section 3 of this act, for all taxable years beginning after December 31, 1998, a tax is hereby imposed upon the Oklahoma taxable income of every resident or nonresident individual, which tax shall be computed at the option of the taxpayer under one of the two following methods:

1. METHOD 1.

a. Single individuals and married individuals filing separately not deducting federal income tax:

- (1) 1/2% tax on first \$1,000.00 or part thereof,
- (2) 1% tax on next \$1,500.00 or part thereof,
- (3) 2% tax on next \$1,250.00 or part thereof,
- (4) 3% tax on next \$1,150.00 or part thereof,
- (5) 4% tax on next \$1,300.00 or part thereof,
- (6) 5% tax on next \$1,500.00 or part thereof,
- (7) 6% tax on next \$2,300.00 or part thereof, and
- (8) ~~(a)~~ for taxable years beginning after:
  - ~~(a)~~ December 31, 1998 2001, 6.75% 6.5% tax on the remainder, ~~or~~
  - ~~(b)~~ for taxable years beginning after December 31, 1999, for which the State Board of Equalization suspends the provisions of subdivision (a) of this division pursuant to the provisions of Section 3 of this act, 7% tax on the remainder December 31, 2002, 6.25% tax on the remainder,
  - ~~(c)~~ December 31, 2003, 6% tax on the remainder,
  - ~~(d)~~ December 31, 2004, 5.75% tax on the remainder.

b. Married individuals filing jointly and surviving spouse to the extent and in the manner that a surviving spouse is permitted to file a joint return under the provisions of the Internal Revenue Code and heads of households as defined in the Internal Revenue Code not deducting federal income tax:

- (1) 1/2% tax on first \$2,000.00 or part thereof,
- (2) 1% tax on next \$3,000.00 or part thereof,
- (3) 2% tax on next \$2,500.00 or part thereof,
- (4) 3% tax on next \$2,300.00 or part thereof,
- (5) 4% tax on next \$2,400.00 or part thereof,
- (6) 5% tax on next \$2,800.00 or part thereof,
- (7) 6% tax on next \$6,000.00 or part thereof, and
- (8) ~~(a)~~ for taxable years beginning after:
  - (a) ~~December 31, 1998~~ 2001, ~~6.75%~~ 6.5% tax on the remainder, ~~or~~
  - (b) ~~for taxable years beginning after December 31, 1999, for which the State Board of Equalization suspends the provisions of subdivision (a) of this division pursuant to the provisions of Section 3 of this act, 7% tax on the remainder~~ December 31, 2002, 6.25% tax on the remainder,
  - (c) December 31, 2003, 6% tax on the remainder, and
  - (d) December 31, 2004, 5.75% tax on the remainder.

## 2. METHOD 2.

- a. Single individuals and married individuals filing separately deducting federal income tax:
  - (1) 1/2% tax on first \$1,000.00 or part thereof,
  - (2) 1% tax on next \$1,500.00 or part thereof,
  - (3) 2% tax on next \$1,250.00 or part thereof,
  - (4) 3% tax on next \$1,150.00 or part thereof,
  - (5) 4% tax on next \$1,200.00 or part thereof,
  - (6) 5% tax on next \$1,400.00 or part thereof,
  - (7) 6% tax on next \$1,500.00 or part thereof,
  - (8) 7% tax on next \$1,500.00 or part thereof,
  - (9) 8% tax on next \$2,000.00 or part thereof,
  - (10) 9% tax on next \$3,500.00 or part thereof, and
  - (11) 10% tax on the remainder.
- b. Married individuals filing jointly and surviving spouse to the extent and in the manner that a surviving spouse is permitted to file a joint return under the provisions of the Internal Revenue Code and heads of households as defined in the Internal Revenue Code deducting federal income tax:
  - (1) 1/2% tax on the first \$2,000.00 or part thereof,
  - (2) 1% tax on the next \$3,000.00 or part thereof,
  - (3) 2% tax on the next \$2,500.00 or part thereof,
  - (4) 3% tax on the next \$1,400.00 or part thereof,
  - (5) 4% tax on the next \$1,500.00 or part thereof,
  - (6) 5% tax on the next \$1,600.00 or part thereof,
  - (7) 6% tax on the next \$1,250.00 or part thereof,
  - (8) 7% tax on the next \$1,750.00 or part thereof,
  - (9) 8% tax on the next \$3,000.00 or part thereof,

- (10) 9% tax on the next \$6,000.00 or part thereof,  
and  
(11) 10% tax on the remainder.

B. Nonresident aliens. In lieu of the rates set forth in subsection A above, there shall be imposed on nonresident aliens, as defined in the Internal Revenue Code, a tax of eight percent (8%) instead of thirty percent (30%) as used in the Internal Revenue Code, with respect to the Oklahoma taxable income of such nonresident aliens as determined under the provision of the Oklahoma Income Tax Act.

Every payer of amounts covered by this subsection shall deduct and withhold from such amounts paid each payee an amount equal to eight percent (8%) thereof. Every payer required to deduct and withhold taxes under this subsection shall for each quarterly period on or before the last day of the month following the close of each such quarterly period, pay over the amount so withheld as taxes to the Tax Commission, and shall file a return with each such payment. Such return shall be in such form as the Tax Commission shall prescribe. Every payer required under this subsection to deduct and withhold a tax from a payee shall, as to the total amounts paid to each payee during the calendar year, furnish to such payee, on or before January 31, of the succeeding year, a written statement showing the name of the payer, the name of the payee and his social security account number, if any, the total amount paid subject to taxation, and the total amount deducted and withheld as tax and such other information as the Tax Commission may require. Any payer who fails to withhold or pay to the Tax Commission any sums herein required to be withheld or paid shall be personally and individually liable therefor to the State of Oklahoma.

C. Corporations. For all taxable years beginning after December 31, 1989, a tax is hereby imposed upon the Oklahoma taxable income of every corporation doing business within this state or deriving income from sources within this state in an amount equal to six percent (6%) thereof.

There shall be no additional Oklahoma income tax imposed on accumulated taxable income or on undistributed personal holding company income as those terms are defined in the Internal Revenue Code.

D. Certain foreign corporations. In lieu of the tax imposed in the first paragraph of subsection C of this section, for all taxable years beginning after December 31, 1989, there shall be imposed on foreign corporations, as defined in the Internal Revenue Code, a tax of six percent (6%) instead of thirty percent (30%) as used in the Internal Revenue Code, where such income is received from sources within Oklahoma, in accordance with the provisions of the Internal Revenue Code and the Oklahoma Income Tax Act.

Every payer of amounts covered by this subsection shall deduct and withhold from such amounts paid each payee an amount equal to six percent (6%) thereof. Every payer required to deduct and withhold taxes under this subsection shall for each quarterly period on or before the last day of the month following the close of each such quarterly period, pay over the amount so withheld as taxes to the Tax Commission, and shall file a return with each such payment. Such return shall be in such form as the Tax Commission shall prescribe. Every payer required under this subsection to deduct and withhold a tax from a payee shall, as to the total amounts paid to each payee during the calendar year, furnish to such payee, on or before January 31, of the succeeding year, a written statement showing the name of the payer, the name of the payee and his social security account number, if any, the total amounts paid subject to taxation, the total amount deducted and withheld as tax and such other information as the Tax Commission may require. Any payer who fails to

withhold or pay to the Tax Commission any sums herein required to be withheld or paid shall be personally and individually liable therefor to the State of Oklahoma.

E. Fiduciaries. A tax is hereby imposed upon the Oklahoma taxable income of every trust and estate at the same rates as are provided in subsection A of this section for single individuals. Fiduciaries are not allowed a deduction for any federal income tax paid.

F. Tax rate tables. For all taxable years beginning after December 31, 1991, in lieu of the tax imposed by subsection A of this section, there is hereby imposed for each taxable year on the taxable income of every individual, whose taxable income for such taxable year does not exceed the ceiling amount, a tax determined under tables, applicable to such taxable year which shall be prescribed by the Tax Commission and which shall be in such form as it determines appropriate. In the table so prescribed, the amounts of the tax shall be computed on the basis of the rates prescribed by subsection A of this section. For purposes of this subsection, the term "ceiling amount" means, with respect to any taxpayer, the amount determined by the Tax Commission for the tax rate category in which such taxpayer falls."

Representative Pettigrew moved to amend **HB 1933**, Page 2, Section 1, Line 15 by deleting the following language: "If the credit exceeds the tax imposed by Section 2355 of this title, the excess amount shall be refunded to the taxpayer."

Representative Toure moved to table the Pettigrew amendment, which tabling motion failed upon roll call as follows:

Aye: Askins, Begley, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Nations, Paulk, Plunk, Pope (Clay), Roach, Roan, Roberts, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--48.

Nay: Adkins, Balkman, Benge, Benson, Cargill, Case, Claunch, Coleman, Dank, Ericson, Friskup, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Kirby, Langmacher, Liotta, Maddux, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Rice, Roggow, Ross, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--51.

Excused: Calvey, Davis.--2.

Representative Pettigrew pressed adoption of his amendment, which motion was declared adopted.

Representative Pope (Tim) asked unanimous consent to restore the stricken title, to which objection was heard.

Representative Pope (Tim) moved to reconsider the adoption of the amendment to strike the title, which motion failed of adoption upon roll call as follows:

Aye: Adkins, Balkman, Benge, Cargill, Claunch, Coleman, Dank, Ericson, Ferguson, Friskup, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Langmacher, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--46.

Nay: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kirby, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--51.

Excused: Calvey, Case, Davis, Ervin.--4.

Representative Toure moved that **HB 1933** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Toure, **HB 1933** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1933** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Toure.--1.

Excused: Calvey, Davis.--2.

The measure passed.

**HB 1933** was referred for engrossment.

### GENERAL ORDER

**HB 1938** by Toure of the House and Henry of the Senate was read and considered.

Representative Toure moved to amend **HB 1938** by striking the title, which amendment was declared adopted.

Representative Toure moved that **HB 1938** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Toure, **HB 1938** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1938** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Hastings.--1.

Excused: Calvey, Davis.--2.

The measure passed.

**HB 1938** was referred for engrossment.

## GENERAL ORDER

**HB 1965** by Toure of the House and Smith of the Senate was read and considered.

Representative Toure moved that **HB 1965** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Toure, **HB 1965** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1965** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Calvey, Davis, Hiatt.--3.

The measure and emergency passed.

**HB 1965** was referred for engrossment.

## RECONSIDERATION

Representative O'Neal moved to reconsider the vote whereby **HB 1688** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Bengé, Cargill, Case, Claunch, Coleman, Cox, Dank, Ericson, Ervin, Ferguson, Friskup, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Roach, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young.--56.

Nay: Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Paulk, Plunk, Rice, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Wells, Wilson, Mr. Speaker.--42.

Excused: Calvey, Davis, Hiatt.--3.

### THIRD READING

**HB 1688** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Bengel, Cargill, Case, Claunch, Coleman, Cox, Dank, Ericson, Ervin, Ferguson, Friskup, Graves, Greenwood, Hastings, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--49.

Nay: Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Plunk, Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--49.

Excused: Calvey, Davis, Hiatt.--3.

The measure failed.

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Wednesday, March 7, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 5:16 p.m., to reconvene Wednesday, March 7, 2001, at 9:00 a.m.