

Twenty-second Legislative Day

Monday, March 12, 2001

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

The roll was called with 98 Members present.

The following Members were excused: Fields, Hastings, Wells.—3.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Bruce Morant, Trinity Lutheran Church, El Reno.

Upon motion of Representative Pettigrew, Pastor Morant was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1046, 1115, 1161, 1173, 1199, 1200, 1251, 1273, 1315, 1376, 1388, 1417, 1436, 1469, 1482, 1502, 1503, 1615, 1691, 1702, 1703, 1707, 1764, 1765, 1768, 1869, 1884, 1885 and 1939 and HCR 1007 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 26 – Revenue and Taxation

SB 32 – Public Health

SB 33 – Public Health

SB 67 – Veterans and Military Affairs
SB 128 – Common Education
SB 148 – Criminal Justice
SB 195 – Public Health
SB 198 – Commerce, Industry and Labor
SB 371 – Revenue and Taxation
SB 390 – Public Health
SB 434 – Rules
SB 435 – Judiciary
SB 459 – Transportation
SB 468 – Transportation
SB 472 – County and Municipal Government
SB 501 – Revenue and Taxation
SB 514 – Appropriations and Budget
SB 534 – Revenue and Taxation
SB 550 – Wildlife
SB 575 – Appropriations and Budget
SB 590 – Revenue and Taxation
SB 615 – Public Safety
SB 626 – Retirement Laws
SB 628 – Judiciary
SB 658 – County and Municipal Government
SB 680 – Government Operations and Agency Oversight
SB 681 – Retirement Laws
SB 684 – Appropriations and Budget
SB 709 – Criminal Justice
SB 732 – Appropriations and Budget
SB 753 – Appropriations and Budget
SB 766 – Appropriations and Budget

MEASURE REREFERRED

Upon motion of Representative Staggs, **HB 1659** was withdrawn from the Calendar and rereferred to the Tourism and Recreation Committee.

GENERAL ORDER

HB 1249 by Stites of the House and Morgan of the Senate was read and considered.

Coauthored by Representative(s) Ingmire, Nance

Representative Leist moved to amend **HB 1249**, Page 2, Section 1, Lines 6-7 by striking the language "and the State Capitol Division of the Department of Public Safety", which amendment was declared adopted.

Representative Stites moved that **HB 1249** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Stites, **HB 1249** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1249 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, Erwin, Ferguson, Friskup, Gilbert, 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, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young.--94.

Excused: Ervin, Fields, Glover, Hastings, Roberts, Wells, Mr. Speaker.--7.

The measure and emergency passed.

HB 1249 was referred for engrossment.

GENERAL ORDER

HB 1219 by Case et al of the House and Herbert of the Senate was read and considered.

Representative Case moved to amend **HB 1219** by striking the title, which amendment was declared adopted.

Representative Webb moved to amend **HB 1219**, Page 3, Section 1, Line 21 ½ by adding a new subsection 10 to read as follows, which amendment was declared adopted:

"10. Motor fuels purchased by the Oklahoma Department of Transportation for use as fuel to propel motor vehicles on the public roads and highways of this state, when the vehicles are being operated for the sole benefit of the Department of Transportation."

Representative Case moved that **HB 1219** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Case, **HB 1219** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1219 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, Erwin, Ferguson, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Worthen, Wright, Young.--95.

Excused: Ervin, Fields, Glover, Hastings, Wells, Mr. Speaker.--6.

The measure passed.

HB 1219 was referred for engrossment.

GENERAL ORDER

HB 1681 by Case of the House and Herbert of the Senate was read and considered.

Coauthored by Representative(s) Calvey, Claunch

Representative Case moved to amend **HB 1681** by striking the title, which amendment was declared adopted.

Representative Case moved that **HB 1681** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Case, **HB 1681** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1681 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, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, 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), 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.--93.

Nay: Coleman, Liotta.--2.

Excused: Ervin, Fields, Glover, Hastings, Wells, Mr. Speaker.--6.

The measure passed.

HB 1681 was referred for engrossment.

GENERAL ORDER

HB 1171 by Coleman of the House and Williams of the Senate was read and considered.

Representative Coleman moved that **HB 1171** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Coleman, **HB 1171** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1171 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, Erwin, Ferguson, Friskup, Gilbert, Graves, 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, 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.--93.

Excused: Ervin, Fields, Glover, Gray, Hastings, Roberts, Wells, Mr. Speaker.--8.

The measure and emergency passed.

HB 1171 was referred for engrossment.

GENERAL ORDER

HB 1953 by Wilson of the House and Rozell of the Senate was read and considered.

Representative Wilson moved that **HB 1953** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wilson, **HB 1953** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1953 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, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Gilbert, 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, 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.--93.

Nay: Davis.--1.

Excused: Ervin, Fields, Glover, Hastings, Roberts, Wells, Mr. Speaker.--7.

The measure and emergency passed.

HB 1953 was referred for engrossment.

GENERAL ORDER

HB 1864 by Graves of the House and Williamson of the Senate was read and considered.

Coauthored by Representative(s) Case, Newport, Reese, Peters, Sullivan (John), Smith (Hopper), Pope (Clay), Cargill, Balkman, Tibbs, Young, Pope (Tim)

Representative Pope (Clay) moved to amend **HB 1864**, Page 1, Section 1, Line 5 by adding after the word "shall" and before the colon ":" the language "upon availability of funding as determined by the local library board."

Representative Graves moved to table the Pope (Clay) amendment, which tabling motion failed upon roll call as follows:

Aye: Adkins, Balkman, Calvey, Cargill, Case, Claunch, Coleman, Cox, Dank, Davis, Ericson, Ferguson, Friskup, Graves, Greenwood, Hefner, Liotta, Miller (Doug), Morgan, Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Reese, Roach, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Taylor, Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--45.

Nay: Askins, Begley, Bengel, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Gilbert, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Plunk, Pope (Clay), Pope (Tim), Rice, Roan, Roggow, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Toure, Turner, Tyler, Walker, Wilson.--48.

Excused: Fields, Glover, Gray, Hastings, Maddux, Roberts, Wells, Mr. Speaker.--8.

Representative Perry moved to amend the Pope (Clay) amendment by adding after the word "board" the following language: "In such event funding is not available the library board would offer an alternative method of monitoring to assure pornography is not viewed", which motion was declared adopted.

Representative Pope (Clay) pressed adoption of his amendment, as amended, which motion failed upon roll call as follows:

Aye: Askins, Begley, Blackburn, Bonny, Braddock, Covey, Ervin, Gilbert, Hutchison, Leist, Mass, Miller (Ray), Nations, Plunk, Pope (Clay), Ross, Staggs, Toure, Turner, Wilson.--20.

Nay: Adkins, Balkman, Bengel, Calvey, Cargill, Case, Claunch, Coleman, Corn, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Rice, Roach, Roan, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Stanley,

Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Tyler, Vaughn, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young.--74.

Excused: Benson, Fields, Glover, Hastings, Roberts, Wells, Mr. Speaker.--7.

Representative Leist moved to amend **HB 1864**, Page 1, Section 1, Line 10 by inserting after the word "computers" and before the period "." the following language: "will not conflict with constitutional rights", which amendment was declared adopted.

Representative Ross moved to amend **HB 1864**, Page 1, Section 1, Line 5 by deleting the word "shall" and inserting in lieu thereof the word "should".

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

Aye: Adkins, Balkman, Begley, Benge, Benson, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Graves, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Langmacher, Leist, Lindley, Liotta, Maddux, Matlock, 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, Smaligo, Smith (Dale), Smith (Hopper), Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young.--83.

Nay: Askins, Blackburn, Bonny, Ervin, Gilbert, Kirby, Mass, McCarter, Ross, Staggs, Wilson.--11.

Excused: Fields, Glover, Gray, Hastings, Toure, Wells, Mr. Speaker.--7.

Representative Graves moved that **HB 1864** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Graves, **HB 1864** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1864 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, Friskup, Gilbert, Graves, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt,

Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young.--92.

Nay: Ross, Toure.--2.

Excused: Fields, Glover, Gray, Hastings, Nations, Wells, Mr. Speaker.--7.

The measure and emergency passed.

HB 1864 was referred for engrossment.

MOTION

Upon motion of Representative Hilliard, the House was declared at ease until 1:00 p.m.

Speaker ProTempore Matlock Presiding

MESSAGE FROM THE SENATE

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 16 – Hobson, Henry, Nichols, Cain, Campbell, Capps, Coffee, Crutchfield, Dickerson, Douglass, Dunlap, Easley, Fair, Fisher, Ford, Haney, Harrison, Helton, Herbert, Horner, Johnson, Kerr, Laughlin, Leftwich, Littlefield, Maddox, Martin, Mickle, Milacek, Monson, Morgan, Muegge, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson of the Senate and Nations, Hilliard, Miller (Doug), Balkman and Coleman of the House.

A Concurrent Resolution praising the undefeated, Number One ranked 2000 University of Oklahoma Sooner Football Team; congratulating the University of Oklahoma on its winning football program; and directing distribution.

GENERAL ORDER

HJR 1014 by Graves of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Calvey, Ericson, Nance, O'Neal, Peters, Peterson, Smaligo, Smith (Hopper), Tibbs, Winchester

Representative Graves moved to amend **HJR 1014**, Page 3, Line 4 ½ by inserting the following language: "That notwithstanding this Resolution the Oklahoma Legislature still

supports constitutional amendments to balance the federal budget, to protect human life and to allow prayer in public schools and urges Congress to submit constitutional amendments to the States in this respect.", which amendment was declared adopted.

Representative Graves moved that **HJR 1014** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Graves, **HJR 1014** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HJR 1014 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, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Liotta, Maddux, Mass, Matlock, Miller (Doug), 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, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--89.

Nay: Ross.--1.

Excused: Benson, Blackburn, Eddins, Fields, Glover, Hastings, Lindley, McCarter, Miller (Ray), Toure, Wells.--11.

The measure passed.

HJR 1014 was referred for engrossment.

Representative Roach Presiding

GENERAL ORDER

HB 1234 by Askins of the House and Monson of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Askins moved to amend **HB 1234** by striking the title, which amendment was declared adopted.

Representative Pettigrew moved to amend **HB 1234** by inserting a new Section 1 to read as follows, and renumbering subsequent sections, which amendment was declared adopted:

"SECTION 1. Automatic indexed COLA's shall not be permitted in any year in which the actuarial funded ratio of the Oklahoma Firefighters Pension and Retirement System would fall below eighty-five percent (85%) after such COLA is granted."

Representative Askins moved that **HB 1234** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Askins, **HB 1234** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1234 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, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), 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.--96.

Excused: Fields, Glover, Hastings, Miller (Ray), Wells.--5.

The measure and emergency passed.

HB 1234 was referred for engrossment.

GENERAL ORDER

HB 1372 by Askins of the House and Horner of the Senate was read and considered.

Representative Askins moved that **HB 1372** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Askins, **HB 1372** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1372 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, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), 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.--94.

Nay: Graves.--1.

Excused: Bonny, Fields, Glover, Hastings, Miller (Ray), Wells.--6.

The measure and emergency passed.

HB 1372 was referred for engrossment.

GENERAL ORDER

HB 1663 by Davis of the House and Robinson of the Senate was read and considered.

Coauthored by Representative(s) Deutschendorf

Representative Davis moved that **HB 1663** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Davis, **HB 1663** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1663 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, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Matlock, McCarter, Miller (Doug), Mitchell, 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, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Nay: Leist, Paulk.--2.

Excused: Bonny, Fields, Glover, Hastings, Mass, Miller (Ray), Wells.--7.

The measure passed.

HB 1663 was referred for engrossment.

GENERAL ORDER

HB 1805 by Perry et al of the House and Williamson of the Senate was read and considered.

Coauthored by Representative(s) Lindley

Representative Perry moved that **HB 1805** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Perry, **HB 1805** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1805 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, Bengel, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), 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.--96.

Excused: Fields, Glover, Hastings, Miller (Ray), Wells.--5.

The measure and emergency passed.

HB 1805 was referred for engrossment.

MOTION

Representative McCarter asked that the Journal reflect that had he been present in the Chamber, he would have voted Aye on **HJR 1014**, which was the order.

GENERAL ORDER

HB 1398 by Walker of the House and Muegge of the Senate was read and considered.

Representative Walker moved to amend **HB 1398** 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 Walker moved to amend the floor substitute, Page 3, Section 2, Lines 23-25 by striking the language "in accordance with a planting plan developed in conjunction with the Division of Forestry of the State Department of Agriculture" and inserting in lieu thereof the language "bordering the upper most row of tires installed on the river bank", which amendment was declared adopted.

Representative Walker moved that **HB 1398** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Walker, **HB 1398** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1398 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, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--96.

Excused: Fields, Glover, Hastings, Wells, Worthen.--5.

The measure passed.

HB 1398 was referred for engrossment.

GENERAL ORDER

HB 1907 by Walker et al of the House and Smith of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Walker moved that **HB 1907** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Walker, **HB 1907** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1907 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, Calvey, Cargill, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-96.

Excused: Case, Fields, Glover, Hastings, Wells.--5.

The measure passed.

HB 1907 was referred for engrossment.

MEASURE REREFERRED

Upon motion of Representative Smith (Dale), **HB 1263** was withdrawn from the Calendar and rereferred to the Wildlife Committee.

RECONSIDERATION

Representative Smith (Dale) moved to reconsider the vote whereby **HJR 1008** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Bonny, Braddock, Cargill, Case, Claunch, Covey, Cox, Dank, Deutschendorf, Dunegan, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Kirby, Leist, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nations, Perry, Peters, Pettigrew, Phillips, Piatt, Plunk, Rice, Roan, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sweden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Webb, Wilt, Mr. Speaker.--65.

Nay: Calvey, Coleman, Corn, Davis, Easley, Gray, Greenwood, Jones, Langmacher, Lindley, Liotta, Miller (Doug), Nance, Newport, O'Neal, Paulk, Peterson, Pope (Clay), Pope (Tim), Reese, Roach, Roberts, Roggow, Sullivan (John), Sullivan (Leonard), Walker, Wilson, Winchester, Worthen, Wright, Young.--31.

Excused: Blackburn, Fields, Glover, Hastings, Wells.--5.

Upon unanimous consent request of Representative Smith (Dale), **HJR 1008** was returned to General Order.

GENERAL ORDER

Representative Pettigrew moved to amend **HJR 1008** by deleting Sections 1-8 and inserting in lieu thereof the following language:

“SECTION 1. Pursuant to Section 3 of Article V of the Oklahoma Constitution, there is hereby ordered the following legislative referendum which shall be filed with the Secretary of State and addressed to the Governor of the state, who shall submit the same to the people for their approval or rejection at the Special Election to be held on August 14, 2001.

SECTION 2. AMENDATORY 29 O.S. 1991, Section 3-302, as amended by Section 55, Chapter 382, O.S.L. 1994 (29 O.S. Supp. 1999, Section 3-302), is amended to read as follows:

Section 3-302. A. There is hereby created in the State Treasury a revolving fund to be known as the Wildlife Conservation Fund, which shall consist of all monies heretofore or hereafter appropriated to, on deposit in, or credited to the State Game and Fish Fund created by Section 115, Title 29 of the Oklahoma Statutes, and, in addition thereto, all license fees, penalties, fines or forfeitures and bond forfeitures collected by the state, any subdivision

thereof, any public official or any other person for the violation of the wildlife conservation laws of this state, all monies transferred as provided for in Section 4 of this act, and all donations for such purposes as well as all monies received by the Department and all interest accruing therefrom. All monies accruing to the fund shall be subject to the following budgetary limitations:

1. Full-time-equivalent employees;
2. Personal services expenditures;
3. Federal fund expenditures; and
4. Total expenditures.

B. The expenditures of the Wildlife Conservation Fund shall be under the control and supervision of the Commission, and all claims against said fund shall be paid on its itemized voucher form, prepared by said Commission and sworn to by the claimant, ~~and/or~~ vendor's invoices as authorized under Section 86.1, of Title 74 of the Oklahoma Statutes. All such claims when duly signed and sworn to shall be audited by the Commission ~~and/or~~ designated employees and, upon final approval, vouchers which are payable from said fund shall be forwarded to the Director of State Finance. Upon approval thereof, warrants shall issue according to law, and said warrants shall be paid by the State Treasurer from said fund. A reserve fund of not less than One Hundred Thousand Dollars (\$100,000.00) shall be maintained to be used in emergencies only, by and with the consent of the Governor, and an additional reserve fund of not less than Two Hundred Thousand Dollars (\$200,000.00) shall be maintained for the liquidation of unissued licenses purchased by authorized agents for sale which have remained unsold when such unissued licenses are returned for refunds as provided for by law.

C. All fees, monies or funds arising from the operation and transactions of the Commission and from the application and administration of the laws and regulations pertaining to the wildlife resources of the state and from the sale of property used for said purposes shall be expended and used by said Commission for the control, management, restoration, conservation and regulation of the wildlife resources of the state, including the purchase or other acquisition of property for said purposes, and for the administration of the laws pertaining thereto and for no other purposes.

SECTION 3. AMENDATORY 68 O.S. 1991, Section 1353, as last amended by Section 8, Chapter 254, O.S.L. 1999 (68 O.S. Supp. 1999, Section 1353), is amended to read as follows:

Section 1353. Purpose of article - Apportionment of revenues.

It is hereby declared to be the purpose of the Oklahoma Sales Tax Code to provide funds for the financing of the program provided for by the Oklahoma Social Security Act and to provide revenues for the support of the functions of the state government of Oklahoma, and for this purpose it is hereby expressly provided that, for the fiscal year beginning July 1, 1999, and for each fiscal year thereafter, revenues derived pursuant to the provisions of the Oklahoma Sales Tax Code shall be apportioned as follows:

1. Eighty-six and four one-hundredths percent (86.04%) shall be paid to the State Treasurer to be placed to the credit of the General Revenue Fund to be paid out pursuant to direct appropriation by the Legislature, except as provided for in Section 4 of this act;
2. Ten and forty-two one-hundredths percent (10.42%) shall be paid to the State Treasurer to be placed to the credit of the Education Reform Revolving Fund of the State Department of Education; and

3. Three and fifty-four one-hundredths percent (3.54%) shall be paid to the State Treasurer to be placed to the credit of the Teachers' Retirement System Dedicated Revenue Revolving Fund; provided, when the total deposits to such Fund from all sources exceed One Hundred Thirty-six Million Dollars (\$136,000,000.00) for the fiscal year beginning July 1, 1999, any funds received in the fiscal year beginning July 1, 1999, in excess of such amount shall be paid to the State Treasurer to be placed to the credit of the General Revenue Fund.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1353.1 of Title 68, unless there is created a duplication in numbering, reads as follows:

Beginning July 1, 2001, the Oklahoma Tax Commission shall transfer, on a quarterly basis, to the Wildlife Conservation Fund created in Section 3-302 of Title 29 of the Oklahoma Statutes, five percent (5%) of the total amount of annual receipts of Oklahoma sales tax, levied pursuant to Section 1354 of Title 68 of the Oklahoma Statutes, from collections on hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment, wildlife watching equipment and auxiliary wildlife watching equipment as estimated by the most recent United States Department of the Interior, United States Fish and Wildlife Service, and United States Department of Commerce Bureau of the Census "National Survey of Fishing, Hunting, and Wildlife Associated Recreation".

SECTION 5. The Ballot Title for the proposed act shall be in the following form:

BALLOT TITLE

Legislative Referendum No. ____ State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would change how a certain portion of the state sales tax is used. It would require a certain amount of sales tax be transferred to the Wildlife Conservation Fund. The sales tax now goes into the General Revenue Fund. 5% of the sales tax on hunting, fishing, wildlife watching, and auxiliary equipment would be transferred. The amount would be based on a national report prepared by certain federal agencies.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 6. 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 5 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 7. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of August 14, 2001, at which time the proposed act, as set forth in SECTIONS 1 through 4 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law."

Representative Smith (Dale) moved to amend the Pettigrew amendment, Page 3 Section 4, Lines 25-26 and Page 4, Section 5, Line 11, by deleting "five percent (5%)" and inserting in lieu thereof "twenty-five percent (25%)", which amendment was declared adopted.

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

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: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Gilbert, Gray, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Perry, Peters, Pettigrew, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sweeden, Tibbs, Toure, Turner, Tyler, Walker, Wilson, Winchester, Young, Mr. Speaker.--71.

Nay: Calvey, Coleman, Dank, Davis, Ervin, Graves, Greenwood, Liotta, Morgan, Nance, Newport, O'Neal, Paulk, Peterson, Phillips, Reese, Roach, Sullivan (Leonard), Taylor, Vaughn, Webb, Wilt, Worthen, Wright.--24.

Excused: Fields, Glover, Hastings, Maddux, Nations, Wells.--6.

The measure passed.

Pursuant to Article 24, Section 1, of the Oklahoma Constitution, the question was put "Shall **HJR 1008** be ordered referred by the Legislature for approval or rejection at a special election as provided in Section 7 of said measure?" The roll call was as follows:

Aye: Askins, Balkman, Begley, Benson, Blackburn, Bonny, Braddock, Cargill, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Gilbert, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Perry, Pettigrew, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sweeden, Toure, Turner, Tyler, Walker, Wilson, Mr. Speaker.--55.

Nay: Adkins, Benge, Calvey, Case, Claunch, Coleman, Corn, Dank, Davis, Ericson, Ervin, Friskup, Graves, Gray, Greenwood, Jones, Liotta, Maddux, Morgan, Nance, Newport, O'Neal, Paulk, Peters, Peterson, Phillips, Piatt, Pope (Tim), Reese, Roggow, Sullivan (John), Sullivan (Leonard), Taylor, Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--41.

Excused: Fields, Glover, Hastings, Nations, Wells.--5.

The Presiding Officer declared that not having received the required constitutional two-thirds majority of the Members elected to and constituting the House the special election failed.

HJR 1008 was referred for engrossment.

Speaker Pro Tempore Matlock Presiding

GENERAL ORDER

HB 1819 by Adair et al of the House and Taylor et al of the Senate was read and considered.

Speaker Adair moved that **HB 1819** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Speaker Adair, **HB 1819** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1819 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, Bengel, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-97.

Excused: Fields, Glover, Hastings, Wells.--4.

The measure and emergency passed.

HB 1819 was referred for engrossment.

GENERAL ORDER

HB 1278 by Benson of the House and Robinson of the Senate was read and considered.

Coauthored by Representative(s) Lindley

Representative Benson moved to amend **HB 1278** 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 Benson moved that **HB 1278** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benson, **HB 1278** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1278 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, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-97.

Excused: Fields, Glover, Hastings, Wells.--4.

The measure and emergency passed.

HB 1278 was referred for engrossment.

GENERAL ORDER

HJR 1025 by Benson et al of the House and Maddox of the Senate was read and considered.

Representative Benson moved that **HJR 1025** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benson, **HJR 1025** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HJR 1025 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, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, 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, Piatt, Plunk, 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.--95.

Excused: Fields, Glover, Hastings, Phillips, Pope (Clay), Wells.--6.

The measure passed.

HJR 1025 was referred for engrossment.

GENERAL ORDER

HB 1736 by Roach of the House and Williams of the Senate was read and considered.

Representative Roach moved to amend **HB 1736** 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 that **HB 1736** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roach, **HB 1736** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1736 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, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-97.

Excused: Fields, Glover, Hastings, Wells.--4.

The measure passed.

HB 1736 was referred for engrossment.

GENERAL ORDER

HB 1034 by Taylor of the House and Price of the Senate was read and considered.

Representative Wright moved to amend **HB 1034**, Page 5, Section 1, Lines 6-8 by deleting the following language:

“20. To regulate and restrict the placement and construction of communication towers in unincorporated areas of the county. Towers used exclusively by the state or federal government shall be exempt from the provisions of this paragraph.”

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

Aye: Askins, Begley, Benson, Blackburn, Braddock, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Gilbert, Hefner, Hilliard, Hutchison, Kirby, Leist, Lindley, Maddux, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Phillips, Plunk, Rice, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Wilson, Mr. Speaker.--45.

Nay: Adkins, Balkman, Bengé, Bonny, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, Ericson, Ferguson, Friskup, Graves, Gray, Greenwood, Hiatt, Ingmire, Jones, Langmacher, Liotta, Miller (Doug), Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Piatt, Pope (Clay), Pope (Tim), Reese, Roggow, Smaligo, Smith

(Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young.--50.

Excused: Fields, Glover, Hastings, Mass, Roach, Wells.--6.

Upon unanimous consent request of Representative Taylor, **HB 1034** was laid over.

RESOLUTION FOR CONSIDERATION

SCR 16 was called up for consideration.

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

Upon motion of Representative Nations, **SCR 16** was considered and adopted.

SCR 16 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

Upon unanimous consent request of Representative Nations, **SCR 16** was ordered printed in full as follows:

SCR 16 - By: Hobson, Henry, Nichols, Cain, Campbell, Capps, Coffee, Crutchfield, Dickerson, Douglass, Dunlap, Easley, Fair, Fisher, Ford, Haney, Harrison, Helton, Herbert, Horner, Johnson, Kerr, Laughlin, Leftwich, Littlefield, Maddox, Martin, Mickle, Milacek, Monson, Morgan, Muegge, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson of the Senate and Nations, Hilliard, Miller (Doug), Balkman, Coleman, Adair, Adkins, Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nance, 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 and Young of the House.

A Concurrent Resolution praising the undefeated, Number One ranked 2000 University of Oklahoma Sooner Football Team; congratulating the University of Oklahoma on its winning football program; and directing distribution.

WHEREAS, the University of Oklahoma has an unparalleled tradition of academic and athletic excellence. This Sooner excellence was nowhere better demonstrated than on the gridiron during the 2000 collegiate football season; and

WHEREAS, the 2000 University of Oklahoma Sooner Football Team finished the season with a perfect 13-0 record, the first in the school's history, and the seventh national collegiate football championship in the University's history. The team finished the season

ranked Number One in the nation by the Associated Press, ESPN/USA Today, and Bowl Championship Series polls; and

WHEREAS, Head Football Coach Bob Stoops, along with other members of the coaching staff and team members, won untold individual awards attesting to the overall strength of the football program; and

WHEREAS, by their actions on and off the field, the 2000 University of Oklahoma Sooner Football Team brought great positive recognition not only to their school but also to the entire State of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 48TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Oklahoma State Legislature praises the undefeated, Number One ranked 2000 University of Oklahoma Sooner Football Team.

THAT the Oklahoma State Legislature congratulates the University of Oklahoma on its winning football program and for demonstrating academic as well as athletic excellence.

THAT a copy of this resolution be distributed to C.S. Lewis III, Chairman of the Board of Regents of the University of Oklahoma; University of Oklahoma President David L. Boren; University of Oklahoma Athletic Director Joe Castiglione; and University of Oklahoma Football Coach Bob Stoops.

MOTION

Upon motion of Representative Hilliard, the House was declared at ease to the Call of the Chair.

Speaker Pro Tempore Matlock Presiding

GENERAL ORDER

HB 1034 by Taylor of the House and Price of the Senate as previously read and considered on Page 785 was considered further.

Representative Wright pressed adoption of his amendment as read on Page 785, which amendment failed upon roll call as follows:

Aye: Adkins, Balkman, Bengé, Calvey, Cargill, Claunch, Coleman, Corn, Dank, Davis, Ferguson, Friskup, Graves, Greenwood, Hiatt, Ingmire, Jones, Liotta, Miller (Doug), Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Webb, Winchester, Worthen, Wright, Young.--42.

Nay: Askins, Begley, Blackburn, Bonny, Braddock, Case, Covey, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Gilbert, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Pettigrew, Phillips, Plunk, Pope (Clay), Rice, Roach, Roan,

Roberts, Ross, Smith (Dale), Staggs, Stites, Sweeden, Taylor, Turner, Tyler, Walker, Wilson, Wilt, Mr. Speaker.--51.

Excused: Benson, Cox, Fields, Glover, Hastings, Stanley, Toure, Wells.--8.

Representative Taylor moved that **HB 1034** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Taylor, **HB 1034** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1034 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Begley, Benge, Blackburn, Bonny, Braddock, Cargill, Case, Coleman, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Gilbert, Graves, Gray, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Wilson, Wilt, Winchester, Mr. Speaker.--75.

Nay: Balkman, Calvey, Claunch, Dank, Davis, Friskup, Greenwood, Hiatt, Liotta, Miller (Doug), Perry, Peters, Peterson, Pope (Tim), Smaligo, Smith (Hopper), Sullivan (John), Webb, Worthen, Wright, Young.--21.

Excused: Benson, Fields, Glover, Hastings, Wells.--5.

The measure passed.

HB 1034 was referred for engrossment.

GENERAL ORDER

HB 1035 by Taylor of the House and Price of the Senate was read and considered.

Representative Coleman moved to amend **HB 1035** by inserting a new Section 1 to read as follows, and renumbering subsequent sections:

“SECTION 1. AMENDATORY 19 O. S. 1991, Section 288.1 is amended to read as follows:

Section. 288.1 A. All plats or subdivision plats filed in the county clerk’s office shall be indexed and filed, and one copy placed in bound volumes or booklets, so that all plats or subdivisions are compiled and indexed accordingly.

B. All plats or subdivision plats with roads of public designation shall not be filed by the county clerk’s office until such plat or subdivision plat goes before the board of county commissioners and the board determines that the dedicated public roads meet the requirements of Section 601.1 of Title 69 of the Oklahoma Statutes and the standards of public road design.”

Representative Coleman moved to amend her amendment, Subsection B., by adding after the word “plats” and before the word “with” the language “of property in unincorporated areas”, which amendment was declared adopted.

Representative Coleman pressed adoption of her amendment, as amended, which amendment was declared adopted.

Representative Taylor moved that **HB 1035** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Taylor, **HB 1035** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1035 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, Blackburn, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, 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, 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.--92.

Excused: Benson, Bonny, Easley, Fields, Glover, Hastings, Mass, Morgan, Wells.--9.

The measure passed.

HB 1035 was referred for engrossment.

GENERAL ORDER

HB 1723 by Rice of the House and Easley of the Senate was read and considered.

Representative Rice moved to amend **HB 1723** by striking the title, which amendment was declared adopted.

Representative Rice moved that **HB 1723** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Rice, **HB 1723** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1723 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, Blackburn, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, 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), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Nay: Sullivan (Leonard).--1.

Excused: Benson, Bonny, Fields, Glover, Hastings, Hilliard, Mass, Wells.--8.

The measure and emergency passed.

HB 1723 was referred for engrossment.

GENERAL ORDER

HB 1727 by Rice of the House and Wilkerson of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Rice moved that **HB 1727** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Rice, **HB 1727** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1727 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, Blackburn, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, 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), Sweden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Excused: Benson, Bonny, Fields, Glover, Hastings, Hilliard, Mass, Wells.--8.

The measure and emergency passed.

HB 1727 was referred for engrossment.

GENERAL ORDER

HB 1922 by Rice et al of the House and Easley et al of the Senate was read and considered.

Remove Representative Sullivan (Leonard) as House author

Representative Newport moved to amend **HB 1922**, Page 4, Section 2, Line 4; Page 7, Line 2; Page 11, Section 3, Line 18; and Page 14, Section 5, Lines 5-6 by striking the words "on or before" and inserting in lieu thereof the words "no sooner than" and Page 15, Section 6, Lines 6 and 10 by striking the words "on or before" and inserting in lieu thereof the word "after", which amendment was declared adopted.

Representative Smith (Hopper) moved to amend **HB 1922**, Page 4, Section 2, Lines 5-7 by striking the following language: "the Corporation Commission is expressly prohibited from promulgating any rules or issuing any orders relating to the restructuring of Oklahoma's electric utility industry without prior express authorization by the Oklahoma State Legislature."

Representative Rice moved to table the Smith (Hopper) amendment, which tabling motion failed upon a division of the question.

Representative Smith (Hopper) pressed adoption of his amendment, which amendment was declared adopted upon roll call as follows:

Aye: Adkins, Balkman, Begley, Benge, Blackburn, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, Ericson, Ferguson, Friskup, Graves, Greenwood, Hiatt, Ingmire, Jones, Langmacher, Liotta, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Phillips, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Stanley, Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--50.

Nay: Askins, Bonny, Braddock, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Gilbert, Gray, Hefner, Hilliard, Hutchison, Kirby, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Nations, Paulk, Pettigrew, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wilson, Mr. Speaker.--46.

Excused: Benson, Fields, Glover, Hastings, Wells.--5.

Upon unanimous consent request of Representative Rice, **HB 1922** was rereferred to the Energy and Utility Regulation Committee.

GENERAL ORDER

HB 1186 by Ingmire of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Ingmire moved to amend **HB 1186** by striking the title, which amendment was declared adopted.

Representative Toure moved to amend **HB 1186** by adding a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2355.2 of Title 68, unless there is created a duplication in numbering, reads as follows:

For tax years beginning after December 31, 2001, there shall be allowed to a resident individual or a part-year resident individual as a credit against the tax imposed by Section 2355 of this title ten percent (10%) of the earned income tax credit allowed under Section 32 of the Internal Revenue Code of the United States, 26 U.S.C., Section 32. If the credit exceeds the tax imposed by Section 2355 of this title, the excess amount shall be refunded to the taxpayer. The maximum earned income tax credit allowable on the Oklahoma income tax return shall be prorated on the ratio that Oklahoma adjusted gross income bears to the federal adjusted gross income.”

Representative Pettigrew moved to amend the Toure amendment 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.", which amendment was declared adopted.

Representative Toure pressed adoption of his amendment, as amended, which amendment was declared adopted.

Representative Ingmire moved that **HB 1186** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ingmire, **HB 1186** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1186 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, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, 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, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-96.

Excused: Benson, Fields, Glover, Hastings, Wells.--5.

The measure passed.

HB 1186 was referred for engrossment.

GENERAL ORDER

HB 1633 by Sweeden of the House and Harrison of the Senate was read and considered.

Coauthored by Representative(s) Braddock

Representative Sweeden moved to amend **HB 1633** 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 Sweeden moved that **HB 1633** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Sweeden, **HB 1633** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1633 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Begley, Benge, Blackburn, Bonny, Braddock, Calvey, Claunch, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Gray, 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, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Mr. Speaker.--85.

Nay: Balkman, Cargill, Case, Coleman, Graves, Greenwood, Smaligo, Smith (Hopper), Tibbs, Wright, Young.--11.

Excused: Benson, Fields, Glover, Hastings, Wells.--5.

The measure and emergency passed.

HB 1633 was referred for engrossment.

GENERAL ORDER

HB 1454 by Plunk of the House and Wilkerson of the Senate was read and considered.

Representative Plunk moved that **HB 1454** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Plunk, **HB 1454** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1454 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Begley, Benge, Blackburn, Bonny, Braddock, Case, Claunch, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Friskup, Gilbert, Gray, 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, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--81.

Nay: Askins, Balkman, Calvey, Cargill, Coleman, Dank, Ericson, Graves, Greenwood, Peters, Peterson, Smaligo, Smith (Hopper), Tibbs, Wright.--15.

Excused: Benson, Fields, Glover, Hastings, Wells.--5.

The measure and emergency passed.

HB 1454 was referred for engrossment.

Representative Roach Presiding

GENERAL ORDER

HB 1949 by Rice of the House and Easley of the Senate was read and considered.

Coauthored by Representative(s) Vaughn

Representative Rice moved that **HB 1949** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Rice, **HB 1949** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1949 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, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, 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, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--93.

Nay: Calvey, Worthen.--2.

Excused: Benson, Fields, Glover, Gray, Hastings, Wells.--6.

The measure and emergency passed.

HB 1949 was referred for engrossment.

GENERAL ORDER

HB 1041 by Erwin of the House and Rabon of the Senate was read and considered.

Representative Erwin moved that **HB 1041** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Erwin, **HB 1041** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1041 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, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, 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.--93.

Nay: Coleman, Dank, Greenwood.--3.

Excused: Benson, Fields, Gray, Hastings, Wells.--5.

The measure and emergency passed.

HB 1041 was referred for engrossment.

GENERAL ORDER

HB 1630 by Staggs et al of the House and Crutchfield of the Senate was read and considered.

Coauthored by Representative(s) Lindley, Wells

Representative Dank moved to amend **HB 1630** by creating a new Section 7 to read as follows, and renumbering subsequent sections, which amendment was declared adopted:

“SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-114.14 of Title 10, unless there is created a duplication in numbering, reads as follows:

Any teacher pay raises shall be tied to performance and accountability criteria.”

Representative Staggs moved that **HB 1630** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Staggs, **HB 1630** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1630 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, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, 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, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--95.

Excused: Benson, Fields, Gray, Hastings, Wells.--5.

Constitutional Priv: Worthen.--1.

The measure and emergency passed.

HB 1630 was referred for engrossment.

GENERAL ORDER

HB 1593 by Dunegan et al of the House and Haney et al of the Senate was read and considered.

Coauthored by Representative(s) Kirby, Lindley, Mitchell, Nance

Representative Dunegan moved to amend **HB 1593** by striking the title, which amendment was declared adopted.

Representative Dunegan moved that **HB 1593** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Dunegan, **HB 1593** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1593 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, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, Greenwood, 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, 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.-95.

Excused: Benson, Fields, Gray, Hastings, Pettigrew, Wells.--6.

The measure and emergency passed.

HB 1593 was referred for engrossment.

GENERAL ORDER

HB 1227 by Ross of the House and Robinson of the Senate was read and considered.

Representative Ross moved that **HB 1227** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ross, **HB 1227** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1227 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Balkman, Begley, Benge, Blackburn, Bonny, Braddock, Calvey, Case, Claunch, Coleman, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nations, Paulk, Perry, Peters, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--82.

Nay: Adkins, Cargill, Dank, Greenwood, Ingmire, Nance, Newport, O'Neal, Peterson, Pettigrew, Phillips, Pope (Tim), Tibbs, Young.--14.

Excused: Benson, Fields, Gray, Hastings, Wells.--5.

The measure passed.

HB 1227 was referred for engrossment.

RESOLUTIONS

The following were introduced and read:

HCR 1012 – By Ingmire and Wells of the House and Morgan of the Senate.

A Concurrent Resolution remembering the victims of the Oklahoma State University basketball team plane crash; and directing distribution.

HCR 1013 – By Pope (Tim) of the House and Wilcoxson of the Senate.

A Concurrent Resolution proclaiming the Mustang High School Jazz Band as the Official High School Jazz Ambassadors of Oklahoma; extending best wishes; and directing distribution.

HR 1008 – By Wilt and Taylor.

A Resolution congratulating Martin D. Garber, Jr., for a successful career and wishing him well upon his retirement; distribution.

MESSAGES FROM THE SENATE

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

SB 193 – Monson of the Senate and Mitchell of the House.

An Act relating to poor persons; amending Section 5, Chapter 336, O.S.L. 1993, as amended by Section 5, Chapter 204, O.S.L. 1995 (56 O.S. Supp. 2000, Section 1010.5), which relates to the Oklahoma Medicaid Healthcare Options Act; expanding requirements for contract provisions; providing an effective date; and declaring an emergency.

SB 341 – Williams of the Senate and Roach of the House.

[higher education - Oklahoma College of Osteopathic Medicine and Surgery - effective date - emergency]

SB 408 – Monson of the Senate and Nations of the House.

[retirement - Oklahoma Law Enforcement Retirement System - service credit - effective date – emergency]

SB 419 – Morgan of the Senate and Stites of the House.

[retired educators - benefit increase - Teachers' Retirement System of Oklahoma - insurance premium adjustment - codification – effective date – emergency]

SB 441 – Helton of the Senate and Corn of the House.

An Act relating to controlled dangerous substance; amending 22 O.S. 1991, Section 751, as last amended by Section 1, Chapter 55, O.S.L. 1999 (22 O.S. Supp. 2000, Section 751), which relates to admission of findings and reports; authorizing admission of certain report by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control in certain hearing; amending 63 O.S. 1991, Section 2-204, as last amended by Section 1, Chapter 16, O.S.L. 2000 (63 O.S. Supp. 2000, Section 2-204), which relates to controlled substance schedules; adding certain substance to certain schedule; providing an effective date; and declaring an emergency.

SB 466 – Laughlin and Muegge of the Senate and Leist of the House.

An Act relating to agriculture; creating the Competitive Livestock Markets Act; defining term; prohibiting certain acts; making certain actions unlawful; authorizing the Attorney General or district attorney to bring certain actions; authorizing persons aggrieved by an alleged violation to bring certain actions against certain parties; requiring packers to keep certain records; authorizing the Attorney General to prescribe how certain records are kept; providing penalty and fine; authorizing the Attorney General to promulgate rules to enforce the provisions of the Competitive Livestock Markets Act; providing for cooperation with other entities; providing for codification; and providing an effective date.

SB 496 – Williams of the Senate and Roberts of the House.

An Act relating to schools; amending 70 O.S. 1991, Section 1210.531, as last amended by Section 3, Chapter 356, O.S.L. 1999 (70 O.S. Supp. 2000, Section 1210.531), which relates to the Oklahoma Educational Indicators Program; changing date by which certain reports shall be published; updating certain reference; and providing an effective date.

SB 652 – Robinson of the Senate and Phillips of the House.

An Act relating to public finance; amending 62 O.S. 1991, Section 803, which relates to the Municipal and County Industrial Development Bonds Act; providing that certain requirement not applicable to licensed attorneys; and providing an effective date.

SB 674 – Leftwich of the Senate and Corn and Winchester of the House.

[revenue and taxation - creating the Oklahoma Film Enhancement Rebate Program – codification - effective date – emergency]

SB 678 – Littlefield of the Senate and Hutchison of the House.

[pool and billiard halls - revocation of license - effective date]

SB 694 – Fisher, Hobson, Rabon and Williams of the Senate and Rice of the House.

[economic development - Oklahoma Institute of Technology - Oklahoma Institute of Technology Trust Fund - legislative intent - Oklahoma Rural Housing Linked Deposit Program - Linked Deposit Program procedures and qualifications – codification -effective date – emergency]

SB 711 – Dickerson and Williams of the Senate and Askins of the House.

[mammography screenings – effective date – emergency]

SB 716 – Nichols and Martin of the Senate and Coleman of the House.

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1111, as last amended by Section 2, Chapter 309, O.S.L. 1999 (21 O.S. Supp. 2000, Section 1111), which relates to definition of rape; adding new definition of rape; defining sexual intercourse between a student under certain age and certain school employee rape; and providing an effective date.

SB 724 – Wilkerson of the Senate and Webb of the House.

An Act relating to the Department of Corrections; empowering the Director of the Department of Corrections to provide paid leave to employees involved in critical incidents; setting maximum term of leave; providing for codification; providing an effective date; and declaring an emergency.

SB 747 – Leftwich of the Senate and Nations of the House.

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 6-105, as last amended by Section 4, Chapter 277, O.S.L. 2000 (47 O.S. Supp. 2000, Section 6-105), which relates to driver licenses; clarifying language; authorizing the Department of Public Safety to certify certain parent-taught driver education courses; stating parameters; requiring the Department to promulgate rules; setting maximum fees for parent-taught driver education courses; modifying hours of behind-the-wheel training for certain persons;

deleting certain exceptions; requiring certain persons enrolled in a commercial driver education school to pass certain parts of the driver license examination before operating a Class D motor vehicle on the highways; providing for unrestricted Class D license for certain persons; providing effective dates; and declaring an emergency.

SB 750 – Cain of the Senate and Eddins of the House.

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-533, which relates to phenylketonuria and related inborn metabolic disorders; updating language; expanding areas to be included in certain educational programs and providing basis for expansion; and providing an effective date.

Transmitting enrolled measure

Advising the signing of and transmitting for signature Enrolled **SCR 16**.

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

APPOINTMENTS

The Speaker announced the appointment on March 5, 2001 of the following as Members of Council of State Governments Task Forces and Committees:

Agricultural Policy Task Force – Representative Covey
 Annual Meeting Committee – Representative Braddock
 Corrections and Public Safety Task Force – Representative Dunegan replacing Representative Hilliard
 Environmental Task Force – Representative Leist replacing Representative Rice
 Governing Board – Representative Matlock
 Intergovernmental Affairs Committee – Representative Rice replacing Representative Deutschendorf

The Speaker announced the reappointment on March 5, 2001 of the following as Members of Council of State Governments Task Forces and Committees:

Associates Advisory Committee – Representative Bonny
 Health Capacity Task Force – Representative Stanley
 International Committee – Representative Taylor
 Suggested State Legislation Committee - Representative Roach

The Speaker announced the following appointments:

March 7, 2001 – Representative Wells reappointed as Chair, Representative Ferguson reappointed as Vice Chair and Representative Gilbert appointed as Vice-Chair replacing former Representative Betty Boyd of the Legislative Arts Caucus. (House Rule 1, Section 4(b))

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:30 a.m., Tuesday, March 13, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 4:45 p.m., to reconvene Tuesday, March 13, 2001, at 9:30 a.m.