

## **Thirty-first Legislative Day**

**Tuesday, March 27, 2001**

The House was called to order by Speaker Adair.

The roll was called with 101 Members present.

The Speaker declared a quorum present.

Prayer was offered by Youth Pastor Jason Quiring, Fairview Mennonite Brethren Church, Fairview.

Upon unanimous consent request of Representative Maddux, Youth Pastor Quiring was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

### **ENGROSSED AND ENROLLED MEASURES**

**HAs to SBs 3, 14 and 610** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

### **MEASURE REASSIGNED**

By unanimous consent, the following was reassigned:

**SJR 1** –Withdrawn from Rules and referred to Small Business.

**RESOLUTION**

The following was introduced and read:

**HCR 1017** – By Adair and Ferguson of the House and Milacek of the Senate.  
A Concurrent Resolution honoring Robert E. “Bob” Anderson upon his retirement; and directing distribution.

**MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SB 451**.

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

**Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 15** – Morgan, Horner and Monson of the Senate and Wells and Toure of the House.

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

**Returning engrossed measure**

Announcing the passage of **HCR 1014**.

The above-numbered measure was referred for enrollment.

**GENERAL ORDER**

**SB 488** by Rabon of the Senate and Erwin of the House was read and considered.

Coauthored by Representative(s) Liotta, Hefner, Cox, Glover, Hiatt, Cargill, Steele

Representative Erwin moved to amend **SB 488** by striking the enacting clause, which amendment was declared adopted.

Representative Erwin moved that **SB 488** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Erwin, **SB 488** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 488** 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, 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, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Langmacher, Roberts.--2.

The measure and emergency passed.

**SB 488** was referred for engrossment.

### GENERAL ORDER

**SB 508** by Rabon et al of the Senate and Erwin of the House was read and considered.

Representative Erwin moved to amend **SB 508** by restoring the title, which amendment was declared adopted.

Representative Erwin moved that **SB 508** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Erwin, **SB 508** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 508** 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, 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.--100.

Excused: Langmacher.--1.

The measure and emergency passed.

**SB 508** was referred for engrossment.

## GENERAL ORDER

**SB 128** by Helton of the Senate and Wells et al of the House was read and considered.

Coauthored by Representative(s) Adair, Adkins, Balkman, Bengé, Braddock, Cargill, Cox, Ericson, Friskup, Hefner, Hilliard, Jones, Mitchell, O'Neal, Peters, Peterson, Pope (Tim), Roggow, Smaligo, Steele, Tibbs, Wright

Representative Wells moved to amend **SB 128**, Page 1, Section 1, Line 9 by striking the language “honor American veterans” and inserting in lieu thereof the following language: “, conduct and observe an appropriate program of at least one (1) class period remembering and honoring American veterans”, which amendment was declared adopted.

Representative Piatt moved to amend **SB 128**, Page 1, Section 1, Line 9 by inserting after the period “.” the following language, which amendment was declared adopted:

“In addition schools may choose if scheduling allows, to have a one (1) minute moment of silence beginning at 11:00 a.m. on November 11 of each year. The benefit of such activity in addition to honoring American veterans, is to serve to educate students about the termination of World War I at 11:00 a.m. on November 11, 1918, which was first recognized by United States President Woodrow Wilson on the first anniversary of the truce in a proclamation eulogizing fallen Allied soldiers and referring to November 11 as Armistice Day.”

Representative Wells moved that **SB 128** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wells, **SB 128** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 128** 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, 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.--100.

Excused: Langmacher.--1.

The measure and emergency passed.

**SB 128** was referred for engrossment.

### GENERAL ORDER

**SB 345** by Cain of the Senate and Lindley of the House was read and considered.

Representative Lindley moved that **SB 345** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Lindley, **SB 345** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 345** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Calvey, Case, Corn, Covey, Cox, Dank, Davis, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Fields, Friskup, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kirby, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Newport, O'Neal, Paulk, Peters,

Peterson, Phillips, Plunk, Pope (Clay), Reese, Rice, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Winchester, Worthen, Wright, Mr. Speaker.--71.

Nay: Adkins, Balkman, Bengel, Cargill, Claunch, Coleman, Ferguson, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Miller (Doug), Morgan, Nance, Perry, Pettigrew, Piatt, Pope (Tim), Roach, Roggow, Smaligo, Smith (Hopper), Sullivan (John), Webb, Wilt, Young.--28.

Excused: Deutschendorf, Langmacher.--2.

The measure passed.

**SB 345** was referred for engrossment.

## GENERAL ORDER

**SB 45** by Wilkerson of the Senate and Dunegan of the House was read and considered.

Representative Graves moved to amend **SB 45**, Page 2, Section 1, Lines 14-16 by striking the language “a forfeiture action may be brought by the Oklahoma State Bureau of Investigation (OSBI), the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control (BNDDC), or the Department of Public Safety as petitioner.” and inserting in lieu thereof the language “the property shall be returned to the owner”, which amendment was declared adopted.

Representative Dunegan moved that **SB 45** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Dunegan, **SB 45** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 45** 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, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Kirby, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, O'Neal, Perry, Peters, Peterson, Pettigrew, 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, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--85.

Nay: Bengé, Case, Ervin, Graves, Gray, Ingmire, Jones, Leist, Mitchell, Newport, Paulk, Phillips, Smith (Hopper), Toure.--14.

Excused: Deutschendorf, Langmacher.--2.

The measure and emergency passed.

**SB 45** was referred for engrossment.

## GENERAL ORDER

**SB 385** by Robinson of the Senate and Blackburn of the House was read and considered.

Representative Blackburn moved that **SB 385** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Blackburn, **SB 385** was placed on Third Reading and Final Passage.

## THIRD READING

**SB 385** 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, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, 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: Deutschendorf, Langmacher.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 385** and ordered same returned to the Honorable Senate.

## Speaker Pro Tempore Matlock Presiding

### GENERAL ORDER

**SB 2** by Herbert of the Senate and Nations of the House was read and considered.

Representative Nations moved that **SB 2** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Nations, **SB 2** was placed on Third Reading and Final Passage.

### THIRD READING

**SB 2** 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, Benson, Blackburn, Bonny, Braddock, Calvey, Case, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Ericson, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilson, Wilt, Mr. Speaker.--79.

Nay: Balkman, Benge, Cargill, Claunch, Davis, Dunegan, Easley, Eddins, Friskup, Graves, Leist, Mitchell, Paulk, Peterson, Steele, Walker, Winchester, Worthen, Wright, Young.--20.

Excused: Langmacher, Ross.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 2** and ordered same returned to the Honorable Senate.

### GENERAL ORDER

**SB 472** by Shurden of the Senate and Leist of the House was read and considered.

Representative Leist moved to amend **SB 472**, Page 1, Section 1, Line 6 and Page 2, Line 7 by inserting after the word "kills" the words "or severely injures", which amendment was declared adopted.

Representative Leist moved that **SB 472** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Leist, **SB 472** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 472** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Case, Corn, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Fields, Gilbert, Glover, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Kirby, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nance, Nations, O'Neal, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Mr. Speaker.--74.

Nay: Adkins, Balkman, Cargill, Claunch, Coleman, Covey, Friskup, Graves, Gray, Greenwood, Hastings, Jones, Miller (Doug), Newport, Paulk, Peters, Peterson, Pope (Tim), Roggow, Smaligo, Sullivan (John), Tibbs, Webb, Worthen, Young.--25.

Excused: Ervin, Langmacher.--2.

The measure and emergency passed.

**SB 472** was referred for engrossment.

### **RESOLUTION FOR CONSIDERATION**

**HCR 1011** was called up for consideration.

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

Upon motion of Representative Covey, **HCR 1011** was considered and adopted.

**HCR 1011** was referred for engrossment.

### **PENDING CONSIDERATION OF SAs**

**SAs** to **HB 1092** were rejected upon motion of Representative Wilt. Conferees to be named later.

**COMMITTEE REPORTS**

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

DO PASS:

- SB 79** – Banking and Finance
- SB 83** – Public Safety
- SB 118** – Banking and Finance
- SB 123** – Banking and Finance
- SB 132** – Insurance
- SB 151** – Energy and Utility Regulation
- SB 161** – Banking and Finance
- SB 168** – Common Education, Coauthored by Senator Crutchfield, Williams
- SB 192** – Insurance
- SB 353** – Judiciary
- SB 376** – Energy and Utility Regulation
- SB 382** – Judiciary
- SB 384** – Agriculture and Rural Development
- SB 388** – Common Education
- SB 392** – Judiciary
- SB 401** – Retirement Laws
- SB 408** – Retirement Laws
- SB 411** – Retirement Laws
- SB 416** – Insurance
- SB 423** – Insurance
- SB 498** – Insurance
- SB 522** – Agriculture and Rural Development
- SB 540** – Judiciary
- SB 545** – Judiciary
- SB 546** – Judiciary
- SB 578** – Insurance
- SB 595** – Common Education
- SB 652** – Judiciary
- SB 681** – Retirement Laws
- SB 695** – Economic Development, Coauthored by Representative(s) Dunegan
- SB 704** – Tourism and Recreation
- SB 711** – Insurance
- SB 721** – Energy and Utility Regulation
- SB 772** – Judiciary
- SB 790** – Common Education
- SB 813** – Common Education

DO PASS, As Amended:

**CS for SB 129** – Common Education

**CS for SB 405** – Retirement Laws

**CS for SB 412** – Retirement Laws

**CS for SB 419** – Retirement Laws

**SB 421** – Retirement Laws

**CS for SB 466** – Agriculture and Rural Development

**CS for SB 469** – Judiciary

**CS for SB 499** – Common Education, Remove Representative Roach as principal House author and substitute with Representative Eddins, and Coauthored by Representative(s) Roach

**SB 511** – Energy and Utility Regulation

**CS for SB 626** – Retirement Laws

**CS for SB 662** – Judiciary

**CS for SB 669** – Retirement Laws

**CS for SB 675** – Judiciary

**CS for SB 692** – Judiciary

**CS for SB 733** – Insurance

**SB 810** – Common Education

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:00 p.m., Wednesday, March 28, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 1:57 p.m., to reconvene Wednesday, March 28, 2001, at 1:00 p.m.