

Thirty-second Legislative Day

Wednesday, March 28, 2001

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

The roll was called with 100 Members present.

The following Member was excused: Braddock.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Gary Janzen, Fairview Mennonite Brethren Church, Fairview.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HCR 1011 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SBs 45, 128, 345, 472, 488 and 508 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HCR 1014 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION

The following was introduced and read:

HR 1011 – By Piatt.

A Resolution declaring April to be Oklahoma Autism Awareness Month; declaring April 27 to be Oklahoma Autism Awareness Day; and providing for distribution.

MESSAGES FROM THE SENATE

Advising conference granted and the Senate naming conferees as follows:

HB 1092 - Wilcoxson, Morgan, Williams, Fisher, Williamson

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 2** and **385**.

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

Returning enrolled measure

Announcing that Enrolled **HCR 1014** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

RESOLUTION REFERRED

The following was withdrawn from the Calendar and referred to committee:

SCR 15 – Appropriations and Budget

GENERAL ORDER

SB 133 by Cain of the Senate and Peters of the House was read and considered.

Representative Peters moved that **SB 133** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Peters, **SB 133** was placed on Third Reading and Final Passage.

THIRD READING

SB 133 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, 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, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Braddock, Calvey, Ingmire, Morgan, Sullivan (John).--5.

The measure and emergency passed.

Representative Pettigrew served notice to reconsider the vote whereby **SB 133** passed.

GENERAL ORDER

SB 24 by Herbert of the Senate and Ervin et al of the House was read and considered.

Representative Ervin moved that **SB 24** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Ervin, **SB 24** was placed on Third Reading and Final Passage.

THIRD READING

SB 24 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, 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, Hiatt, Hilliard, Hutchison, 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 (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Braddock, Calvey, Deutschendorf, Ingmire, Sullivan (John).--5.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 24** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 560 by Henry of the Senate and Ervin of the House was read and considered.

Representative Ervin moved to amend **SB 560** by striking the enacting clause, which amendment was declared adopted.

Representative Ervin moved that **SB 560** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ervin, **SB 560** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 560 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Cargill, Case, Claunch, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nations, Newport, O'Neal, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Worthen, Mr. Speaker.--76.

Nay: Adkins, Coleman, Davis, Graves, Jones, Liotta, Nance, Perry, Peters, Peterson, Pettigrew, Pope (Tim), Reese, Smaligo, Tibbs, Winchester, Wright, Young.--18.

Excused: Braddock, Calvey, Gray, Ingmire, Paulk, Stanley, Sullivan (John).--7.

The measure and emergency passed.

SB 560 was referred for engrossment.

GENERAL ORDER

SB 648 by Fisher of the Senate and Ervin of the House was read and considered.

Representative Ervin moved to amend **SB 648** by striking the enacting clause, which amendment was declared adopted.

Representative Ervin moved that **SB 648** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ervin, **SB 648** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 648 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, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Braddock, Calvey, Fields, Ingmire.--4.

The measure and emergency passed.

SB 648 was referred for engrossment.

GENERAL ORDER

SB 154 by Shurden of the Senate and Turner of the House was read and considered.

Representative Turner moved that **SB 154** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Turner, **SB 154** was placed on Third Reading and Final Passage.

THIRD READING

SB 154 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, 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, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Braddock, Ingmire.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 154** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 526 by Fisher of the Senate and Phillips of the House was read and considered.

Representative Phillips moved that **SB 526** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Phillips, **SB 526** was placed on Third Reading and Final Passage.

THIRD READING

SB 526 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, 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, 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 (Tim), Reese, Rice, Roach, Roan, Roberts,

Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Braddock, Ingmire, Pope (Clay).--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 526** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 112 by Hobson of the Senate and Hefner of the House was read and considered.

Representative Hefner moved that **SB 112** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Hefner, **SB 112** was placed on Third Reading and Final Passage.

THIRD READING

SB 112 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, 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, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Braddock, Ingmire.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 112** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 620 by Littlefield of the Senate and Hefner of the House was read and considered.

Representative Hefner moved that **SB 620** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Hefner, **SB 620** was placed on Third Reading and Final Passage.

THIRD READING

SB 620 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, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, 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.--97.

Excused: Braddock, Gray, Ingmire.--3.

Constitutional Priv: Nance.--1.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 620** and ordered same returned to the Honorable Senate.

MOTION

Representative Calvey asked that the Journal reflect that had he been present in the Chamber, he would have voted Aye on **SB 24**, which was the order.

GENERAL ORDER

SB 682 by Leftwich of the Senate and Nations of the House was read and considered.

Representative Wright moved to amend **SB 682**, Page 2, Section 1, Line 22 by adding after the word “costs” and before the period “.” the following language: “as well as any projected savings on a five (5) year and ten (10) year projection”, which amendment was declared adopted.

Representative Nations moved to amend **SB 682**, Page 3, Section 1, Line 2 by deleting the words “this act” and inserting in lieu thereof the words “Oklahoma Privatization of State Functions Act”, which amendment was declared adopted.

Representative Nations moved that **SB 682** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nations, **SB 682** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 682 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, Calvey, Cargill, Case, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Hefner, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Paulk, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sweden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--67.

Nay: Claunch, Coleman, Dank, Davis, Friskup, Graves, Greenwood, Hastings, Hiatt, Liotta, Maddux, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Reese, Smaligo, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--31.

Excused: Braddock, Gray, Ingmire.--3.

The measure passed.

SB 682 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1015 was called up for consideration.

Upon motion of Representative Nations, **HCR 1015** was considered and adopted.

HCR 1015 was referred for engrossment.

MOTION

Representative Calvey asked that the Journal reflect that had he been present in the Chamber, he would have voted Nay on **SB 560**, which was the order.

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1015, 1016, 1017, 1018, 1020, 1023** and **1565** on March 28, 2001.

APPOINTMENT

The Speaker announced the following appointment:

March 27, 2001 – Representative Bonny as Chair of the Rules Committee replacing Representative Roach

COMMITTEE REPORTS

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

DO PASS:

SB 4 – Revenue and Taxation

SB 38 – Revenue and Taxation

SB 42 – Appropriations and Budget

SB 55 – Revenue and Taxation, Coauthored by Representative(s) Deutschendorf, Braddock

SB 57 – Appropriations and Budget

SB 59 – Appropriations and Budget

SB 70 – Appropriations and Budget

SB 80 – Appropriations and Budget

- SB 120** – Revenue and Taxation
- SB 125** – Appropriations and Budget
- SB 126** – Appropriations and Budget
- SB 134** – Appropriations and Budget
- SB 147** – Appropriations and Budget
- SB 157** – Criminal Justice
- SB 159** – Appropriations and Budget
- SB 169** – Revenue and Taxation
- SB 189** – Commerce, Industry and Labor
- SB 193** – Appropriations and Budget
- SB 354** – Commerce, Industry and Labor
- SB 394** – Appropriations and Budget
- SB 422** – Appropriations and Budget
- SB 444** – Appropriations and Budget
- SB 446** – Administrative Rule Review
- SB 453** – Criminal Justice
- SB 477** – Wildlife
- SB 514** – Appropriations and Budget
- SB 519** – Appropriations and Budget
- SB 524** – Revenue and Taxation
- SB 532** – Revenue and Taxation
- SB 533** – Revenue and Taxation
- SB 534** – Revenue and Taxation
- SB 549** – Higher Education
- SB 550** – Wildlife
- SB 590** – Revenue and Taxation
- SB 674** – Revenue and Taxation, Remove Representative Corn as principal House author and substitute with Representative Winchester, and Coauthored by Representative(s) Corn
- SB 755** – Criminal Justice
- SB 765** – Small Business, Coauthored by Representative(s) Askins, Pope (Clay), Smith (Hopper)
- SB 782** – Higher Education

DO PASS, As Amended:

- CS for SB 5** – Appropriations and Budget
- CS for SB 37** – Appropriations and Budget, Remove Representative Winchester as principal House author and substitute with Representative Peters
- CS for SB 91** – Energy and Utility Regulation
- CS for SB 149** – Higher Education
- CS for SB 156** – Appropriations and Budget
- CS for SB 172** – Commerce, Industry and Labor

CS for SB 197 – Appropriations and Budget
CS for SB 341 – Higher Education, Coauthored by Representative(s) Benge, Dunegan, Ingmire, O'Neal, Peterson, Pope (Clay), Roggow, Sullivan (John)
CS for SB 342 – Appropriations and Budget
CS for SB 372 – Appropriations and Budget
CS for SB 396 – Redistricting
SB 439 – Criminal Justice
CS for SB 440 – Energy and Utility Regulation
CS for SB 449 – Appropriations and Budget
SB 475 – Administrative Rule Review
SB 480 – Administrative Rule Review
CS for SB 494 – Criminal Justice
CS for SB 655 – Administrative Rule Review
CS for SB 709 – Criminal Justice
SB 716 – Criminal Justice
CS for SB 718 – Criminal Justice
SJR 1 – Small Business
CS for SJR 11 – Redistricting

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 8:00 a.m., Thursday, March 29, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 1:57 p.m., to reconvene Thursday, March 29, 2001, at 8:00 a.m.