

Forty-ninth Legislative Day

Thursday, April 26, 2001

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

The roll was called with 99 Members present.

The following Members were excused: Glover, Stanley.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Dr. Bob Rice, First Presbyterian Church of Norman, Norman.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1041, 1109, 1116, 1171, 1231, 1361, 1825 and 1895 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1022 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to HB 1326 were called up for consideration.

Upon motion of Representative Covey, the House concurred in the **SAs to HB 1326**.

HB 1326, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, 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 (Hopper), Staggs, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--93.

Nay: Wright.--1.

Excused: Easley, Glover, Gray, Miller (Doug), Smith (Dale), Stanley, Wells.--7.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

VETO CONSIDERATION

Representative Webb moved that **HB 1007** become law notwithstanding the veto of the Governor. The roll was ordered called and resulted as follows:

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

Nay: Adkins, Balkman, Bengé, Calvey, Cargill, Claunch, Davis, Eddins, Ericson, Friskup, Graves, Hastings, Hiatt, Jones, Liotta, Maddux, Morgan, Nance, O'Neal, Perry, Peters, Peterson, Phillips, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Stites, Sullivan (Leonard), Tibbs, Tyler, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--40.

Excused: Benson, Case, Coleman, Dank, Ferguson, Glover, Ingmire, Miller (Doug), Stanley, Sullivan (John).--10.

The Webb motion, not receiving the required three-fourths vote pursuant to Article 5, Section 58 of the Oklahoma Constitution, was declared to have failed.

PENDING CONSIDERATION OF SAs

SAs to HB 1241 were called up for consideration.

Coauthored by Representative(s) Gilbert

Upon motion of Representative Greenwood, the House concurred in the **SAs to HB 1241**.

HB 1241, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency 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, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, 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, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Case, Glover, Ingmire, Miller (Doug), Stanley.--5.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1724 were called up for consideration.

Upon motion of Representative Rice, the House concurred in the **SAs to HB 1724**.

HB 1724, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Begley, Benson, Blackburn, Braddock, Cox, Easley, Eddins, Ervin, Gilbert, Gray, Hefner, Hutchison, Kirby, Leist, Lindley, Mass, Morgan, Nations, Paulk, Peters, Phillips, Rice, Roberts, Ross, Smith (Dale), Staggs, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Webb, Wells, Wilson, Wilt, Mr. Speaker.--37.

Nay: Askins, Balkman, Benge, Bonny, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Dank, Davis, Deutschendorf, Dunegan, Ericson, Erwin, Ferguson, Fields, Friskup,

Graves, Greenwood, Hastings, Hiett, Hilliard, Ingmire, Jones, Langmacher, Liotta, Maddux, Matlock, McCarter, Miller (Ray), Mitchell, Nance, Newport, O'Neal, Perry, Peterson, Pettigrew, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Roach, Roan, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Tibbs, Turner, Tyler, Vaughn, Walker, Winchester, Worthen, Wright, Young.--61.

Excused: Glover, Miller (Doug), Stanley.--3.

The measure failed.

Representative Rice moved to suspend House Rule 20(a) in order to reconsider the vote whereby **HB 1724** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Case, Claunch, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Gilbert, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Phillips, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Stites, Sullivan (Leonard), Sweeden, Toure, Turner, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Mr. Speaker.--72.

Nay: Balkman, Cargill, Coleman, Dank, Davis, Friskup, Graves, Nance, Pettigrew, Piatt, Pope (Tim), Reese, Roggow, Smith (Hopper), Staggs, Steele, Tibbs, Worthen, Wright, Young.--20.

Excused: Calvey, Glover, Liotta, Miller (Doug), Morgan, Stanley, Sullivan (John), Taylor, Tyler.--9.

Representative Rice moved to reconsider the vote whereby **HB 1724** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stites, Sullivan (John), Sullivan (Leonard), Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Mr. Speaker.--88.

Nay: Dank, Davis, Friskup, Liotta, Pope (Tim), Wright, Young.--7.

Excused: Glover, Miller (Doug), Stanley, Steele, Sweeden, Worthen.--6.

Representative Rice asked unanimous consent to rescind the adoption of the **SAs** to **HB 1724**, reject the **SAs** to **HB 1724** and request conference, which was the order. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1134** were called up for consideration.

Upon motion of Representative Phillips, the House concurred in the **SAs** to **HB 1134**.

HB 1134, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Balkman, Benson, Blackburn, Braddock, Calvey, Claunch, Dunegan, Ervin, Ferguson, Friskup, Gray, Hastings, Hefner, Hiatt, Mass, Morgan, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Roach, Ross, Smaligo, Smith (Hopper), Sweeden, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--35.

Nay: Askins, Begley, Benge, Bonny, Cargill, Case, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Easley, Eddins, Ericson, Erwin, Fields, Gilbert, Graves, Greenwood, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roan, Roberts, Roggow, Smith (Dale), Staggs, Steele, Stites, Sullivan (John), Sullivan (Leonard), Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Wells.--60.

Excused: Glover, Stanley, Taylor, Webb.--4.

Constitutional Priv: Hilliard, Wright.--2.

The measure failed.

Representative Phillips moved to suspend House Rule 20(a) in order to reconsider the vote whereby **HB 1134** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Benge, Benson, Blackburn, Braddock, Calvey, Cargill, Case, Claunch, Corn, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Gilbert, Gray, Greenwood, Hastings, Hefner, Hiatt, 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, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Tibbs, Toure, Tyler, Vaughn, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--79.

Nay: Begley, Bonny, Coleman, Covey, Dank, Davis, Fields, Friskup, Graves, Pettigrew, Plunk, Roan, Staggs, Turner, Walker, Webb, Wright.--17.

Excused: Glover, Langmacher, Stanley, Taylor.--4.

Constitutional Priv: Hilliard.--1.

Representative Phillips moved to reconsider the vote whereby **HB 1134** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Bengé, Benson, Blackburn, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Cox, Deutschendorf, Dunegan, Eddins, Ericson, Ervin, Erwin, Ferguson, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Tibbs, Tyler, Vaughn, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--79.

Nay: Begley, Bonny, Covey, Dank, Davis, Easley, Fields, Langmacher, Miller (Ray), Plunk, Roan, Staggs, Turner, Walker, Webb.--15.

Excused: Glover, Stanley, Taylor, Toure, Wells.--5.

Constitutional Priv: Hilliard, Wright.--2.

Representative Phillips asked unanimous consent to rescind the adoption of the **SAs** to **HB 1134**, reject the **SAs** to **HB 1134** and request conference, which was the order. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1640** were called up for consideration.

Coauthored by Representative(s) Pettigrew

Upon motion of Representative Dunegan, the House concurred in the **SAs** to **HB 1640**.

HB 1640, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Claunch, Coleman, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nations, Newport, O'Neal, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Steele,

Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Winchester, Worthen, Young, Mr. Speaker.--85.

Nay: Balkman, Case, Dank, Graves, Greenwood, Nance, Peters, Peterson, Roach, Smith (Hopper), Tibbs, Wilt, Wright.--13.

Excused: Glover, Stanley, Taylor.--3.

The measure passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HBs 1009 and 1503 were rejected upon motion of Speaker Adair. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1702 were rejected upon motion of Representative Lindley. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1341 were rejected upon motion of Representative Cox. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1467 were rejected upon motion of Representative Ferguson. Conferees to be named later.

CONFERENCE GRANTED

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

SB 341 – Roach, Nations, Ingmire, Vaughn, Wilson

MESSAGES FROM THE SENATE

Advising rejection of **HAs** to **SBs 68, 337, 377, 655** and **658** and requesting conference thereon, the Senate conferees to be named later.

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 1341 – Wilkerson, Helton, Nichols

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 39, 83, 115, 382, 394, 458, 476, 508, 555, 626, 716** and **747**.

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

Returning enrolled measures

Announcing that Enrolled **HBs 1041, 1109, 1116, 1171, 1231, 1361, 1825** and **1895** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 30, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 9:56 a.m., to reconvene Monday, April 30, 2001, at 1:30 p.m.