

Fiftieth Legislative Day

Monday, April 30, 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: Piatt.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend David Sanders, Nardin United Methodist Church, Nardin.

Upon motion of Representative Reese, Reverend Sanders was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1003 – Askins, Vaughn, Mass, Bonny, Sullivan (John)

HB 1005 – Bonny, Pope (Clay), Ingmire, Pettigrew, Wilson

HB 1009 – Adair, Ross, Leist, Webb, Phillips

HB 1051 – Fields, Tyler, Maddux, Toure, Davis

HB 1074 – Fields, Cox, Case, Roggow, Pope (Clay)

HB 1097 – Maddux, Pope (Clay), Wilson, Corn, Hiatt

HB 1161 – Askins, Braddock, Case, Benson, Ericson

HB 1185 – Greenwood, Davis, Askins, Mitchell, Toure

HB 1186 – Ingmire, Pope (Clay), Wilson, Ferguson, McCarter

- HB 1196** – Ervin, Winchester, Tyler, Turner, Steele
HB 1197 – Ervin, Toure, Askins, Hastings, Davis
HB 1199 – Ervin, Winchester, Tyler, Turner, Steele
HB 1202 – Pope (Clay), Wilson, Langmacher, Maddux, Hiatt
HB 1220 – Case, Pope (Clay), Wilson, Cargill, Corn
HB 1234 – Askins, Stites, Bengé, Erwin, Ingmire
HB 1237 – Begley, Blackburn, Hiatt, Leist, Wilt
HB 1258 – Sullivan (Leonard), Roach, Paulk, Toure, Davis
HB 1291 – Roach, Vaughn, Graves, Corn, Miller (Ray)
HB 1300 – Bonny, Rice, Pettigrew, Ingmire, Wells
HB 1308 – Sweeden, Dunegan, Corn, Webb, Hastings
HB 1322 – Perry, Deutschendorf, Wilson, Smith (Hopper), Rice
HB 1354 – Vaughn, Toure, Davis, Hefner, Benson
HB 1359 – Case, Mitchell, Eddins, Winchester, Nations
HB 1369 – Sweeden, Braddock, Case, Corn, Hiatt
HB 1372 – Askins, Hefner, Turner, Ingmire, Winchester
HB 1374 – Askins, Braddock, Case, Nance, Paulk
HB 1375 – Plunk, Leist, Smith (Dale), Smith (Hopper), Vaughn, Roach, Piatt
HB 1382 – Matlock, Smith (Dale), Maddux, Hutchison, Smith (Hopper)
HB 1398 – Walker, Erwin, Hutchison, Maddux, Smith (Hopper)
HB 1405 – Wells, Erwin, Braddock, Hiatt, Perry
HB 1420 – Case, Gilbert, Coleman, Bonny, Blackburn
HB 1460 – Wells, Ingmire, Begley, Easley, Ferguson
HB 1480 – Leist, Wilt, Turner, Maddux, Pope (Clay)
HB 1484 – Lindley, Ross, Coleman, Roggow, Mitchell, Eddins, Worthen
HB 1503 – Adair, Begley, Easley, Ferguson, Newport
HB 1557 – GCCA
HB 1621 – Vaughn, Toure, Davis, Benson, Braddock
HB 1670 – Roach, Gilbert, Coleman, Piatt, Mitchell
HB 1672 – Roggow, Pope (Clay), Wilson, Corn, Winchester
HB 1689 – Askins, Easley, Webb, Phillips, Hilliard
HB 1690 – Askins, Mass, Bonny, Ingmire, Nance
HB 1718 – Askins, Toure, Davis, Stanley, Hilliard, Braddock, Liotta, Morgan, Hastings
HB 1723 – Rice, Hutchison, Wilt, Toure, Davis
HB 1724 – Rice, Begley, Wells, Sullivan (Leonard), Vaughn
HB 1765 – Easley, Case, Askins, Ingmire, Braddock
HB 1896 – Blackburn, Pope (Clay), Ingmire, Miller (Doug), Wilson
HB 1897 – Cox, Gray, Webb, Roach, Vaughn
HB 1904 – Roach, Ervin, Winchester, Toure, Bengé
HB 1915 – Miller (Ray), Ferguson, Case, Mass, Bonny
HB 1919 – Blackburn, Pope (Clay), Ferguson, Maddux, Wilson
HB 1933 – Toure, Pope (Clay), Wilson, Liotta, Webb

HB 1934 – Toure, Roach, Vaughn, Ross, Ferguson
HB 1935 – Toure, Braddock, Case, Askins, Ericson
HB 1938 – Toure, Davis, Vaughn, Roach, Askins
HB 1939 – Toure, Davis, Vaughn, Benson, Askins
HB 1964 – Lindley, Stanley, Greenwood, Adkins, Braddock, Coleman, Cox, Deutschendorf, Eddins, Glover, Graves, Gray, Morgan, Paulk, Piatt, Roach, Ross, Smith (Hopper), Staggs, Sullivan (John), Vaughn, Wright
HJR 1008 – Smith (Dale), Leist, Hiatt, Miller (Doug), Nance, Pope (Clay), Wilson

CONFERENCE GRANTED

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

SB 3 – Kirby, Pope (Clay), Wilson, Newport, Liotta
SB 81 – Perry, Deutschendorf, Ervin, Nations, Miller (Doug)
SB 110 – Erwin, Plunk, Liotta, Webb, Easley
SB 118 – Blackburn, Langmacher, Nations, Phillips, Jones
SB 128 – Wells, Kirby, Liotta, Ferguson, Roberts
SB 157 – Hiatt, Walker, Braddock, Sweeden, Case
SB 169 – Blackburn, Pope (Clay), Winchester, Jones, Wilson
SB 172 – Fields, Paulk, Webb, Tyler, Roggow
SB 353 – Tyler, Paulk, Dunegan, Toure, Davis, Vaughn, Morgan
SB 354 – Fields, Ervin, Phillips, Paulk, Roggow
SB 405 – Askins, Stites, Bengé, Hilliard, Ferguson
SB 406 – Askins, Easley, Webb, Hilliard, Ferguson
SB 417 – Paulk, Tyler, Friskup, Easley, Webb
SB 447 – Askins, Easley, Webb, Hilliard, Hiatt
SB 453 – Hastings, Gray, Cox, Braddock, Case
SB 455 – Askins, Braddock, Case, Ingmire, Paulk
SB 465 – Tyler, Plunk, Case, Dunegan, Ericson
SB 466 – Leist, Covey, Maddux, Pope (Clay), Davis
SB 495 – Rice, Adair, Phillips, Wilt, Jones, Pope (Clay), Wilson
SB 514 – Bonny, Mass, Pope (Clay), Maddux, Reese
SB 605 – Blackburn, Eddins, Gilbert, Ingmire, Coleman
SB 627 – Leist, Covey, Peters, Pope (Clay), Wilt
SB 632 – Hastings, Bengé, Braddock, Askins, Glover
SB 660 – Rice, Maddux, Wells, Leist, Wilt
SB 661 – Phillips, Roberts, Ferguson, Staggs, Mitchell
SB 675 – Vaughn, Toure, Davis, Askins, Hefner

SB 676 – Winchester, Stanley, Greenwood, Eddins, Adkins, Braddock, Coleman, Cox, Deutschendorf, Glover, Graves, Gray, Lindley, Morgan, Paulk, Piatt, Roach, Ross, Smith (Hopper), Staggs, Sullivan (John), Vaughn, Wright

SB 695 – Rice, Langmacher, Roach, Ingmire, Peterson, Ervin, Winchester

SB 711 – Askins, Cox, Liotta, Staggs, Webb

SB 718 – Askins, Braddock, Case, Toure, Ericson

SB 721 – Tyler, Rice, Wells, Friskup, Smaligo

SB 723 – Sweeden, Kirby, Walker, Webb, Pope (Tim)

SB 733 – Askins, Cox, Liotta, Hastings, Rice

SB 741 – Askins, Mitchell, Eddins, Winchester, Jones

SB 784 – Worthen, Mass, Ferguson, Dunegan, Sweeden

SB 803 – Bonny, Stanley, Pettigrew, Greenwood, Adkins, Braddock, Coleman, Cox, Deutschendorf, Eddins, Glover, Graves, Gray, Lindley, Morgan, Paulk, Piatt, Roach, Ross, Smith (Hopper), Staggs, Sullivan (John), Vaughn, Wright

SB 808 – Askins, Dunegan, Sweeden, Worthen, Ericson

SB 813 – Nations, Vaughn, Roberts, Ferguson, Wells

ENGROSSED AND ENROLLED MEASURES

HBs 1241, 1326 and 1640 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to HB 1436 were called up for consideration.

Coauthored by Representative(s) Askins, Bonny, Covey, Dank, Easley, Lindley, Miller (Ray), Plunk, Roan, Staggs, Sweeden, Walker, Wilson

Upon motion of Representative Nations, the House concurred in the **SAs to HB 1436**.

HB 1436, 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, Balkman, Begley, Benge, Benson, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Blackburn, Gilbert, Piatt.--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 HB 1107 were called up for consideration.

Upon motion of Representative Gilbert, the House concurred in the **SAs to HB 1107**.

HB 1107, 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, Balkman, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Fields, Friskup, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Peters, Phillips, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Winchester, Mr. Speaker.--61.

Nay: Benge, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, Ferguson, Graves, Greenwood, Hastings, Hiatt, Ingmire, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Perry, Peterson, Pettigrew, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Wilt, Worthen, Wright, Young.--38.

Excused: Covey, Piatt.--2.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

SCR 18 was called up for consideration.

Upon motion of Representative Pope (Clay), **SCR 18** was considered and adopted.

SCR 18 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 710** was called up for consideration.

Upon motion of Representative Rice, the **CCR** on **SB 710** was adopted.

SB 710, as amended in conference, 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, Case, Claunch, Coleman, Corn, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, 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: Covey, Piatt.--2.

The measure and emergency passed.

SB 710, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

Representative Rice Presiding**PENDING CONSIDERATION OF SAs**

SAs to **HB 1636** were called up for consideration.

Upon motion of Representative Matlock, the House concurred in the **SAs** to **HB 1636**.

HB 1636, 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, 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, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, 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, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--95.

Nay: Coleman, Lindley, Nance, Vaughn, Young.--5.

Excused: Piatt.--1.

The measure and emergency passed.

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

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1241, 1326 and 1640** 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.

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 1009 - Hobson, Monson, Robinson, Dunlap, Smith

HB 1190 - Henry, Shurden, Coffee

HB 1237 - Easley, Morgan, Muegge, Douglass, Coffee

Conferees changed

Advising withdrawal from GCCA and naming of Senate conferees as follows:

SB 40 - Capps, Mickle, Snyder

HB 1894 - Ford, Hobson, Morgan, Easley, Douglass

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 47, 156, 166, 352, 401, 408, 494, 497, 669 and 685** and the passage of said measures, as amended thereby.

Transmitting CCR

Transmitting the following measure, together with the conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

SB 248 - Coauthored by Senator Reynolds

Conference committee report was read on the above-numbered measure.

Returning engrossed measure

Announcing the passage of **HJR 1033**.

The above-numbered measure was referred for enrollment.

RESOLUTIONS

The following were introduced and read:

HCR 1028 – By Lindley of the House and Leftwich of the Senate.

A Concurrent Resolution declaring May to be Oklahoma Neurofibromatosis Awareness Month; recognizing John J. Mulvihill and Rosita Kirshman; and providing for distribution.

HCR 1029 – By Roach and Liotta of the House and Fisher and Williams of the Senate.

A Concurrent Resolution relating to Great Plains Airlines; making certain findings regarding effects of nonstop passenger airline service; requesting approval for arrivals and departures at Ronald Reagan Washington National Airport; requesting expedited approval from United States Department of Transportation; requesting assistance from Oklahoma Congressional Delegation; and providing for distribution.

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1021, 1035, 1044, 1062, 1063, 1122, 1219, 1246, 1378, 1429** and **1486** on April 30, 2001.

Advising of his veto of **HB 1050** on April 30, 2001. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
First Session, Forty-eighth Oklahoma Legislature

Enrolled House Bill No. **1050**

By: Fields of the House and Snyder of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **1050** because this bill creates a new state agency which would be contrary to the responsible principles of reducing the size and scope of government. Currently the regulatory duties for these groups are being handled by the Department of Health which can provide these services in a more cost effective manner. If the authors of this bill can identify another agency of state government that can perform this function more efficiently, I will consider such a change.

By the Governor of the State of Oklahoma

/s/ Frank Keating

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, May 1, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 2:32 p.m., to reconvene Tuesday, May 1, 2001, at 9:00 a.m.