

## **Fifth Legislative Day**

**Tuesday, October 2, 2001**

The House was called to order by Speaker Adair.

The roll was called with 100 Members present.

The following Member was excused: Toure.—1.

The Speaker declared a quorum present.

The Journal for the last legislative day was approved.

### **SPECIAL ELECTION**

The following communication was received by the Speaker from the State Election Board:

August 20, 2001

The Honorable Larry E. Adair  
Speaker of the House of Representatives  
Room 401, State Capitol  
Oklahoma City, Oklahoma 73105

Dear Speaker Adair:

This is to certify that pursuant to the provisions of 26 O.S. 1991, Section 12-109, the State Election Board on August 17, 2001, issued a Certification of Election to Dale DeWitt, the nominee of the Republican Party, for the office of State Representative, District 38.

Sincerely,

/s/MICHAEL CLINGMAN, Secretary  
State Election Board

The State Election Board has certified the results listed below as the official count of the Special General Election held August 14, 2001, to fill the vacancy in House District 38 created by the resignation of Jim Reese:

SPECIAL GENERAL ELECTION  
August 14, 2001

DIST	COUNTY	POL	NAME	RESIDENCE	VOTE
<b>38</b>	<b>Alfalfa, Grant, *Kay</b>	<b>R</b>	<b>Dale DeWitt</b>	<b>Braman</b>	<b>3,430</b>
		D	Doug Eisenhauer	Newkirk	2,014

### OATH OF OFFICE

The official Oath of Office, as required by Article XV, Sections 1 and 2, Oklahoma Constitution, was administered to Representative-elect Dale DeWitt on August 17, 2001, in the House Chamber by Supreme Court Justice Jim Winchester.

### MOTION

Representative Hilliard moved that the letter of certification furnished by the State Election Board be accepted as prima facie evidence of membership in the House of Representatives and that Representative Dale DeWitt be seated in the House and that he be declared duly elected and qualified as a Member of the House of Representatives thereof from the date he took his Oath of Office.

The Hilliard motion was declared adopted and Representative DeWitt was duly seated in the House of Representatives.

### PRESENTATION OF COLORS

The Speaker recognized the Governor's Color Guard, Oklahoma Military Department, for the Presentation of Colors. The Color Guard Members are: Sergeant First Class Terry Thomas, Sergeant First Class Jeff Patterson, Sergeant First Class Leroy Scott and Staff Sergeant Lindsay Deline.

Ms. Sharon Pierce sang the National Anthem followed by the Pledge of Allegiance to the Flag.

The Speaker introduced Colonel Jack Poe, Chief of Chaplains, Oklahoma City Police Department.

Prayer was offered by Colonel Poe followed by his remarks to the House.

Upon unanimous consent request of Representative Hilliard, Colonel Poe's prayer and remarks were ordered printed in the Journal in full as follows:

Heavenly Father, we give thanks today for life and for the joy of living. For life for all of us in America has become much more precious as we reflect on how quickly it can be taken away.

We thank you for your love and your presence with us during these days of rescue and recovery in our nation. We ask, Father, that you continue to give us courage in the face of danger. We pray for the families who wait and hope. Provide your comfort and strength to all the families who have lost their loved ones. Keep us focused on that which is good; keep us pure in heart, clean in mind, and strong in purpose.

We ask your divine blessings and leadership upon this body of elected officials as they provide for the common good of the citizens of this great state of Oklahoma. Remind us that although we have many things in common, our greatness as a state lies in the ability to recognize, receive, and value what each individual brings to this session.

And Lord, above all else, help us to remember your hand in our destiny as a nation, as a state, for without you, we are nothing. We ask your blessings and guidance now in our Lord's name. Amen.

Some of you may not know, but I have spent eleven days in New York City shortly after the planes went into the World Trade Centers. I've never been prouder to be an American or prouder to be an Oklahoman. As I walked the streets of New York City and as the officers there on site saw the seal of the City of Oklahoma City and the fact that I was with Oklahoma City, there was an instant bonding between what we went through on April 19, 1995, and what they had gone through on September 11 this year.

I can tell you that on Thursday evening of the second week we were there, I happened to walk by an area where there was a sign that said there will be a Memorial Service this evening at 7:30 p.m. Earlier that day soot and debris were all over the place and one of the Port Authority Officers walked by and saw the soot and debris on this wall and scraped it off. He realized this was the Memorial Site for the officers who had been killed in the line of duty for the New York City Police Department. This was their Memorial Site. It had been covered in dust and ash and nobody knew it was there. He immediately went to find a hose and cleaned and washed up the area. And that night they were going to have a Memorial Service. It's amazing how God is in our lives and puts us in places, I think, at divine moments. I just happened to walk by about 5:30 p.m. and the officer saw my helmet and grabbed me and said "You're from Oklahoma City." I said "Yes, sir." He said,

“You’re going to speak tonight at our Memorial Service.” What an honor that was to stand on that hallowed ground - hallowed because so many lives had been lost just behind us at the World Trade Center. But hallowed also because it was a place where New York City for years now had memorialized their officers killed in the line of duty.

As I stood on that hallowed ground that night I reminded them that behind them but in front of me, out in the harbor, stood the Statue of Liberty. I reminded them that her torch had never burned brighter than it has in these past days as she stood guard over the rescue and recovery operation taking place in front of her. The spirit of patriotism has never burned brighter in our country than it’s burning right now.

We met an officer on the streets of New York City who said, “You know, I’ve been trying to buy an American flag. And as you know, you can’t buy one.”

When I heard they were sending us to New York City, I went to buy an American flag at Wal-Mart and they didn’t have any. In fact, they said, their stores had sold 88,000 flags.

This officer told me that he was in New York City trying to buy an American flag and had gone to several places and couldn’t find one. He started to enter a convenience store, similar to a 7-11 store, and a homeless man, perhaps a Vietnam vet, was sitting outside the store. The man said to him, “Sir, could you spare some change? I’m hungry for a meal.”

The officer told the homeless man he only had a twenty dollar bill and didn’t have any change. He told him that when he came out of the store he might have some change. Well, the officer went in the store and asked for an American flag but was told they didn’t have any.

When the officer left the store, the homeless man asked if he had gotten any change. He told him he wasn’t able to get any change. He looked down and saw inside the man’s shirt was a folded American flag. The officer then said to the homeless man, “I’ll give you \$20 for your flag.”

The homeless man responded, “Sir, as hungry as I am, this flag is not for sale.”

The officer put the \$20 bill in the man’s shirt and said “God bless you and God bless America.”

That’s the spirit of our country today and, I think, reflects the spirit of Oklahoma. I just want to say to continue to lift those people up in your prayers. It’s going to be a long recovery effort. Many people in our department, many people in the Fire Department and many people in our state are being called upon to respond to New York City and share with them our experiences. I ask you to pray with them, their families and our nation. And again, thank you for the honor of sharing these few moments with you today. God bless you.

**MILEAGE REPORT**

The following mileage report was submitted to the Office of the Chief Clerk:

	Round Trip	Amount Due
Dale DeWitt, Braman and return	234	\$80.73

**PARTY AFFILIATION CHANGE**

Representative Ervin announced his official change of party affiliation from Democratic to Republican on September 4, 2001.

**EXECUTIVE ORDER**

The Governor's Amended Executive Order 2001-19, June 8, 2001, was read at length as follows:

To the Honorable Members of the House of Representatives and the Honorable Members of the State Senate of Oklahoma:

I, Frank Keating, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend Executive Order 2001-19 which convoked the First Extraordinary Session of the Forty-eighth Oklahoma Legislature to convene at the State Capitol on May 21, 2001. The following subjects were recommended for consideration:

1. Legislation referring to a vote of the people the restructuring of Oklahoma's tax system including the repeal of the personal income tax and the sales tax on groceries and making the State a "pick up state" for estate tax purposes. Revenue enhancement measures to replace all or a significant portion of the revenues to the State which would be lost or reduced would also be considered and included.

2. Legislation to address the required reapportionment of Oklahoma's Congressional districts based on the 2000 census.

I hereby amend Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after June 8, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following subject in addition to those listed above:

3. Legislation to exempt the recently approved federal income tax rebate to be received this summer from the state income tax.

Copies of this Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of State Finance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 8th day of June, 2001.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

/s/ Frank Keating

The Governor's Amended Executive Order 2001-19, August 30, 2001, was read at length as follows:

To the Honorable Members of the House of Representatives and the Honorable Members of the State Senate of Oklahoma:

I, Frank Keating, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend Executive Order 2001-19 which convoked the First Extraordinary Session of the Forty-eighth Oklahoma Legislature to convene at the State Capitol on May 21, 2001. The following subjects were recommended for consideration:

1. Legislation referring to a vote of the people the restructuring of Oklahoma's tax system including the repeal of the personal income tax and the sales tax on groceries and making the State a "pick up state" for estate tax purposes. Revenue enhancement measures to replace all or a significant portion of the revenues to the State which would be lost or reduced would also be considered and included.

2. Legislation to address the required reapportionment of Oklahoma's Congressional districts based on the 2000 census.

On June 8, 2001, I further amended Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after June 8, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following additional subject:

3. Legislation to exempt the recently approved federal income tax rebate to be received this summer from the state income tax.

I hereby further amend Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after August 30, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following subjects in addition to those listed above:

4. Legislation to extend the 50% unemployment insurance tax rate cut for two years until December 31, 2003.
5. Legislation to designate state matching funds for the federal Welfare-to-Work block grant, the money for which is already available in the budget of the Oklahoma Employment Security Commission.
6. Legislation to exempt from state and federal income taxation after January 1, 2002 distributions from Oklahoma College Savings Program accounts.
7. Legislation to address election laws in light of the pending resignation of Congressman Steve Largent and resulting vacancy in his congressional seat, as was done in the case of the early resignation of then Senator David Boren in 26 O.S. Section 12-101(C).

Copies of this Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of State Finance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 30th day of August, 2001.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

/s/ Frank Keating

The Governor's Amended Executive Order 2001-19 of September 7, 2001, was read at length as follows:

To the Honorable Members of the House of Representatives and the Honorable Members of the State Senate of Oklahoma:

I, Frank Keating, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend Executive Order 2001-19 which convoked the First Extraordinary Session of the Forty-eighth Oklahoma Legislature to convene at the State Capitol on May 21, 2001. The following subjects were recommended for consideration:

1. Legislation referring to a vote of the people the restructuring of Oklahoma's tax system including the repeal of the personal income tax and the sales tax on groceries and making the State a "pick up state" for estate tax purposes. Revenue enhancement measures to replace all or a significant portion of the revenues to the State which would be lost or reduced would also be considered and included.

2. Legislation to address the required reapportionment of Oklahoma's Congressional districts based on the 2000 census.

On June 8, 2001, I further amended Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after June 8, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following additional subjects:

3. Legislation to exempt the recently approved federal income tax rebate to be received this summer from the state income tax.

On August 30, 2001, I further amended Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after August 30, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following additional subjects:

4. Legislation to extend the 50% unemployment insurance tax rate cut for two years until December 31, 2003.

5. Legislation to designate state matching funds for the federal Welfare-to-Work block grant, the money for which is already available in the budget of the Oklahoma Employment Security Commission.

6. Legislation to exempt from state and federal income taxation after January 1, 2002 distributions from Oklahoma College Savings Program accounts.

7. Legislation to address election laws in light of the pending resignation of Congressman Steve Largent and resulting vacancy in his congressional seat, as was done in the case of the early resignation of then Senator David Boren in 26 O.S. Section 12-101(C).

I hereby further amend Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after September 7, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following subjects in addition to those listed above:

8. Legislation to reform the Workers Compensation system including the Multiple Injury Trust Fund.

9. Legislation to amend 21 O.S. Section 1541.1 to conform with Senate Bill 397 which was passed during the First Regular Session of the Forty-Eighth Legislature.

Copies of this Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of State Finance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 7th day of September, 2001.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

/s/ Frank Keating

The Governor's Amended Executive Order 2001-19 of October 2, 2001, was read at length as follows:

To the Honorable Members of the House of Representatives and the Honorable Members of the State Senate of Oklahoma:

I, Frank Keating, Governor of the State of Oklahoma, pursuant to the authority vested in me by the provisions of Section 7 of Article VI of the Oklahoma Constitution, hereby amend Executive Order 2001-19 which convoked the First Extraordinary Session of the Forty-eighth Oklahoma Legislature to convene at the State Capitol on May 21, 2001. The following subjects were recommended for consideration:

1. Legislation referring to a vote of the people the restructuring of Oklahoma's tax system including the repeal of the personal income tax and the sales tax on groceries and making the State a "pick up state" for estate tax purposes. Revenue enhancement measures to replace all or a significant portion of the revenues to the State which would be lost or reduced would also be considered and included.

2. Legislation to address the required reapportionment of Oklahoma's Congressional districts based on the 2000 census.

On June 8, 2001, I further amended Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after June 8, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following additional subjects:

3. Legislation to exempt the recently approved federal income tax rebate to be received this summer from the state income tax.

On August 30, 2001, I further amended Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after August 30, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following additional subjects:

4. Legislation to extend the 50% unemployment insurance tax rate cut for two years until December 31, 2003.

5. Legislation to designate state matching funds for the federal Welfare-to-Work block grant, the money for which is already available in the budget of the Oklahoma Employment Security Commission.

6. Legislation to exempt from state and federal income taxation after January 1, 2002 distributions from Oklahoma College Savings Program accounts.

7. Legislation to address election laws in light of the pending resignation of Congressman Steve Largent and resulting vacancy in his congressional seat, as was done in the case of the early resignation of then Senator David Boren in 26 O.S. Section 12-101(C).

I hereby further amend Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after September 7, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following subject in addition to those listed above:

8. Legislation to reform the Workers Compensation system including the Multiple Injury Trust Fund.

9. Legislation to amend 21 O.S. Section 1541.1 to conform with Senate Bill 397 which was passed during the First Regular Session of the Forty-Eighth Legislature.

I hereby further amend Executive Order 2001-19 dated May 21, 2001, to reconvene at the State Capitol at any time after September 7, 2001, as called by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, for consideration of the following subject in addition to those listed above:

10. Legislation to amend 47 O.S. Section 6-301 to include military and intelligence agencies.

Copies of this Executive Order shall be distributed to every member of the Oklahoma House of Representatives, every member of the Oklahoma State Senate, the Clerk of the House of Representatives, the Secretary of the Senate, and the Director of the Office of State Finance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma this 2nd day of October, 2001.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

/s/ Frank Keating

**FIRST READING**

The following were introduced and read for the first time:

**HB 1013** – By Bonny.

An Act relating to workforce development; enacting the Oklahoma Workforce Investment Act; providing for reference to federal statute; stating purpose of Oklahoma Workforce Investment Act; defining terms; requiring Governor to establish State Workforce Investment Board; providing for membership of Board; prescribing representation requirements; providing for chairperson; requiring State Board to assist Governor in certain matters; prohibiting votes by Board members on certain matters; providing State Board and subgroups of State Board subject to Oklahoma Open Meeting Act and Oklahoma Open Records Act; providing certain information public; prescribing quorum requirement; authorizing creation of subgroups; prescribing requirements related to subgroups; providing for legal representation; authorizing requests for assistance by local workforce investment boards; requiring State Board to respond to waiver requests; requiring Governor to designate local workforce investment areas; prescribing requirements related thereto; requiring consideration of certain matters; requiring approval of certain requests for designation; authorizing approval with respect to units of local government; requiring establishment and certification of local workforce investment boards; requiring establishment of criteria; prescribing criteria; providing for representation; prescribing certain representation requirements; providing for election of chairperson; authorizing appointment of members of local board; authorizing agreements; authorizing Governor to make appointments under certain circumstances; providing for consultation; requiring certification by Governor; requiring submission of waiver requests to certain entities; prescribing procedure in event of certification failure; prohibiting decertification under certain circumstances; prescribing procedures in the event of decertification; providing for functions of local workforce investment boards; requiring budget; providing for distribution of grants; authorizing grant subrecipients and providing procedures related thereto; providing for disbursement of funds; authorizing employment of staff; providing for ability of staff or local board to perform certain services; authorizing grants and donations; providing for oversight; providing for local performance measures; providing for development of statewide employment statistics system; providing for coordination of activities; requiring promotion of certain participation; providing for applicability of Oklahoma Open Meeting Act and Oklahoma Open Records Act; prescribing quorum requirements; prescribing requirements for functions; prescribing provision of certain services; providing exception; authorizing waiver; prescribing requirements for waiver requests; authorizing delivery of certain services; requiring provision of certain services by staff; providing for construction of act; prohibiting votes on certain matters; authorizing requests for legal assistance; requiring reservation of funds for statewide offender employment training program; authorizing modification of allocation; imposing limit on reallocation; amending Section 3, Chapter 282, O.S.L. 1993, as last amended by Section 1, Chapter 148, O.S.L. 2000 (25 O.S. Supp. 2000, Section 307.1), which relates to certain meetings; authorizing State Workforce Investment Board and certain local boards to conduct teleconferences; providing for codification; and declaring an emergency.

**HB 1014** – By Corn.

An Act relating to schools; amending 70 O.S. 1991, Section 18-114.7, as last amended by Section 1 of Enrolled House Bill No. 1189 of the 1st Session of the 48th Oklahoma Legislature, which relates to minimum salary schedules; excluding supplemental benefit allowance from fringe benefits; amending Sections 5 and 6, Chapter 380, O.S.L. 1998 (70 O.S. Supp. 2000, Sections 26-103 and 26-104), as last amended by Sections 121 and 122 of Enrolled House Bill No. 1214 of the 1st Session of the 48th Oklahoma Legislature and Section 7, Chapter 380, O.S.L. 1998 (70 O.S. Supp. 2000, Section 26-105), as last amended by Section 45 of Enrolled House Bill No. 1505 of the 1st Session of the 48th Oklahoma Legislature, which relate to the Education Flexible Benefits Allowance Act; adding definition; providing for funding for the supplemental benefit allowance; providing for remittance of the supplemental benefit allowance; providing for crediting the supplemental benefit allowance to certain employees; excluding the supplement benefit allowance amount from certain salary calculations; modifying flexible benefit allowance amount and dates; establishing supplemental benefit allowance amount; amending 74 O.S. 1991, Section 1310.1, as amended by Section 10, Chapter 380, O.S.L. 1998 (74 O.S. Supp. 2000, Section 1310.1), which relates to premium payments for school district employees; adding the supplemental benefit allowance amount to employer contribution requirement; updating statutory language; repealing 70 O.S. 1991, Section 18-114.7, as last amended by Section 118 of Enrolled House Bill No. 1214 of the 1st Session of the 48th Oklahoma Legislature, which relates to minimum salary schedules; and providing an effective date.

**HB 1015** – By Corn.

An Act relating to revenue and taxation; amending 68 O.S. 1991, Section 2357.11, as last amended by Section 2 of Enrolled Senate Bill No. 495 of the 1st Session of the 48th Oklahoma Legislature, which relates to certain tax credits for use of coal; modifying certain credit amounts; and providing an effective date.

**HB 1016** – By Roach and Bengé of the House and Riley of the Senate.

An Act relating to revenue and taxation; defining terms; authorizing income tax credit for certain electric power consumption; specifying years for which income tax credit is available; providing for computation of income tax credit; providing for use of credit in payment of estimated tax liabilities; authorizing carryover; providing for codification; and declaring an emergency.

**RESOLUTIONS**

The following were introduced and read:

**HCR 1001** – By Adair of the House and Taylor of the Senate.

A Concurrent Resolution expressing condolences for the losses incurred due to the terrorist attacks of September 11, 2001; praising the rescue workers and volunteers for their valiant efforts; and directing distribution.

**HCR 1002** – By Adair of the House and Taylor of the Senate.

A Concurrent Resolution condemning the terrorist attack on the United States on September 11, 2001; expressing support for the federal government; and directing distribution.

**HCR 1003** – By Hefner of the House and Easley of the Senate.

A Concurrent Resolution designating a portion of State Highway 72 as the Lt. Col. Ernest Childers Highway; directing Oklahoma Department of Transportation to place permanent markers; and directing distribution.

### **Speaker Pro Tempore Matlock Presiding**

#### **RESOLUTION FOR CONSIDERATION**

**HCR 1001** was called up for consideration.

Upon unanimous consent request of Speaker Adair, all Members of the House were added as coauthors.

Upon motion of Speaker Adair, **HCR 1001** was considered and adopted.

**HCR 1001** was referred for engrossment.

#### **RESOLUTION FOR CONSIDERATION**

**HCR 1002** was called up for consideration.

Upon unanimous consent request of Speaker Adair, all Members of the House were added as coauthors.

Upon motion of Speaker Adair, **HCR 1002** was considered and adopted.

**HCR 1002** was referred for engrossment.

#### **GENERAL ORDER**

**SB 2** by Haney et al of the Senate and Mass of the House was read and considered.

Remove Representative Mass as principal House author and substitute with Representative Askins

Coauthored by Representative(s) Morgan, Blackburn, Braddock, Deutschendorf, Easley, Fields, Gilbert, Kirby, Nations, Paulk, Pope (Clay), Smith (Dale), Turner

Representative Askins moved to amend **SB 2** 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 Morgan moved to amend the floor substitute by inserting a new Section 2, which amendment was declared adopted. (Xerox copies for Members)

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

By unanimous consent, upon request of Representative Askins, **SB 2** was considered engrossed and 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, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), 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, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Davis, Graves.--2.

Excused: Cox, Gray, Ross, Toure.--4.

The measure and emergency passed.

**SB 2** was referred for engrossment.

### **RESOLUTION FOR CONSIDERATION**

**HCR 1003** was called up for consideration.

Upon motion of Representative Hefner, **HCR 1003** was considered and adopted.

**HCR 1003** was referred for engrossment.

**Speaker Adair Presiding**

**ENGROSSED AND ENROLLED MEASURES**

**HCRs 1001, 1002 and 1003** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HAs to SB 2** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**MOTION**

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

**Speaker Pro Tempore Matlock Presiding**

**MOTION**

Upon motion of Representative Hilliard, the House was declared at ease until 1:30 p.m.

**Speaker Adair Presiding**

**MESSAGES FROM THE SENATE**

Announcing the passage of **HCRs 1001**, Coauthored by all Members, and **1002**, Coauthored by all Members.

The above-numbered measures were referred for enrollment.

**Returning engrossed measure, as amended**

Announcing the passage of and returning engrossed measure as amended: **HB 1002**, Coauthored by Senators Henry, Robinson, Mickle and Capps and Representative Blackburn.

Senate amendments were read on the above numbered measure.

**Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 1** – Harrison of the Senate and Sweeden of the House

A Concurrent Resolution directing the Department of Transportation to name a new bridge after T. N. Barnsdall; and directing distribution.

**RESOLUTION FOR CONSIDERATION**

**SCR 1** was called up for consideration.

Coauthored by Representative(s) Blackburn, Braddock, Easley, Fields, Gilbert, Kirby, Nations, Paulk, Pope (Clay), Smith (Dale), Stites, Turner

Upon motion of Representative Sweeden, **SCR 1** was considered and adopted.

**SCR 1** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF SAs**

**SAs** to **HB 1002** were called up for consideration.

Coauthored by Representative(s) Adkins, Balkman, Benge, Braddock, Calvey, Case, Claunch, Coleman, Corn, Covey, Dank, Davis, Deutschendorf, Easley, Ervin, Ferguson, Gilbert, Graves, Greenwood, Hefner, Hiett, Ingmire, Jones, Kirby, Liotta, Maddux, Matlock, McCarter, Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Phillips, Piatt, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stites, Sullivan (John), Sweeden, Tibbs, Turner, Vaughn, Webb, Wells, Winchester, Worthen

Upon motion of Representative Pope (Clay), the House concurred in the **SAs** to **HB 1002**.

**HB 1002**, 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, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Greenwood, Hefner, Hiett, 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), 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, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Eddins, Gray, Hastings, Miller (Doug), Ross, Toure.--6.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), 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, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--94.

Nay: Wright.--1.

Excused: Eddins, Hastings, Miller (Doug), Morgan, Ross, Toure.--6.

The emergency passed.

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

## **ENGROSSED AND ENROLLED MEASURES**

**HCRs 1001** and **1002** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **MESSAGE FROM THE SENATE**

Announcing that Enrolled **HCRs 1001** and **1002** have been signed by the Presiding Officer of Senate, in open session.

The above measures were ordered filed with the Secretary of State.

## **APPOINTMENTS**

The Speaker announced the following appointments:

May 24, 2001 – Representatives Benge, Mitchell and Roach appointed as Members of the Task Force on Hospital Funding. (**HCR 1026**, 2001)

June 6, 2001 – Representatives Begley and Nations appointed as Members of the Task Force on State Scholarship and Student Aid Grant Programs. (**SB 149**, Section 1, 2001)

June 14, 2001 – Representatives Begley, Ferguson and Mitchell appointed as Members and Representatives Benson, Bonny, Corn, Covey, Davis, Eddins, Erickson, Friskup, Glover, Hiatt, Maddux, Pope (Clay), Roggow, Sweeden, Turner and Winchester appointed as ex officio Members to the Oklahoma Food Safety Task Force. (**HB 1190**, Section 3, 2001)

June 15, 2001 – Representatives Ferguson and Rice appointed as Members of the Electric Restructuring Advisory Committee. (**SB 440**, Section 4, 2001)

June 18, 2001 – Representative Gilbert appointed as Vice-Chair and Representatives Mitchell and Winchester appointed as Members of the Joint Legislative Committee for Review of Special Services to Children and Youth. (**SB 1184**, Section 2, 1994)

June 18, 2001 – Representative Glover appointed as a Member replacing Representative Langmacher and Representative Hastings appointed as a Member replacing Representative Phillips to the Joint Committee on State-Tribal Relations. (O.S. 74-1222)

June 18, 2001 – Representatives Askins and Leist appointed as Members of the Public Guardianship Pilot Program Evaluating Board. (**HB 1106**, Section 4, 2001)

June 18, 2001 – Representative Roan appointed as Co-Chair and Representative Steele appointed as a Member of the State Employees Who Died in the Performance of Their Duties Task Force. (**HCR 1003**, 2001)

June 18, 2001 – Representative Roach appointed as a Member and Representative Corn appointed as an Alternate Member of the Southern Growth Policies Board. (O.S. 74-3501)

June 18, 2001 – Representative Ross appointed as a Member of the Greenwood Area Redevelopment Authority representing the Tulsa area. (**HB 1178**, Section 10, 2001)

June 18, 2001 – Representative Winchester appointed as an ex officio Member of the Oklahoma Small Community Economic Development Incentive Task Force. (**HB 1895**, Section 1, 2001)

June 19, 2001 – Representative Fields appointed as a Member of the Oklahoma Construction and Safety Code Review Task Force. (**SB 354**, Section 7, 2001)

June 19, 2001 – Representative Dunegan appointed as a Member of the Correctional Health Care Services Oversight Board replacing Representative Hilliard. (O.S. 57-626, **SB 3**, Section 6, 2000 Extraordinary Session)

June 19, 2001 – Representatives McCarter, Nations and Taylor appointed as Members of the International Trade Legislative Advisory Committee. (**HB 1157**, Section 2, 2001)

June 19, 2001 – Representative Mitchell appointed as Co-Chair and Representatives Eddins, Gilbert, Lindley and Pettigrew appointed as Members of the Joint Legislative Oversight Committee for the Oklahoma Health Care Authority. (**HB 1109**, Section 1, 2001)

June 21, 2001 – Representatives Pope (Clay) and Roach appointed as Members of the Task Force on Ad Valorem Tax Assessment Practices. (**HB 1169**, Section 1, 2001)

June 25, 2001 – Representative Case appointed as Chair of the Task Force on Out-of-School Programs. (**HB 1359**, Section 1, 2001)

June 25, 2001 – Representative Tyler appointed as the Speaker's Designee on the Trucking Advisory Board replacing Representative Rice. (**SB 271**, Section 1, 1997)

June 25, 2001 – Representative Corn appointed as a Member of the Employee Assistance Program Advisory Council replacing Representative Dunegan. (O.S. 74-7101, **HB 2331**, Section 50, 1994)

June 25, 2001 – Representative Cox reappointed as a Member of the Advisory Board to the Insurance Commissioner. (O.S. 36-6221)

June 25, 2001 – Representatives Kirby and Toure appointed as Members of the Task Force on Imprisonment Racial and Social Economic Statistical Analysis. (**HB 1934**, Section 1, 2001)

June 26, 2001 – Representative Pope (Clay) appointed as a Member of the Streamlined Multistate Sales and Use Tax Agreement. (**SB 589**, Section 4, 2001)

June 26., 2001 – Representative Ross reappointed as a Member of the 1921 Tulsa Race Riot Memorial of Reconciliation Design Committee. (O.S. 74-8201.1, **HB 1178**, Section 3, 2001)

June 26, 2001 – Representative Roberts reappointed as a Member of the Education Oversight Board. (O.S. 70-3-116, **SB 89**, Section 1, 1999)

June 26, 2001 – Representative Eddins appointed as Co-Chair and Representatives Dank, Gilbert, Lindley and Stanley appointed as Members of the Joint Legislative Task Force on Residential Mental Health Programs. (O. S. 43A 3-315.2, **HB 1824**, Section 1, 2001)

June 27, 2001 – Representative Nations appointed as Co-Chair and Representatives Bonny, Braddock, Deutschendorf, Ferguson, Fields, Glover, Mass, Miller (Ray) and Worthen reappointed as Members of the Joint Committee on Federal Funds. (O.S. 74-452.7)

June 27, 2001 – Representatives Braddock, Glover, Kirby and Roggow appointed as Members of the Oklahoma Military Base Closure Prevention Task Force. (O. S. 74-5301, **HB 1200**, Section 1, 2001)

June 27, 2001 – Representatives Ingmire and Rice appointed as Members of the Oilfield Worker Training Program Advisory Committee. (**SCR 42**, 2001)

June 27, 2001 – Representative Leist appointed as Chair and Representative Erwin appointed as a Member replacing Representative Dunegan and Representative Pettigrew appointed as a Member replacing Representative Askins of the Joint Liaison Committee on State and Education Employees Group Insurance Benefits. (O. S. 74-1306)

June 27, 2001 – Representatives Gilbert and Graves appointed as Members and Representative Winchester appointed as a Member replacing former Representative Reese of the Joint Legislative Committee for Review of Coordination of Efforts for Prevention of Adolescent Pregnancy and Sexually Transmitted Diseases. (O. S. 63-1-237, **SB 1180**, Section 1, 1994)

June 27, 2001 – Representative Rice reappointed as a Member of the Southern States Energy Board. (Southern States Energy Board Bylaws)

June 29, 2001 – Representative Hastings appointed as a Member replacing Representative Miller (Doug) and Representative Wilson appointed as a Member of the Legislative Oversight Committee on the Streamlined Sales Tax System. (O. S. 68-1354, **SB 1040**, Section 13, 2000)

June 29, 2001 – Representative Blackburn appointed as Co-Chair and Representatives Eddins and Gilbert appointed as Members of the Task Force on Behavioral Health. (O.S. 43A-3-113.1, **HB 1417**, Section 1, 2001)

June 29, 2001 – Representative Eddins appointed as a Member of the Mental Health Treatment of Children Act Review Committee. (**HCR 1004**, 2001)

July 2, 2001 – Representative Pope (Clay) reappointed as an ex-officio Member and Joint Chair and Representatives Begley, Corn, Eddins, Erwin, Hiatt, Maddux, Nance, Nations and Tyler reappointed as Members of the Legislative Oversight Committee on the Streamlined Sales Tax System. (O.S. 68-1354.12, **SB 1040**, Section 13, 2000)

July 2, 2001 – Representative Blackburn reappointed as a Member of the Board of Trustees of the Oklahoma School of Science and Mathematics. (O.S. 70-1210.401)

July 2, 2001 – Representative Greenwood appointed as a Member of the Youth Suicide Prevention Council. (**HB 1241**, Section 4, 2001)

July 2, 2001 – Representative Stanley appointed as Co-Chair and Representative Deutschendorf appointed as a Member of the Nine-One-One Wireless Emergency Task Force. (**HCR 1037**, 2001)

July 3, 2001 – Representative Braddock appointed as a Member of the Blue Ribbon Task Force on Protection of Children from Violence in the Media as a Government Representative. (**SB 707**, Section 1, 2001)

July 5, 2001 – Representative Askins appointed as Vice-Chair of the University Hospitals Trust Legislative Advisory Task Force replacing Representative Ervin. (**HB 2497**, Section 5, 1996)

July 17, 2001 – Representative Langmacher appointed as a Member of the Task Force on Electronic Commerce. (**HB 1322**, Section 4, 2001)

July 18, 2001 – Representative Wright appointed as a Member of the Electric Restructuring Advisory Committee to the Governor and the Legislature. (Appointment made by House Minority Leader Morgan, **SB 440**)

July 19, 2001 – Representative Toure appointed as Chair of the Task Force on Imprisonment Racial and Social Economic Statistical Analysis. (**HB 1934**, Section 1, 2001)

August 1, 2001 – Representative Gilbert reappointed as a Member of the 1921 Tulsa Race Riot Memorial of Reconciliation Design Committee. (O.S. 74-8201.1, **HB 1178**, Section 3, 2001)

August 10, 2001 – Representative Askins appointed as Chair of the Oklahoma Sentencing Commission. (O.S. 22-1503, **HB 1213**, Section 34, 1997)

September 4, 2001 – Representative Gilbert appointed as a Member of the Mental Health Treatment of Children Act Review Committee replacing Representative Eddins. (**HCR 1004**, 2001)

September 4, 2001 – Representative Corn appointed as a Member of the Congressional Redistricting Committee replacing Representative Ervin.

September 4, 2001 – Representative Turner appointed as Chair of the House Economic Development Committee replacing Representative Ervin.

September 18, 2001 – Representatives Miller (Ray) and Staggs appointed as Members of the Special Task Force Committee for the Oklahoma Department of Career and Technology Education. (House Rule 1, Section 4(b))

September 20, 2001 – Representative Nations as Chair and Representatives Askins, Erwin, Hefner, Hilliard, Ingmire, Maddux, Mass, Newport and Ross as Members of the Joint Committee on Government Accountability. (O. S. 74-456.2)

September 24, 2001 – Representative Paulk appointed as a Member of the Judiciary Committee.

September 26, 2001 – Representative O’Neal appointed as a Member of the House Appropriations and Budget Committee and the General Government Subcommittee.

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Wednesday, October 3, 2001, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 1:46 p.m., to reconvene Wednesday, October 3, 2001, at 10:00 a.m.

**COMMUNICATION**

The following report was received from the State Board of Equalization and ordered printed in the Journal:

STATE OF OKLAHOMA  
OFFICE OF STATE FINANCE

June 18, 2001

State Board of Equalization  
State Capitol Building  
Oklahoma City, OK 73105

Members of the Board:

The Constitution of the State of Oklahoma, Article X, Section 23, as last amended April 30, 1985, provides in pertinent part:

...the Legislature may at any regular session or special session, called for that purpose, enact laws to provide for additional revenues or a reduction in revenues, other than ad valorem taxes, or transferring the existing revenues or unappropriated cash on hand from one fund to another, or making provisions for appropriating funds not previously appropriated by the Legislature. Whereupon, it shall be the duty of the State Board of Equalization to make a determination of the revenues that will accrue under such laws and ninety-five percent (95%) of the amount of any increase or decrease resulting, for any reason, from such changes in laws shall be added to or deducted from the amount previously certified available for appropriation from each respective fund, as the case may be...

The following report has been prepared in accordance with the procedures set forth above, and is respectfully, submitted for your consideration.

Very truly yours,

/s/ Tom Daxon  
Director of State Finance