

## **Sixty-fourth Legislative Day**

**Tuesday, May 22, 2001**

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Richard Wilson, High Priest and President, Norman, Oklahoma Stake Church of Jesus Christ of Latter-Day Saints, Norman.

The Journal for the last legislative day was approved.

### **ENGROSSED AND ENROLLED MEASURES**

**HCR 1024** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HBs 1003, 1019, 1022, 1103, 1106, 1124, 1234, 1237, 1258, 1297, 1322, 1341, 1359, 1505, 1514, 1529, 1535, 1541, 1638 and 1728** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCRs 1026 and 1036** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HRs 1015 and 1018** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1621** was called up for consideration.

Upon motion of Representative Vaughn, the **CCR** on **HB 1621** was adopted.

**HB 1621**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Gilbert, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Nance, Nations, O'Neal, Paulk, 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), Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--90.

Nay: Davis.--1.

Excused: Claunch, Ervin, Fields, Glover, Gray, Mitchell, Morgan, Newport, Perry, Sweeden.--10.

The measure passed.

**HB 1621**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1154** was called up for consideration.

Upon motion of Representative Jones, the **CCR** on **HB 1154** was adopted.

**HB 1154**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Nance, Nations, Newport, O'Neal, Paulk, 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.--94.

Excused: Claunch, Ervin, Fields, Gray, Mitchell, Morgan, Perry.--7.

The measure passed.

**HB 1154**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **SB 748** was called up for consideration.

Upon motion of Representative Corn, the **2nd CCR** on **SB 748** was adopted.

**SB 748**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Case, Coleman, Corn, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Friskup, Gilbert, Glover, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, 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 (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--91.

Nay: Calvey, Cargill, Covey, Ericson, Leist.--5.

Excused: Claunch, Ervin, Fields, Gray, Morgan.--5.

The measure and emergency passed.

**SB 748**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 181** was called up for consideration.

Upon motion of Representative Ferguson, the **CCR** on **SB 181** was adopted.

**SB 181**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, 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), 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: Ervin, Gray.--2.

The measure and emergency passed.

**SB 181**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 149** was called up for consideration.

Coauthored by Representative(s) Gilbert

Upon motion of Representative Ferguson, the **CCR** on **SB 149** was adopted.

**SB 149**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, 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), 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: Ervin, Gray.--2.

The measure and emergency passed.

**SB 149**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1718** was called up for consideration.

Upon motion of Representative Askins, the **CCR** on **HB 1718** was adopted.

**HB 1718**, 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, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Hastings, Liotta, Peterson, Pettigrew, Smith (Hopper).--5.

Excused: Ervin.--1.

The measure and emergency passed.

**HB 1718**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **Speaker Adair Presiding**

#### **Representative Reese Presiding**

#### **RESOLUTION FOR CONSIDERATION**

**HR 1020** was called up for consideration.

Upon unanimous consent request of Representative Miller (Doug), all Members of the House were added as coauthors.

Upon motion of Representative Miller (Doug), **HR 1020** was considered and adopted.

**HR 1020** was referred for enrollment.

### Speaker Adair Presiding

#### PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1115** was called up for consideration.

Upon motion of Representative Lindley, the **CCR** on **HB 1115** was adopted.

**HB 1115**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Ervin.--1.

The measure and emergency passed.

**HB 1115**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1484** was called up for consideration.

Upon motion of Representative Lindley, the **CCR** on **HB 1484** was adopted.

**HB 1484**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf,

Dunegan, Easley, Eddins, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Davis, Smith (Hopper).--2.

Excused: Ervin, Graves.--2.

The measure and emergency passed.

**HB 1484**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## RECONSIDERATION

Representative Erwin moved to reconsider the vote whereby the emergency section on **SB 203** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Gilbert, Glover, Gray, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nations, O'Neal, Paulk, Piatt, Plunk, Pope (Clay), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Mr. Speaker.--69.

Nay: Balkman, Calvey, Cargill, Case, Coleman, Dank, Ericson, Friskup, Graves, Greenwood, Nance, Newport, Peterson, Pettigrew, Phillips, Pope (Tim), Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Wilt, Winchester, Worthen, Wright, Young.--27.

Excused: Claunch, Ervin, Fields, Perry, Peters.--5.

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

Aye: Adkins, Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Case, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Newport, Paulk, Perry, Peters, Phillips, Piatt, Plunk, Pope (Clay), Reese, Rice,

Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Mr. Speaker.--68.

Nay: Balkman, Calvey, Cargill, Claunch, Coleman, Dank, Ericson, Ferguson, Friskup, Graves, Hiatt, Maddux, Miller (Doug), Morgan, Nance, O'Neal, Peterson, Pettigrew, Pope (Tim), Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--32.

Excused: Ervin.--1.

The emergency passed.

**SB 203**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

### **Speaker Pro Tempore Emeritus Glover Presiding**

#### **MESSAGES FROM THE SENATE**

Advising further conference granted and the Senate naming same conferees as follows:

**HB 1671** - Snyder, Herbert, Smith, Stipe, Dickerson

#### **Transmitting enrolled measures**

Advising the signing of and transmitting for signature Enrolled **SCR 40**.

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

Advising fourth reading of and transmitting for signature Enrolled **SBs 134, 240, 388, 415, 534, 557, 595, 675, 692, 694** and **814**.

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

#### **Transmitting engrossed measures**

Announcing the passage of the following engrossed measures.

The measures were introduced and read.

**SCR 39** – By Taylor, Dunlap, Cain, Campbell, Capps, Coffee, Crutchfield, Dickerson, Douglass, Easley, Fair, Fisher, Ford, Haney, Harrison, Helton, Henry, Herbert, Hobson, Horner, Johnson, Kerr, Laughlin, Leftwich, Littlefield, Maddox, Martin, Mickle, Milacek,

Monson, Morgan, Muegge, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Wilcoxson, Wilkerson, Williams and Williamson of the Senate and Tyler of the House.

A Concurrent Resolution commending Neal McCaleb for his many years of service to the State of Oklahoma; wishing him well in his new position; and directing distribution.

**SCR 42** – By Fisher of the Senate and Rice of the House.

A Concurrent Resolution creating the Oilfield Worker Training Program Advisory Committee; stating purpose; providing for appointment of members, chair, meetings, travel reimbursement, and staffing; requiring report and terminating Advisory Committee on certain date.

**SCR 43** – By Herbert of the Senate and Nations of the House.

A Concurrent Resolution directing the Department of Transportation to halt efforts to privatize highway maintenance; providing for an interim study; and directing distribution.

### **Transmitting CCRs**

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

**SB 157** (2nd)

**SB 440** (2nd)

Conference committee reports were read on the above-numbered measures.

### **Returning enrolled measures**

Announcing that Enrolled **HCRs 1026** and **1036** have been signed by the Presiding Officer of Senate, in open session.

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

Announcing that Enrolled **HBs 1003, 1019, 1022, 1103, 1106, 1124, 1234, 1237, 1258, 1297, 1322** and **1341** 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.

### **Returning CCRs**

Returning **HBs 1047** (2nd), **1199** and **1394** (2nd) together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

### **CONFEREES CHANGED**

The Speaker withdrew **HB 1590** from GCCA and named the following conferees:

**HB 1590** – Askins, Vaughn, Mass, Bonny, Sullivan (John)

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1703** was called up for consideration.

Representative Lindley moved that the House adopt the **CCR** on **HB 1703**, which motion failed upon roll call as follows:

Aye: Askins, Blackburn, Bonny, Braddock, Case, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Ingmire, Lindley, Mass, Matlock, McCarter, Miller (Ray), Nations, Paulk, Plunk, Roan, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Toure, Turner, Walker, Wells, Wilson, Mr. Speaker.--42.

Nay: Adkins, Balkman, Begley, Benge, Benson, Calvey, Cargill, Claunch, Coleman, Dank, Davis, Ericson, Ervin, Ferguson, Friskup, Graves, Greenwood, Hastings, Hiett, Jones, Kirby, Langmacher, Leist, Liotta, Maddux, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Taylor, Tibbs, Tyler, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--59.

Upon motion of Representative Lindley, the **CCR** on **HB 1703** was rejected and further conference requested. The Speaker named the same conferees:

**HB 1703** – Lindley, Askins, Glover, Gilbert, Balkman, Jones, Morgan

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

### **RECONSIDERATION**

Coauthored by Representative(s) Pettigrew, Askins

Representative Toure moved to reconsider the vote whereby **HB 1938** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Perry, Peters, Phillips, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Mr. Speaker.--67.

Nay: Bengé, Calvey, Cargill, Case, Claunch, Coleman, Dank, Ericson, Friskup, Graves, Greenwood, Langmacher, Liotta, Maddux, Morgan, Nance, Newport, O'Neal, Peterson, Pettigrew, Piatt, Pope (Tim), Reese, Roggow, Smith (Hopper), Sullivan (Leonard), Tibbs, Webb, Wilt, Winchester, Worthen, Wright, Young.--33.

Excused: Miller (Doug).--1.

**HB 1938**, 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: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Case, Claunch, Coleman, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Gilbert, Glover, Gray, Greenwood, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nance, Nations, Newport, Paulk, Perry, Pettigrew, Phillips, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Worthen, Mr. Speaker.--68.

Nay: Adkins, Balkman, Bengé, Calvey, Cargill, Dank, Ericson, Ervin, Friskup, Graves, Hastings, Hiatt, Jones, Liotta, Miller (Doug), Morgan, O'Neal, Peters, Peterson, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Tibbs, Wilt, Winchester, Wright, Young.--32.

Excused: Langmacher.--1.

The measure and emergency passed.

**HB 1938**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **MOTION**

Upon motion of Representative Hilliard, the House was declared at ease until 1:15 p.m.

**Speaker Pro Tempore Matlock Presiding**

**MESSAGES FROM THE SENATE**

Announcing that Enrolled **HBs 1359, 1505, 1514, 1529, 1535, 1541, 1638** and **1728** 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.

**Conferees changed**

Advising withdrawal of GCCA and naming Senate conferees as follows:

**HB 1590** - Haney, Hobson, Taylor, Dunlap

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1778** was called up for consideration.

Upon motion of Representative Tyler, the **CCR** on **HB 1778** was adopted.

**HB 1778**, 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, Bengé, Benson, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Cox, Dank, Davis, Deutschendorf, Dunegan, Eddins, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, 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, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan (John), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Winchester, Worthen, Wright, Young, Mr. Speaker.--91.

Excused: Blackburn, Covey, Easley, Ervin, Gray, Perry, Reese, Smith (Hopper), Sullivan (Leonard), Wilt.--10.

The measure and emergency passed.

**HB 1778**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 9** was called up for consideration.

Upon motion of Representative Pope (Clay), the **CCR on SB 9** was adopted.

**SB 9**, 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, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Covey, Perry, Reese, Sullivan (Leonard).--4.

The measure and emergency passed.

**SB 9**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR on SB 353** was called up for consideration.

Upon motion of Representative Tyler, the **CCR on SB 353** was adopted.

**SB 353**, as amended in conference, 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, Case, Claunch, Coleman, Corn, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--89.

Nay: Cargill, Davis, Ericson, Leist, Peterson, Roach, Vaughn.--7.

Excused: Covey, Graves, Peters, Reese, Sullivan (Leonard).--5.

The measure passed.

**SB 353**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1670** was called up for consideration.

Upon motion of Representative Roach, the **CCR** on **HB 1670** was adopted.

**HB 1670**, 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, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, 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, 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.

Nay: Davis, Graves.--2.

Excused: Blackburn, Covey.--2.

The measure and emergency passed.

**HB 1670**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **RESOLUTION FOR CONSIDERATION**

**HCR 1037** was called up for consideration.

Upon motion of Representative Stanley, **HCR 1037** was considered and adopted.

**HCR 1037** was referred for engrossment.

## PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1291** was called up for consideration.

Remove as coauthor Representative(s) Miller (Ray), Roan

Upon motion of Representative Roach, the **CCR** on **HB 1291** was adopted.

**HB 1291**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Nations, Newport, O'Neal, Paulk, Perry, Pettigrew, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sweden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Mr. Speaker.--71.

Nay: Adkins, Calvey, Claunch, Davis, Hastings, Hiatt, Jones, Leist, Miller (Doug), Mitchell, Morgan, Nance, Peters, Peterson, Phillips, Piatt, Reese, Roggow, Smaligo, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--29.

Excused: Langmacher.--1.

The measure passed.

**HB 1291**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## MOTION

Representative Blackburn asked that the Journal reflect that had she been present in the Chamber, she would have voted Aye on **HB 1670**, which was the order.

## PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 1904** was called up for consideration.

Representative Roach moved adoption of the **2nd CCR** on **HB 1904**, which motion prevailed upon a division of the question.

**HB 1904**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Nay: Davis.--1.

The measure and emergency passed.

**HB 1904**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1546** was called up for consideration.

Coauthored by Representative(s) Piatt, Bengé

Upon motion of Representative Benson, the **CCR** on **HB 1546** was adopted.

**HB 1546**, 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, Bengé, 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, 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), 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.--98.

Excused: Braddock, Hastings, Sullivan (John).--3.

The measure and emergency passed.

**HB 1546**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 614** was called up for consideration.

Upon motion of Representative Corn, the **CCR** on **SB 614** was adopted.

**SB 614**, 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, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hielt, 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), 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.--101.

The measure and emergency passed.

**SB 614**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 444** was called up for consideration.

Upon motion of Representative Leist, the **CCR** on **SB 444** was adopted.

**SB 444**, 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, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hielt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew,

Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Tibbs, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--94.

Nay: Corn, Miller (Ray), Nations, Paulk, Roan, Taylor, Walker.--7.

The measure and emergency passed.

**SB 444**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

### **PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **SB 124** was called up for consideration.

Coauthored by Representative(s) Tibbs

Upon motion of Representative Corn, the **2nd CCR** on **SB 124** was adopted.

**SB 124**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, 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.--98.

Nay: Davis, Liotta.--2.

Excused: Langmacher.--1.

The measure and emergency passed.

**SB 124**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 118** was called up for consideration.

Upon motion of Representative Blackburn, the **CCR** on **SB 118** was adopted.

**SB 118**, as amended in conference, 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, Corn, Covey, Cox, Dank, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smith (Dale), 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.--89.

Nay: Coleman, Davis, Graves, Gray, Greenwood, Ingmire, Liotta, Mitchell, Nance, Paulk, Smaligo, Smith (Hopper).--12.

The measure passed.

**SB 118**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

## **MESSAGES FROM THE SENATE**

Returning **HBs 1064, 1083, 1157, 1266** and **1385** together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

### **Returning engrossed measure**

Announcing the passage of **HCR 1024**.

The above-numbered measure was referred for enrollment.

**Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 149** and **181**.

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

**Transmitting CCRs**

Transmitting the following measures, together with the conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**SB 197**, Coauthored by Senator Martin

**SB 345**

**SB 397**, Coauthored by Senator Crutchfield

**SB 412** (3rd), Coauthored by Representative Lindley

**SB 610**

**SB 711** (2nd), Coauthored by Representative Wilson

**SB 738**

Conference committee reports were read on the above-numbered measures.

**Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 44** – By Price of the Senate and McCarter of the House.

A Concurrent Resolution authorizing the Commission for Human Services to enter into lease-purchase agreements for office space in Blaine, Jefferson, Ottawa, and Wagoner Counties; and directing distribution.

**RESOLUTION FOR CONSIDERATION**

**SCR 32** was called up for consideration.

Upon motion of Representative Nations, **SCR 32** was considered and adopted.

**SCR 32** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**SCR 33** was called up for consideration.

Upon motion of Representative Nations, **SCR 33** was considered and adopted.

**SCR 33** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**SCR 34** was called up for consideration.

Upon motion of Representative Dunegan, **SCR 34** was considered and adopted.

**SCR 34** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1706** was called up for consideration.

Coauthored by Representative(s) Roan, Wilson, Covey, Easley, Walker, Miller (Ray)

Upon motion of Representative Roberts, the **CCR** on **HB 1706** was adopted.

**HB 1706**, 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, 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, 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.--101.

The measure and emergency passed.

**HB 1706**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**Representative Toure Presiding****PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **SB 741** was called up for consideration.

Upon motion of Representative Askins, the **2nd CCR** on **SB 741** was adopted.

**SB 741**, as amended in conference, 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, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, 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, 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, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--96.

Nay: Coleman, Dank, Graves, Wright.--4.

Excused: Tyler.--1.

The measure passed.

**SB 741**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1369** was called up for consideration.

Coauthored by Representative(s) Dank, Coleman

Upon motion of Representative Sweeden, the **CCR** on **HB 1369** was adopted.

**HB 1369**, 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, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover,

Graves, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, 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: Gray, Ross.--2.

The measure and emergency passed.

**HB 1369**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **MOTION**

Upon unanimous consent request of Representative Hilliard, House Rule 12, Section 3 was suspended for this legislative day.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1615** was called up for consideration.

Coauthored by Representative(s) Dank, Coleman

Upon motion of Representative Steele, the **CCR** on **HB 1615** was adopted.

**HB 1615**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Nay: Leist.--1.

The measure and emergency passed.

**HB 1615**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1308** was called up for consideration.

Coauthored by Representative(s) Roan

Upon motion of Representative Sweeden, the **CCR** on **HB 1308** was adopted.

**HB 1308**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Begley, Benson, Blackburn, Bonny, Braddock, Claunch, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Ferguson, Fields, Gilbert, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Leist, Lindley, Matlock, McCarter, Miller (Ray), Morgan, Nations, Perry, Phillips, Plunk, Rice, Roach, Roan, Roberts, Ross, Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Webb, Wells, Wilson, Mr. Speaker.--51.

Nay: Balkman, Benge, Calvey, Cargill, Case, Coleman, Dank, Davis, Ericson, Ervin, Friskup, Glover, Graves, Gray, Greenwood, Hastings, Hiatt, Jones, Langmacher, Liotta, Maddux, Miller (Doug), Mitchell, Nance, Newport, O'Neal, Paulk, Peters, Peterson, Pettigrew, Piatt, Pope (Clay), Pope (Tim), Reese, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Walker, Wilt, Winchester, Worthen, Wright, Young.--49.

Excused: Mass.--1.

The measure passed.

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

Aye: Adkins, Askins, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Erwin, Fields, Gilbert, Gray, Hastings, Hefner, Hilliard, Hutchison, Jones, Kirby, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Nations, O'Neal, Phillips, Plunk, Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Webb, Wells, Wilson, Mr. Speaker.--53.

Nay: Balkman, Benge, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, Ervin, Ferguson, Friskup, Glover, Graves, Greenwood, Hiatt, Ingmire, Langmacher, Liotta, Maddux, Miller (Doug), Mitchell, Morgan, Nance, Newport, Paulk, Perry, Peters, Peterson, Pettigrew, Piatt, Pope (Clay), Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper),

Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Walker, Wilt, Winchester, Worthen, Wright, Young.--48.

The emergency failed.

Representative Sweeden served notice to reconsider the vote whereby the emergency failed on **HB 1308**.

Representative Calvey served notice to reconsider the vote whereby **HB 1308** passed.

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

### **PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **SB 440** was called up for consideration.

Upon motion of Representative Glover, the **2nd CCR** on **SB 440** was adopted.

**SB 440**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, 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, 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.--98.

Nay: Gray, Paulk.--2.

Excused: Erwin.--1.

The measure and emergency passed.

**SB 440**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

**MESSAGE FROM THE SENATE**

Returning **HBs 1115, 1194 and 1484** together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1169** was called up for consideration.

Coauthored by Representative(s) Bengé, Calvey, Case, Dank, Piatt, Winchester, Worthen

Coauthored by Senator Herbert

Upon motion of Representative Claunch, the **CCR** on **HB 1169** was adopted.

**HB 1169**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Leist, Miller (Ray), Roan, Walker.--4.

Excused: Erwin.--1.

The measure and emergency passed.

Representative Leist served notice to reconsider the vote whereby **HB 1169** passed.

**PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **HB 1768** was called up for consideration.

Upon motion of Representative Dunegan, the **2nd CCR** on **HB 1768** was adopted.

**HB 1768**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Erwin.--1.

The measure and emergency passed.

**HB 1768**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **HB 1190** was called up for consideration.

Upon motion of Representative Pope (Clay), the **2nd CCR** on **HB 1190** was adopted.

**HB 1190**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, 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.

Nay: Leist.--1.

Excused: Erwin.--1.

The measure passed.

**HB 1190**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1754** was called up for consideration.

Upon motion of Representative Wells, the **CCR** on **HB 1754** was adopted.

**HB 1754**, 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, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, 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, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sullivan (John), Sullivan (Leonard), Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Erwin.--1.

The measure and emergency passed.

**HB 1754**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **Representative Roberts Presiding**

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1178** was called up for consideration.

Representative Ross moved adoption of the **CCR** on **HB 1178**, which motion prevailed upon roll call as follows:

Aye: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Plunk, Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Mr. Speaker.--53.

Nay: Adkins, Balkman, Bengel, Calvey, Cargill, Case, Claunch, Coleman, Dank, Ericson, Ferguson, Friskup, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Tibbs, Webb, Wilt, Winchester, Worthen, Wright, Young.--45.

Excused: Covey, Erwin, Pope (Clay).--3.

**HB 1178**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Perry, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Stites, Sullivan (Leonard), Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Mr. Speaker.--56.

Nay: Adkins, Balkman, Bengel, Calvey, Cargill, Case, Claunch, Coleman, Dank, Ericson, Ferguson, Friskup, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Tim), Reese, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan (John), Tibbs, Webb, Wilt, Winchester, Worthen, Wright, Young.--44.

Excused: Erwin.--1.

The measure passed.

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

Aye: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Claunch, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Fields, Gilbert, Glover, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Peters, Pettigrew, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Mr. Speaker.--59.

Nay: Adkins, Balkman, Bengel, Calvey, Cargill, Case, Coleman, Dank, Ferguson, Friskup, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Morgan, Nance, Newport, O'Neal, Peterson, Phillips, Piatt, Pope (Tim), Reese,

Roggow, Smaligo, Smith (Hopper), Sullivan (John), Sullivan (Leonard), Tibbs, Webb, Wilt, Winchester, Worthen, Wright, Young.--40.

Excused: Erwin, Perry.--2.

The emergency failed.

Representative Ross served notice to reconsider the vote whereby **HB 1178** passed and the emergency failed.

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

### **MESSAGES FROM THE SENATE**

Returning **HB 1794** together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

The above-numbered measure, as amended by the conference committee report, was referred for enrollment.

### **Further conference requested**

Advising rejection of **CCR** to **HB 1939** and requesting further conference thereon, the Senate naming same conferees as follows:

**HB 1939** - Henry, Dickerson, Morgan, Smith, Laughlin

### **Transmitting enrolled measure**

Advising fourth reading of and transmitting for signature Enrolled **SB 203**.

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

### **Transmitting CCRs**

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

**SB 45**, Coauthored by Senator Harrison

**SB 81**, Coauthored by Senator Capps

**SB 499**

**SB 627** (emergency failed)

**SB 662**  
**SB 718**

Conference committee reports were read on the above-numbered measures.

### **FURTHER CONFERENCE GRANTED**

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

**HB 1939** – Toure, Davis, Vaughn, Benson, Askins

### **MOTION**

Upon unanimous consent request of Representative Claunch, House Rule 20(e) was invoked.

### **RECONSIDERATION**

Representative Claunch moved to reconsider the vote whereby **HB 1169** passed, 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, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, Liotta, Maddux, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Nations, 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), Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--89.

Nay: Hastings, Newport.--2.

Excused: Erwin, Fields, Glover, Graves, Langmacher, Mass, Miller (Ray), Stanley, Sweeden, Walker.--10.

**HB 1169**, as amended in conference, 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, Dunegan, Easley, Eddins, Ericson, Ervin, 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), 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.

Nay: Miller (Ray).--1.

Excused: Erwin.--1.

The measure passed.

**HB 1169**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## RECONSIDERATION

Representative Calvey moved to reconsider the vote whereby **HB 1308** passed.

Representative Phillips moved to table the Calvey motion, which tabling motion prevailed.

## RECONSIDERATION

Representative Sweeden moved to reconsider the vote whereby the emergency on **HB 1308** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, 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, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--92.

Nay: Coleman, Dank, Graves, Greenwood, Newport, Vaughn, Wright.--7.

Excused: Erwin, Gilbert.--2.

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

Aye: Adkins, Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Claunch, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, O'Neal, Perry, Peters, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Winchester, Mr. Speaker.--80.

Nay: Balkman, Cargill, Case, Coleman, Dank, Gray, Greenwood, Hastings, Newport, Paulk, Peterson, Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Worthen, Wright, Young.--19.

Excused: Erwin, Wilt.--2.

The emergency passed.

**HB 1308**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **2nd CCR** on **HB 1454** was called up for consideration.

Upon motion of Representative Plunk, the **2nd CCR** on **HB 1454** was adopted.

**HB 1454**, 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: Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Case, Claunch, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, O'Neal, Paulk, Perry, Peters, Pettigrew, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Stites, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Young, Mr. Speaker.--72.

Nay: Adkins, Balkman, Calvey, Cargill, Coleman, Dank, Davis, Ericson, Ferguson, Hiatt, Leist, Liotta, Morgan, Newport, Peterson, Phillips, Roach, Smaligo, Smith (Hopper), Steele, Sullivan (John), Sullivan (Leonard), Tibbs, Vaughn, Winchester, Worthen, Wright.--27.

Excused: Erwin, Wilt.--2.

The measure and emergency passed.

**HB 1454**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

#### **RESOLUTION FOR CONSIDERATION**

**SCR 39** was called up for consideration.

Upon unanimous consent request of Representative Tyler, all Members of the House except for Representative Webb were added as coauthors

Upon motion of Representative Tyler, **SCR 39** was considered and adopted.

**SCR 39** 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 567** was called up for consideration.

Upon motion of Representative Corn, the **CCR** on **SB 567** was adopted.

**SB 567**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Bengé, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Corn, Covey, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Friskup, Gilbert, Glover, Hastings, Hefner, Hilliard, Hutchison, Jones, Kirby, Langmacher, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Newport, Perry, Peters, Peterson, Pettigrew, Piatt, Plunk, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roan, Roggow, Ross, Smith (Hopper), Stanley, Steele, Sweeden, Taylor, Toure, Tyler, Walker, Wells, Wilson, Winchester, Worthen, Young, Mr. Speaker.--64.

Nay: Begley, Calvey, Coleman, Cox, Dank, Davis, Ericson, Ferguson, Fields, Graves, Gray, Greenwood, Hiatt, Ingmire, Leist, Liotta, Maddux, Miller (Doug), Morgan, Nance, O'Neal, Paulk, Phillips, Roberts, Smaligo, Smith (Dale), Staggs, Stites, Sullivan (John), Sullivan (Leonard), Tibbs, Turner, Vaughn, Webb, Wright.--35.

Excused: Erwin, Wilt.--2.

The measure passed.

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

Aye: Adkins, Askins, Balkman, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Corn, Covey, Deutschendorf, Dunegan, Easley, Eddins, Ervin, Fields, Friskup, Gilbert, Glover, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nance, Nations, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites, Sweeden, Taylor, Toure, Tyler, Walker, Wells, Wilson, Winchester, Worthen, Young, Mr. Speaker.--71.

Nay: Begley, Calvey, Coleman, Cox, Dank, Davis, Ericson, Ferguson, Graves, Gray, Greenwood, Hiatt, Leist, Liotta, Maddux, Miller (Doug), Newport, O'Neal, Paulk, Reese, Roberts, Sullivan (John), Sullivan (Leonard), Tibbs, Turner, Vaughn, Webb, Wright.--28.

Excused: Erwin, Wilt.--2.

The emergency passed.

**SB 567**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1298** was called up for consideration.

Representative Gilbert moved that the House adopt the **CCR** on **HB 1298**, which motion failed of adoption upon roll call as follows:

Aye: Askins, Benson, Blackburn, Bonny, Braddock, Covey, Cox, Deutschendorf, Easley, Eddins, Fields, Gilbert, Glover, Hutchison, Kirby, Leist, Lindley, Mass, Miller (Ray), Peters, Plunk, Roan, Roberts, Ross, Staggs, Stanley, Sweeden, Taylor, Toure, Walker, Wells, Wilson, Mr. Speaker.--33.

Nay: Adkins, Balkman, Begley, Benge, Calvey, Cargill, Case, Claunch, Coleman, Corn, Dank, Davis, Dunegan, Ericson, Ervin, Ferguson, Friskup, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Ingmire, Jones, Langmacher, Liotta, Maddux, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Pope (Tim), Reese, Rice, Roach, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Steele, Stites, Sullivan (John), Sullivan (Leonard), Tibbs, Turner, Tyler, Vaughn, Webb, Winchester, Worthen, Wright, Young.--66.

Excused: Erwin, Wilt.--2.

Upon motion of Representative Greenwood, the CCR on HB 1298 was rejected and further conference with instructions was requested. The Speaker named the same conferees:

**HB 1298** – Gilbert, Coleman, Blackburn, Balkman, Lindley, Sweeden, Peters

The Greenwood instructions read as follows:

“SECTION 1. AMENDATORY 43 O.S. 1991, Section 112.2, is amended to read as follows:

Section 112.2 A. In every case involving the custody of, guardianship of or visitation with a child, the court shall consider evidence of ongoing domestic abuse which is properly brought before it. If the occurrence of ongoing domestic abuse is established by clear and convincing evidence, there shall be a rebuttable presumption that it is not in the best interests of the child to have custody, guardianship or unsupervised visitation granted to the abusive person.

B. 1. In any action for divorce, separate maintenance, guardianship, paternity, custody or visitation, including modifications or enforcements of any prior court order where the interests of a minor child is involved and evidence is presented which indicates that a child may be or may have been abused, the court shall notify the appropriate county office of the Department of Human Services that evidence has been submitted to the court that indicates the child may be a victim of abuse.

2. Upon notification by the court, the Department shall conduct an assessment or investigation concerning the child abuse allegation in accordance with priority guidelines established by the Department pursuant to the Oklahoma Child Abuse Reporting and Prevention Act.

3. The Department shall send a copy of the report of its findings to the referring court within thirty (30) days of the notification of the court that the child may be a victim of abuse. The court shall notify the parties to the proceeding of the submission of the report to the court. In addition, the Department shall submit a copy of its report regarding the assessment or investigation to the office of the district attorney if required pursuant to Section 7106 of Title 10 of the Oklahoma Statutes.

4. If the report of child abuse is confirmed, the district attorney shall advise the referring court within three (3) business days of the receipt of the Department's findings whether a deprived petition will be filed by that office. If no deprived petition is filed, the court may take appropriate action regarding the custody of the child, appointment of a guardian for the child or visitation of the child.

C. Nothing in this section shall preclude the referring court from entering an order to have the child taken into emergency custody if evidence presented to the referring court indicates a child is in surroundings that are such as to endanger the health, safety or welfare of the child. If a child is taken into emergency custody by such an order, the provisions of Article III of the Oklahoma Children's Code shall apply.

D. 1. Any person in an action for divorce, separate maintenance, guardianship, paternity, custody or visitation including modifications or enforcements of a prior court order where the interests of a minor child is involved, who knowingly and willfully makes a false child abuse report pursuant to the provisions of subsection B of this section or a child abuse report that the person knows, or should know, lacks factual foundation, upon conviction thereof, shall be guilty of a misdemeanor.

2. Any person subject to the provisions of this subsection, who has been previously convicted of making a false report pursuant to this section or pursuant to the provisions of the Oklahoma Child Abuse Reporting and Prevention Act, upon conviction thereof, shall be guilty of a felony.
3. If a court determines that an accusation of child abuse made during a proceeding specified by this subsection is false and the person making the accusation knew, or should have known, it to be false at the time the accusation was made, the court may impose a fine for contempt of court, not to exceed Ten Thousand Dollars (\$10,000.00).
4. The court shall consider false allegations of child abuse in determining custody of the child.
5. Any person who is determined to have willfully and knowingly filed a false child abuse report may be civilly liable to the child, the Department and/or to the victim for any damages suffered, including reasonable attorney fees and costs incurred as a result of the filing of the false child abuse report.
6. The remedies provided by this subsection are in addition to any other remedy provided by law.

SECTION 2. AMENDATORY 10 O.S. 1991, Section 1101, as renumbered by Section 199, Chapter 352, O.S.L. 1995, and as last amended by Section 5, Chapter 374, O.S.L. 2000 (10 O.S. Supp. 2000, Section 7001-1.3), is amended to read as follows:  
Section 7001-1.3 A. When used in the Oklahoma Children's Code, unless the context otherwise requires:

1. "Abandoned infant" means a child who is twenty-four (24) months of age or younger whose parent:
  - a. has willfully left the infant alone or in the care of another who is not the parent of the infant without identifying the infant or furnishing any means or methods of identification,
  - b. has willfully left the infant alone or in the care of another who is not the parent of the infant and expressed a willful intent by words, actions, or omissions not to return for the infant,
  - c. has knowingly placed or knowingly allowed the infant be placed in or remain in conditions or surroundings that posed or constituted a serious danger to the health and safety of the infant thereby demonstrating wanton disregard for the child's well-being,
  - d. is a father, or a putative father if the infant was born out of wedlock, and:
    - (1) if an infant is less than ninety (90) days of age, who fails to show that he has exercised proper parental rights or duties with regard to the infant, including, but not limited to, contributing to the support of the mother of the infant to the extent of his financial ability during her term of pregnancy,
    - (2) (a) if an infant is older than ninety (90) days but less than fourteen (14) months of age, who fails to show that he has exercised proper parental rights or duties with regard to the infant, including, but not limited to, contributing to the support of the infant to the extent of his financial ability, which may include contributing to the support of the mother of the infant to the extent of his financial ability during her term of pregnancy.
      - (b) Failure to contribute to the support of the mother during her term of pregnancy, pursuant to this subdivision, shall not in and of itself be grounds for termination of the parental rights of the father or putative father, or
    - (3) (a) if the infant is fourteen (14) months of age or older, who fails to show that he has exercised proper parental rights or duties with regard to the infant, including, but not limited to, contributing to the support of the infant to the extent of his financial ability.

(b) Pursuant to this subdivision, failure to contribute to the support of the mother during her term of pregnancy shall not in and of itself be grounds for termination of the parental rights of the father or putative father.

In any case where a father, or a putative father of an infant born out of wedlock, claims that prior to the receipt of notice of the hearing provided for in Section 7006-1.2 of this title he had been specifically denied knowledge of the infant or denied the opportunity to exercise parental rights or duties with regard to the infant, such father or putative father shall prove to the satisfaction of the court that he made sufficient attempts to discover if he had fathered a child or made sufficient attempt to exercise parental rights or duties with regard to the infant prior to the receipt of notice,

e. has not had significant or meaningful contact with the infant during the six (6) months immediately prior to out-of-home placement or the six (6) continuous months while in out-of-home placement, and has not made meaningful efforts to gain or regain custody of or to have regular visitation with the infant, despite being given the opportunity to do so. Incidental or token visits, communications or contributions shall not be construed or considered in establishing the proper exercise of parental rights or duties with regard to the infant;

2. "Adjudicatory hearing" means a hearing to determine whether the allegations of a petition pursuant to the provisions of Part 3 of Article III of this Code are supported by the evidence and whether a child should be adjudged to be a ward of the court;

3. "Assessment" means a systematic process utilized by the Department of Human Services to respond to reports of alleged child abuse or neglect which, according to priority guidelines established by the Department, do not constitute a serious and immediate threat to a child's health, safety or welfare. The assessment includes, but is not limited to, the following elements:

a. an evaluation of the child's safety, and

b. a determination regarding the family's need for services;

4. "Child" means any person under eighteen (18) years of age except any person convicted of a crime specified in Section 7306-1.1 of this title or any person who has been certified as an adult pursuant to Section 7303-4.3 of this title and convicted of a felony. For purposes of determining whether a child is deprived as such term is described by subparagraph g of paragraph 14 of this subsection, the term "child" shall also include an unborn viable child;

5. "Child in need of mental health treatment" means a child in need of mental health treatment as defined by the Inpatient Mental Health Treatment of Children Act;

6. "Child with a disability" means any child who has a physical or mental impairment which substantially limits one or more of the major life activities of the child, or who is regarded as having such an impairment by a competent medical professional;

7. "Child-placing agency" means a private agency licensed to place children in foster family homes, group homes, adoptive homes, transitional or independent living programs, or family child care homes or other out-of-home placements; and which approves and monitors such placements and facilities in accordance with the licensing requirements established by the Oklahoma Child Care Facilities Licensing Act;

8. "Chronic abuse or chronic neglect of a child" means a pattern of physical or sexual abuse or neglect which is repeated or continuing;

9. "Community-based services" or "community-based programs" means services or programs which maintain community participation or supervision in their planning, operation, and evaluation. Community-based services and programs may include, but are not limited to, emergency shelter, crisis intervention, group work, case supervision, job

placement, recruitment and training of volunteers, consultation, medical, educational, home-based services, vocational, social, preventive and psychological guidance, training, counseling, early intervention and diversionary substance abuse treatment, sexual abuse treatment, transitional living, independent living, and other related services and programs;

10. "Court-appointed special advocate" or "CASA" means a responsible adult who has been trained and is supervised by a court-appointed special advocate program recognized by the court, and who has volunteered to be available for appointment by the court to serve as an officer of the court as a guardian ad litem, pursuant to the provisions of Section 7003-3.7 of this title, to represent the best interests of any deprived child or child alleged to be deprived over whom the district court exercises jurisdiction, until discharged by the court;

11. "Court-appointed special advocate program" means an organized program, administered by either an independent, not-for-profit corporation, a dependent project of an independent, not-for-profit corporation or a unit of local government, which recruits, screens, trains, assigns, supervises and supports volunteers to be available for appointment by the court as guardians ad litem, to represent the best interests of a deprived child or a child alleged to be deprived in a case for which a deprived petition has been filed;

12. "Day treatment" means a nonresidential program which provides intensive services to a child who resides in the child's own home, the home of a relative, group home, a foster home or residential child care facility. Day treatment programs include, but are not limited to, educational services;

13. "Department" means the Department of Human Services;

14. "Deprived child" means a child:

a. who is for any reason destitute, homeless, or abandoned,

b. who does not have the proper parental care or guardianship or whose home is an unfit place for the child by reason of neglect, abuse, cruelty, or depravity on the part of the child's parents, legal guardian, or other person responsible for the child's health or welfare,

c. who is a child in need of special care and treatment because of the child's physical or mental condition, and the child's parents, legal guardian, or other custodian is unable or willfully fails to provide such special care and treatment. As used in this paragraph, a child in need of special care and treatment includes, but is not limited to, a child who at birth tests positive for alcohol or a controlled dangerous substance and who, pursuant to a drug or alcohol screen of the child and an assessment of the parent, is determined to be at risk for future exposure to such substances,

d. who is a child with a disability deprived of the nutrition necessary to sustain life or of the medical treatment necessary to remedy or relieve a life-threatening medical condition in order to cause or allow the death of the child if such nutrition or medical treatment is generally provided to similarly situated children without a disability or children with disabilities; provided that no medical treatment shall be necessary if, in the reasonable medical judgment of the attending physician, such treatment would be futile in saving the life of the child,

e. who is, due to improper parental care and guardianship, absent from school as specified in Section 10-106 of Title 70 of the Oklahoma Statutes, if the child is subject to compulsory school attendance, ~~or~~

f. whose parent, legal guardian or custodian for good cause desires to be relieved of custody, or

g. who is an unborn viable child whose health or life is determined to be at risk due to the mother's use of or exposure to alcohol or to a controlled dangerous substance.

Nothing in the Oklahoma Children's Code shall be construed to mean a child is deprived for the sole reason the parent, legal guardian, or person having custody or control of a child, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child.

Nothing contained in this paragraph shall prevent a court from immediately assuming custody of a child and ordering whatever action may be necessary, including medical treatment, to protect the child's health or welfare.

The phrase "dependent and neglected" shall be deemed to mean deprived;

15. "Dispositional hearing" means a hearing to determine the order of disposition which should be made with respect to a child adjudged to be a ward of the court;

16. "Emergency custody" means the custody of a child prior to adjudication of the child following issuance of an order of the district court pursuant to Section 7003-2.1 of this title or following issuance of an order of the district court pursuant to an emergency custody hearing, as specified by Section 7003-2.4 of this title;

17. "Facility" means a place, an institution, a building or part thereof, a set of buildings, or an area whether or not enclosing a building or set of buildings used for the lawful custody and treatment of children;

18. "Foster care" or "foster care services" means continuous twenty-four-hour care and supportive services provided for a child in foster placement including, but not limited to, the care, supervision, guidance, and rearing of a foster child by the foster parent;

19. "Foster child" means a child placed in foster placement;

20. "Foster family" means all persons living in a foster family home, other than a foster child;

21. "Foster family home" means the private residence of a foster family which provides foster care services to a child. Such term shall include a nonkinship foster family home, a specialized foster home, a therapeutic foster family home, or the home of a relative or other kinship care home;

22. "Foster parent" means any individual maintaining a foster family home, who is responsible for the care, supervision, guidance and rearing of and other foster care services provided to a foster child;

23. "Foster placement" means a child-placing agency or foster family home providing foster care services;

24. "Guardian ad litem" means a person appointed by the court to protect the best interests of a child pursuant to the provisions of Section 7003-3.7 of this title in a particular case before the court;

25. "Group home" means a residential facility housing no more than twelve children with a program which emphasizes family-style living in a homelike environment. Such group home may also offer a program within the community to meet the specialized treatment needs of its residents;

26. "Independent living program" means a program specifically designed to assist a child to enhance those skills and abilities necessary for successful adult living. An independent living program may include, but shall not be limited to, such features as minimal direct staff supervision, and the provision of supportive services to assist children with activities necessary for finding an appropriate place of residence, completing an education or vocational training, obtaining employment, or obtaining other similar services;

27. "Institution" means a residential facility offering care and treatment for more than twenty residents;

28. "Investigation" means an approach utilized by the Department to respond to reports of alleged child abuse or neglect which, according to priority guidelines established by the Department, constitute a serious and immediate threat to a child's health or safety. An investigation includes, but is not limited to, the following elements:
- a. an evaluation of the child's safety,
  - b. a determination whether or not child abuse or neglect occurred, and
  - c. a determination regarding the family's need for prevention and intervention-related services;
29. "Kinship care" means full-time care of a child by a kinship relation;
30. "Kinship guardianship" means a judicially created relationship between a child and a kinship relation of the child established pursuant to the provisions of Section 7003-5.5 of this title;
31. "Kinship relation" or "kinship relationship" means relatives, stepparents, or other responsible adults who have a bond or tie with a child and/or to whom has been ascribed a family relationship role with the child's parents or the child;
32. "Mental health facility" means a mental health facility as defined by the Inpatient Mental Health Treatment of Children Act;
33. "Multidisciplinary child abuse team" means any team established pursuant to Section 7110 of this title of three or more persons who are trained in the prevention, identification, investigation, prosecution and treatment of physical and sexual child abuse and who are qualified to facilitate a broad range of prevention and intervention-related services and services related to child abuse;
34. "Near death" means a child is in serious or critical condition, as certified by a physician, as a result of abuse or neglect;
35. "Neglect" means neglect as such term is defined by the Oklahoma Child Abuse Reporting and Prevention Act;
36. "Out-of-home placement" means a placement, other than a placement in the home of the parent, legal guardian or custodian from whose custody the court has removed the child;
37. "Permanency hearing" means a hearing by the court to determine whether a child is to be returned to the child's home or whether other permanent placement will be sought within a specific time frame for the child;
38. "Permanent custody" means a court-ordered custody of an adjudicated deprived child whose parent's parental rights have been terminated;
39. "Person responsible for a child's health, safety or welfare" includes a parent; a legal guardian; custodian; a foster parent; a person eighteen (18) years of age or older with whom the child's parent cohabitates or any other adult residing in the home of the child; an agent or employee of a public or private residential home, institution, facility or day treatment program as defined in Section 175.20 of this title; or an owner, operator, or employee of a child care facility as defined by Section 402 of this title;
40. "Protective custody" means custody of a child taken pursuant to Section 7003-2.1 of this title;
41. "Putative father" means the father of a child:
- a. born out of wedlock, or
  - b. whose mother was married to another person at the time of the birth of such child or within ten (10) months prior to the birth of the child.
- The term "putative father" includes, but is not limited to:
- (1) a man who has acknowledged or claims paternity of the child,
  - (2) a man named as the father by the mother of the child, or

- (3) any man alleged to have engaged in sexual intercourse with the mother during a possible time of conception;
42. "Relative" means a grandparent, great-grandparent, brother or sister of whole or half blood, aunt, uncle or any other person related to the child within the third degree of consanguinity;
43. "Residential child care center" means a twenty-four-hours-a-day residential group care facility at which a specified number of children, normally unrelated, reside with adults other than their parents;
44. "Reasonable efforts" means the reasonable exercise of diligence and care, with regard to a child who is in out-of-home placement, or who is at imminent risk of being harmed, to:
- a. refer to, arrange for, or develop reasonable supportive and rehabilitative services for the family of such child that are required both to prevent unnecessary placement of the child outside of the child's home and to foster, whenever appropriate, the safe reunification of such child with the child's family, or
  - b. place a child who cannot be returned home into a permanent placement;
45. a. "Residual parental rights and responsibilities" means those rights and responsibilities that remain with the parent:
- (1) after transfer of legal custody of the child, other than adoption, or
  - (2) when a guardianship or kinship guardianship is established for the child.
- b. Residual parental rights and responsibilities may be limited or restricted as determined by the court, and include, but are not limited to:
- (1) the right of visitation,
  - (2) the right to consent to adoption,
  - (3) the responsibility for support of and costs of medical care for the child, and
  - (4) the right to determine the religious faith of the child;
46. "Responsible adult" for purposes of the release of a child from protective custody, means a stepparent, foster parent, a relative of the child who is eighteen (18) years of age or older, or any person having an obligation and authority to care for or safeguard the child in another person's absence who is eighteen (18) years of age or older;
47. "Secure facility" means a facility which is designed and operated to ensure that all entrances and exits from the facility are subject to the exclusive control of the staff of the facility, whether or not the juvenile being detained has freedom of movement within the perimeter of the facility, or a facility which relies on locked rooms and buildings, fences, or physical restraint in order to control behavior of its residents;
48. "Serious bodily injury" means a bodily injury that involves:
- a. substantial risk of death,
  - b. extreme physical pain,
  - c. protracted and obvious disfigurement, or
  - d. protracted loss or impairment of the function of a bodily member, organ or mental faculty;
49. "Serious danger to the health and safety" means that without the intervention of another person or agency, a child would likely or in all probability sustain severe or permanent disability or injury, illness, or death;
50. "Sibling" means a biologically or legally related brother or sister of a child;
51. "Specialized foster care" means foster care provided to a child in a specialized foster home or agency-contracted home which:
- a. has been certified by the Developmental Disabilities Services Division of the Department of Human Services,

- b. is monitored by the Division, and
- c. is funded through the Home- and Community-Based Waiver Services Program administered by the Division;
- 52. "Temporary custody" means court-ordered custody of an adjudicated deprived child;
- 53. "Therapeutic foster family home" means a foster family home which provides specific treatment services, pursuant to a therapeutic foster care contract, which are designed to remedy social and behavioral problems of a foster child residing in the home;
- 54. "Torture" means to inflict:
  - a. intense emotional or psychological anguish to or suffering by a child, or
  - b. physical pain for the purpose of coercing or terrorizing a child;
- 55. "Training school" means an institution maintained by the state exclusively for the care, education, training, treatment, and rehabilitation of juvenile delinquents;
- 56. "Transitional living program" means a residential program that may be attached to an existing facility or operated solely for the purpose of assisting children to develop the skills and abilities necessary for successful adult living. The program may include, but shall not be limited to, reduced staff supervision, vocational training, educational services, employment and employment training, and other appropriate independent living skills training as a part of the transitional living program;
- 57. "Treatment and service plan" means a document written pursuant to Section 7003-5.3 of this title; and
- 58. "Voluntary foster care placement" means the temporary placement of a child by the parent, legal guardian or custodian of the child in foster care pursuant to a signed placement agreement between the Department or a child-placing agency and the child's parent, legal guardian or custodian.

B. Unless the context otherwise requires, the terms defined in the Oklahoma Child Abuse Reporting and Prevention Act and the Oklahoma Foster Care and Out-of-Home Placement Act shall have the same meaning when used in the Oklahoma Children's Code.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7003-2.6 of Title 10, unless there is created a duplication in numbering, reads as follows:

- A. Pursuant to the Oklahoma Children's Code, the district court may issue any order relating to an unborn viable child whose health or life is determined to be at risk due to the mother's use of or exposure to alcohol or to a controlled dangerous substance. Any such order shall state the specific reasons supporting the determination that the unborn viable child's health or life is at risk due to the mother's use of or exposure to alcohol or to a controlled dangerous substance.
- B. At any hearing held pursuant to the Oklahoma Children's Code prior to an adjudication of a child as deprived on the issue of the custody of an unborn viable child whose health or life has been determined to be at risk due to the mother's use of or exposure to alcohol or to a controlled dangerous substance, the court:
  - 1. May require the mother, as caretaker of the unborn viable child, to complete a substance abuse assessment and/or a program of substance abuse treatment as determined by the court;
  - 2. May require the mother, as caretaker of the unborn viable child, to take such other actions as may be determined necessary by the court pursuant to the provisions of the Oklahoma Children's Code.

3. May make further custody and placement arrangements for the unborn viable child and the mother, as the court deems necessary for the health or life of the unborn viable child; and

4. Shall inform the mother, in writing, that failure to complete a substance abuse assessment and/or a program of substance abuse treatment that has been offered and provided to her may result in the termination of her parental rights to her child pursuant to Section 7006-1.1 of Title 10 of the Oklahoma Statutes based upon the expedited process provided in Section 7003-4.6 of Title 10 of the Oklahoma Statutes.

C. If a child or unborn viable child has been adjudicated deprived pursuant to subparagraph g of paragraph 14 of subsection A of Section 7001-1.3 of Title 10 of the Oklahoma Statutes, and the mother has failed to complete the substance abuse assessment and/or substance abuse treatment program required by the court that has been offered and provided to her, the court may determine that reasonable efforts to provide for the return of the child to the child's home or preserve the family of the child shall not be required pursuant to Section 7003-4.6 of Title 10 of the Oklahoma Statutes and may terminate her parental rights to the child pursuant to Section 7006-1.1 of Title 10 of the Oklahoma Statutes.

SECTION 4. AMENDATORY 10 O.S. 1991, Section 1102.1, as renumbered by Section 199, Chapter 352, O.S.L. 1995, and as last amended by Section 6, Chapter 374, O.S.L. 2000 (10 O.S. Supp. 2000, Section 7002-1.2), is amended to read as follows: Section 7002-1.2 A. ~~1. If the evidence in a juvenile action, or an action for a divorce, for alimony without a divorce, for an annulment, for custody of a child, for the appointment of a guardian of the person of a child, for habeas corpus, or in subsequent proceedings in such actions, indicates that a child is or may be deprived, the referring court shall notify~~ In any for action habeas corpus divorce, separate maintenance, guardianship, paternity, custody or visitation, including modifications or enforcements of any prior court order where the interests of a minor child is involved and evidence is presented which indicates that child may be or may have been abused or deprived, the court shall notify the appropriate county office of the Department of Human Services that the child may be a victim of abuse or neglect.

2. The county office shall conduct an assessment or investigation concerning such report in accordance with priority guidelines established by the Department of Human Services.

3. The Department shall submit all reports regarding the assessment or investigation to the office of the district attorney ~~and as required pursuant to Section 7106 of this title.~~ In addition, the Department shall send a copy of its reports report to such the court requesting the investigation or assessment within thirty (30) days of such notice, and the notification to the Department that the child may be a victim of abuse or neglect. The court shall notify the parties to the proceeding of the submission of the report to the court.

4. ~~The~~ If the report of child abuse or neglect is confirmed, the district attorney shall advise the court within three (3) days of the receipt of the Department's findings whether a deprived petition will be filed by that office. If no deprived petition is filed, the court may take appropriate action regarding the custody of the child, ~~or~~ appointment of a guardian for the child or visitation.

B. Nothing in this section shall preclude the referring court from entering an order to have the child taken into emergency custody if evidence presented to the referring court indicates a child is in surroundings that are such as to endanger the welfare of the child. If a child is taken into emergency custody by such an order, the provisions of Article III of the Oklahoma Children's Code shall apply.

C. If, in any proceeding listed in subsection A of this section, the evidence indicates that a child has been subject to abuse or neglect, the court shall appoint an attorney to represent the child for that proceeding and any related proceedings and, as provided by Section 7003-3.7 of this title, the court shall appoint a guardian ad litem for the child.”

## RESOLUTIONS REFERRED

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

**HCR 1038** – Revenue and Taxation

**SCR 42** – Energy and Utility Regulation

## PENDING CONSIDERATION OF CCR

The **CCR** on **SB 571** was called up for consideration.

Coauthored by Representative(s) Lindley

Upon motion of Representative Nations, the **CCR** on **SB 571** was adopted.

**SB 571**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, 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, 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, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Erwin, Gilbert, Wilt.--3.

The measure passed.

**SB 571**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 168** was called up for consideration.

Upon motion of Representative Coleman, the **CCR** on **SB 168** was adopted.

**SB 168**, 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, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, 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, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Leist.--1.

Excused: Erwin, Wilt.--2.

The measure and emergency passed.

**SB 168**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

**RESOLUTION FOR CONSIDERATION**

**HR 1021** was called up for consideration.

Upon motion of Representative Deutschendorf, **HR 1021** was considered and adopted.

**HR 1021** was referred for enrollment.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1405** was called up for consideration.

Upon motion of Representative Wells, the **CCR** on **HB 1405** was adopted.

**HB 1405**, 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, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, 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), 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, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Gray.--1.

Excused: Erwin, Wilt.--2.

The measure and emergency passed.

**HB 1405**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## RESOLUTIONS

The following were introduced and read:

**HCR 1039** – By Roan of the House and Stipe of the Senate.

A Concurrent Resolution designating the Coal Creek Bridge on State Highway 131 as the John C. Farley Bridge; directing Oklahoma Department of Transportation to place permanent markers; and directing distribution.

**HR 1022** – By Blackburn.

A Resolution expressing appreciation to Jan Lovell for his broadcasting with OETA for 20 years and wishing him well on his retirement; distribution.

## MESSAGES FROM THE SENATE

Returning **HBs 1034, 1086, 1375, 1450**, Coauthored by Senator Reynolds, **1546, 1706, 1718, 1768** (2nd) and **1869**, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

**Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 9, 353 and 614**.

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

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 193**.

**SB 193**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby **HB 1178** passed and the emergency failed.

**HB 1178**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

- HB 1336** – (Conferees Unable to Agree)
- HB 1590**
- HB 1662** (2nd)
- HB 1671** – (Conferees Unable to Agree)
- HB 1939** (2nd)
- HJR 1012** – (Conferees Unable to Agree)

**RESIGNATION**

The following communication was received and ordered printed in the Journal as follows:

May 22, 2001

Honorable Larry Adair  
Speaker of the House  
Oklahoma House of Representatives  
State Capitol  
Oklahoma City, Oklahoma 73105

Dear Mr. Speaker:

I hereby resign the elected position of State Representative for District 38 effective 11:59 p.m. on May 22, 2001.

Respectfully,

/s/ Jim Reese  
State Representative

Representative Reese moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Wednesday, May 23, 2001, which was the order.

Pursuant to the motion of Representative Reese, the House was adjourned at 6:45 p.m., to reconvene Wednesday, May 23, 2001, at 9:00 a.m.