

Twenty-third Legislative Day

Thursday, March 14, 2002

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

The roll was called with 96 Members present.

The following Members were excused: Glover, Morgan, Stanley, Stites.—4.

Vacancy: Dist. 71.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Father Joe Vas, Chapel at St. Anthony Hospital, Oklahoma City.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1975, 1985, 1986, 2002, 2007, 2014, 2019, 2062, 2122, 2165, 2210, 2274, 2280, 2308, 2355, 2356, 2357, 2358, 2373, 2403, 2410, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2601, 2602, 2603, 2686, 2746, 2852 and 2911 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SB 22 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

SECOND READING

The following were read for the second time and referred to committee:

- SB 895** – Revenue and Taxation
- SB 934** – Appropriations and Budget
- SB 939** – Government Operations and Agency Oversight
- SB 948** – Small Business
- SB 952** – Commerce, Industry and Labor
- SB 968** – Public Safety
- SB 1237** – Government Operations and Agency Oversight
- SB 1390** – Human Services
- SB 1403** – Commerce, Industry and Labor
- SB 1404** – Commerce, Industry and Labor
- SB 1417** – Judiciary
- SB 1534** – Transportation
- SB 1597** – Appropriations and Budget
- SB 1659** – Homeland Security
- SB 1664** – Appropriations and Budget
- SB 1668** – Appropriations and Budget

RESOLUTION FOR CONSIDERATION

HCR 1051 was called up for consideration.

Upon unanimous consent request of Representative Corn, all Members of the House were added as coauthors.

Upon motion of Representative Corn, **HCR 1051** was considered and adopted.

HCR 1051 was referred for engrossment.

Upon unanimous consent request of Representative Corn, **HCR 1051** was ordered printed in full as follows:

HCR 1051 – By Corn, Miller (Ray), Adair, Adkins, Askins, Balkman, Begley, Bengel, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, 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), Mitchell, Morgan, Nance, Nations, Newport, O’Neal, Paulk, Perry, 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, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Taylor of the Senate

A Concurrent Resolution designating the new bridge spanning the Arkansas River on U.S. Highway 59 as the Senator Larry Dickerson Bridge; directing Oklahoma Department of Transportation to place permanent markers; and directing distribution.

WHEREAS, Senator Larry Dickerson was born on May 13, 1956, in Poteau, Oklahoma; and

WHEREAS, Senator Larry Dickerson through admirable self-discipline and dedication received his bachelor's degree in Political Science from the University of Oklahoma in 1978 and his Juris Doctor degree from the University of Oklahoma School of Law in 1982; and

WHEREAS, Senator Larry Dickerson dutifully served as the assistant district attorney for LeFlore County from 1982 to 1986; and

WHEREAS, Senator Larry Dickerson entered his honorable service to the Oklahoma State Senate in 1987 where he valiantly advocated for the needs of his constituents and stood up for the ideals of not only the citizens of his district, but for other fellow Oklahomans; and

WHEREAS, Senator Larry Dickerson continually championed the causes of greater education opportunities, better roads, and improved health care for all Oklahomans; and

WHEREAS, even in the face of adversity, his sense of duty and loyalty to this state was exhibited by his continued presence and exemplary work up to the day of his passing; and

WHEREAS, Senator Larry Dickerson had many personal accomplishments and triumphs, but none measure to the joy, love, and happiness he felt for his wife, Dee Ann, and his son, John Lawrence, with whom he shall one day reunite.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 48TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the bridge spanning the Arkansas River on U.S. Highway 59 be designated the Senator Larry Dickerson Bridge.

THAT the Oklahoma Department of Transportation shall cause permanent suitable markers to be placed upon the bridge bearing the name.

THAT copies of this resolution be distributed to Secretary of Transportation Herschal Crow and Director of Transportation Gary Ridley, to the members of the State Transportation Commission, and to Dee Ann Dickerson.

GENERAL ORDER

HB 2789 by Askins et al of the House and Smith of the Senate was read and considered.

Representative Askins moved to amend **HB 2789** by striking the title, which amendment was declared adopted.

Representative Askins moved that **HB 2789** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Askins, **HB 2789** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2789 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Claunch, Corn, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Gilbert, Gray, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, Perry, Peters, Peterson, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Wright, Mr. Speaker.--76.

Nay: Cargill, Case, Coleman, Covey, Davis, Friskup, Graves, Greenwood, Hiett, Liotta, O'Neal, Paulk, Pettigrew, Phillips, Roberts, Sullivan, Worthen, Young.--18.

Excused: Glover, Morgan, Pope (Tim), Ross, Stanley, Stites.--6.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2789 was referred for engrossment.

GENERAL ORDER

HB 2136 by Wright of the House and Ford of the Senate was read and considered.

Representative McCarter moved to amend **HB 2136** by striking the title, which amendment failed of adoption upon roll call as follows:

Aye: Begley, Erwin, Hutchison, Leist, Mass, Miller (Ray), Plunk, Roan, Smith (Dale), Toure.--10.

Nay: Adkins, Askins, Balkman, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Matlock, McCarter, Miller (Doug), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Pope (Clay), Rice, Roberts, Roggow, Smaligo, Smith (Hopper), Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs,

Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--83.

Excused: Glover, Morgan, Pope (Tim), Roach, Ross, Stanley, Stites.--7.

Vacancy: Dist. 71.--1.

Representative Wright moved that **HB 2136** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wright, **HB 2136** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2136 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Balkman, Benge, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ervin, Ferguson, Friskup, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Mitchell, Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Roach, Roberts, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan, Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--50.

Nay: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Nations, Plunk, Pope (Clay), Rice, Roan, Ross, Smith (Dale), Staggs, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--45.

Excused: Glover, Morgan, Pope (Tim), Stanley, Stites.--5.

Vacancy: Dist. 71.--1.

The measure failed.

Representative Wright served notice to reconsider the vote whereby **HB 2136** failed.

GENERAL ORDER

HB 2662 by Miller (Doug) of the House and Wilkerson of the Senate was read and considered.

Representative Miller (Doug) moved to amend **HB 2662** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Copies for Members)

Representative Miller (Doug) moved that **HB 2662** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Miller (Doug), **HB 2662** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2662 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sullivan, Sweden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Glover, Morgan, Pope (Tim), Stanley, Stites.--5.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2662 was referred for engrossment.

GENERAL ORDER

HB 2689 by Braddock et al of the House and Herbert of the Senate was read and considered.

Coauthored by Representative(s) O'Neal

Representative Braddock moved to amend **HB 2689** by striking the title, which amendment was declared adopted.

Representative Braddock moved that **HB 2689** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2689** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2689 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Glover, Morgan, Pope (Tim), Stanley, Stites.--5.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2689 was referred for engrossment.

GENERAL ORDER

HB 2113 by Braddock of the House and Capps of the Senate was read and considered.

Coauthored by Representative(s) Deutschendorf

Representative Braddock moved that **HB 2113** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2113** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2113 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Excused: Cargill, Eddins, Glover, Morgan, Perry, Pope (Tim), Stanley, Stites.--8.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2113 was referred for engrossment.

GENERAL ORDER

HB 2884 by Ferguson of the House and Milacek of the Senate was read and considered.

Coauthored by Representative(s) Ingmire, DeWitt, Roggow, O'Neal

Representative Ferguson moved to amend **HB 2884** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Copies for Members)

Representative Ferguson moved to amend the floor substitute by striking the title, which amendment was declared adopted.

Representative Ferguson moved that **HB 2884** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ferguson, **HB 2884** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2884 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Balkman, Bengé, Calvey, Cargill, Claunch, Coleman, Corn, Cox, Dank, Davis, DeWitt, Dunegan, Ervin, Ferguson, Fields, Friskup, Gilbert, Graves, Greenwood,

Hastings, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Leist, Liotta, Miller (Doug), Nance, Newport, O'Neal, Perry, Peters, Peterson, Phillips, Piatt, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan, Sweeden, Taylor, Tibbs, Vaughn, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--60.

Nay: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Covey, Deutschendorf, Easley, Ericson, Erwin, Gray, Hefner, Kirby, Langmacher, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Pettigrew, Plunk, Ross, Smith (Dale), Staggs, Toure, Turner, Tyler, Walker.--33.

Excused: Case, Eddins, Glover, Morgan, Pope (Tim), Stanley, Stites.--7.

Vacancy: Dist. 71.--1.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Adkins, Balkman, Bengel, Benson, Calvey, Cargill, Case, Claunch, Coleman, Corn, Cox, Dank, Davis, DeWitt, Dunegan, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Greenwood, Hastings, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Leist, Liotta, Maddux, Mass, Matlock, Miller (Doug), Miller (Ray), Nance, Newport, O'Neal, Perry, Peters, Peterson, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Hopper), Staggs, Steele, Sweeden, Taylor, Tibbs, Toure, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--71.

Nay: Askins, Begley, Blackburn, Bonny, Braddock, Covey, Deutschendorf, Easley, Gray, Hefner, Kirby, Langmacher, Lindley, McCarter, Mitchell, Nations, Paulk, Pettigrew, Ross, Smith (Dale), Sullivan, Turner, Tyler.--23.

Excused: Eddins, Glover, Morgan, Pope (Tim), Stanley, Stites.--6.

Vacancy: Dist. 71.--1.

The emergency passed.

HB 2884 was referred for engrossment.

GENERAL ORDER

HB 1989 by Begley of the House and Henry of the Senate was read and considered.

Representative Begley moved that **HB 1989** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Begley, **HB 1989** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1989 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Excused: Eddins, Glover, Morgan, Phillips, Pope (Tim), Stanley, Stites.--7.

Vacancy: Dist. 71.--1.

The measure passed.

HB 1989 was referred for engrossment.

GENERAL ORDER

HB 1980 by Leist of the House and Easley of the Senate was read and considered.

Representative Wright moved to amend **HB 1980**, Page 2, Section 1, Line 22 by restoring the stricken language "Waste management" and by striking the new language "Land protection".

Representative Leist moved to table the Wright amendment, which tabling motion prevailed upon roll call as follows:

Aye: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Case, Corn, Covey, Cox, Deutschendorf, Dunegan, Easley, Ervin, Erwin, Fields, Gilbert, Gray, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nations, Paulk, Plunk, Pope (Clay), Rice, Roan, Roberts, Ross, Smith (Dale), Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--48.

Nay: Adkins, Balkman, Benge, Calvey, Cargill, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Friskup, Graves, Greenwood, Hiatt, Ingmire, Jones, Liotta, Maddux,

Miller (Doug), Nance, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan, Tibbs, Vaughn, Webb, Wilt, Winchester, Worthen, Wright, Young.--42.

Excused: Eddins, Ferguson, Glover, Hastings, Morgan, Pope (Tim), Roach, Staggs, Stanley, Stites.--10.

Vacancy: Dist. 71.--1.

Representative Leist moved that **HB 1980** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Leist, **HB 1980** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1980 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Begley, Benson, Blackburn, Bonny, Braddock, Case, Corn, Covey, Cox, Davis, Deutschendorf, Dunegan, Easley, Ervin, Erwin, Fields, Friskup, Gilbert, Graves, Gray, Hastings, 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, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Mr. Speaker.--58.

Nay: Adkins, Balkman, Benge, Calvey, Cargill, Claunch, Coleman, Dank, DeWitt, Ericson, Ferguson, Greenwood, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Nance, Newport, O'Neal, Perry, Peterson, Phillips, Piatt, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan, Tibbs, Vaughn, Winchester, Worthen, Wright, Young.--36.

Excused: Eddins, Glover, Morgan, Pope (Tim), Stanley, Stites.--6.

Vacancy: Dist. 71.--1.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Corn, Covey, Cox, Davis, Deutschendorf, DeWitt, Dunegan, Ericson, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Peters, Peterson, Pettigrew, Phillips, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sweeden, Tibbs,

Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--78.

Nay: Bengé, Claunch, Coleman, Dank, Greenwood, Miller (Doug), Perry, Piatt, Sullivan, Toure, Vaughn, Wright.--12.

Excused: Easley, Eddins, Ervin, Glover, Hastings, Morgan, Pope (Tim), Stanley, Stites, Taylor.--10.

Vacancy: Dist. 71.--1.

The emergency passed.

HB 1980 was referred for engrossment.

RECONSIDERATION

Representative Nance moved to reconsider the vote whereby **HB 2630** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Balkman, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--86.

Nay: Begley, Coleman, Graves, Roberts, Toure, Wells.--6.

Excused: Eddins, Glover, Hastings, Morgan, Phillips, Pope (Tim), Stanley, Stites.--8.

Vacancy: Dist. 71.--1.

Upon unanimous consent request of Representative Nance, **HB 2630** was rereferred to the Appropriations and Budget Committee.

RESOLUTIONS

The following were introduced and read:

HCR 1052 – By O'Neal.

A Concurrent Resolution relating to certain legislation enacted during the 2nd Regular Session of the 47th Oklahoma Legislature and the 1st Extraordinary Session of the 47th

Oklahoma Legislature; making findings regarding certain civil action; requesting parties to provide basis for certain judicial determination; and directing distribution.

HCR 1053 – By Covey of the House and Muegge of the Senate.

A Concurrent Resolution declaring March 20, 2002, to be Ag Day in Oklahoma; memorializing the Oklahoma citizens to recognize the importance of agriculture; and directing distribution.

MESSAGES FROM THE SENATE

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

SB 815 – By Rabon of the Senate and Erwin of the House.
[schools – minute of silence – codification]

SB 840 – By Mickle, Crutchfield and Morgan of the Senate and Dunegan of the House.
[revenue and taxation - ad valorem tax exemptions – modifications – emergency]

SB 866 – By Pruitt of the Senate and Askins of the House.

An Act relating to insurance; amending 36 O.S. 2001, Sections 6001 and 6001.1, which relate to group insurance; providing exception from prohibition against fictitious group insurance arrangements; clarifying language; allowing two or more business entities to form group for purchase of workers' compensation insurance; requiring approval of group by Insurance Commissioner; stating powers of and requirements for groups; requiring adoption of plan of operation and specifying contents; defining term; and providing an effective date.

SB 871 – By Easley of the Senate and Rice of the House.
[revenue and taxation - gross production taxes - clarifying references - effective date]

SB 880 – By Easley of the Senate and Rice of the House.
[electric restructuring - Joint Electric Utility Task Force - emergency]

SB 916 – By Easley of the Senate and Easley of the House.

An Act relating to counties and county officers; amending 11 O.S. 2001, Section 44-110, which relates to appeals from the board of adjustment; authorizing certain persons to appeal to the commission or council that has jurisdiction over certain territory affected by proposed improvement; making language gender neutral; stating that decision is final; authorizing an appeal to district court; providing an effective date; and declaring an emergency.

SB 937 – By Shurden of the Senate and Smith (Dale) of the House.

An Act relating to fish and game; amending 29 O.S. 2001, Section 4-114, which relates to hunting and fishing licenses; increasing fee for certain hunting and fishing licenses; and providing an effective date.

SB 945 – By Easley of the Senate and Hefner of the House.

[agriculture - creating Market Inspection and Rural Theft Act - effective date]

SB 1225 – By Dunlap of the Senate and Morgan of the House.

An Act relating to state government; amending 74 O.S. 2001, Section 500.20, which relates to travel reimbursement; extending certain reimbursement provisions to the Governor's personal assistant; and declaring an emergency.

SB 1236 – By Morgan of the Senate and Roberts of the House.

An Act relating to state employees; amending 47 O.S. 2001, Section 156.1, which relates to use of state-owned motor vehicles; clarifying language; expanding exception to criminalists; amending 47 O.S. 2001, Section 2-300, which relates to the Oklahoma Law Enforcement Retirement System; expanding definition of members; clarifying language; providing an effective date; and declaring an emergency.

SB 1291 – By Robinson of the Senate and Staggs of the House.

[revenue and taxation - credit against income taxes -certain years - codification - effective date]

SB 1306 – By Easley of the Senate and Glover of the House.

An Act relating to water permits; amending 82 O.S. 2001, Section 1020.11a, which relates to permits for swine feeding operations; providing for transfer of permits under certain conditions; stating conditions; and declaring an emergency.

SB 1323 – By Easley and Littlefield of the Senate and Hutchison of the House.

[Grand River Dam Authority Lakes Advisory Commission - modifying membership - emergency]

SB 1341 – By Pruitt of the Senate and Nance of the House.

[revenue and taxation - sales tax exemptions - effective date – emergency]

SB 1370 – By Shurden of the Senate and Leist of the House.

An Act relating to fish and game; amending 29 O.S. 2001, Sections 4-112 and 7-502, which relate to hunting licenses and possession of wildlife; creating a nonresident antlerless and antlered deer hunting license; creating a nonresident antlerless hunting license; establishing certain fee; modifying certain exception; and providing an effective date.

SB 1423 – By Shurden of the Senate and Erwin and Leist of the House.

[crimes and punishments - gun buy-back programs – prohibition - effective date]

SB 1432 – By Snyder of the Senate and Fields of the House.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 1000.4, 1000.5, 1683, 1688 and 1850.4, which relate to the Construction Industries Board; authorizing the Board to take certain actions; authorizing imposition of fees; authorizing access by building and construction inspectors; clarifying Construction Industries Board authority to take certain actions; modifying membership of Committee of Electrical Examiners; modifying time frame for renewal of license under Electrical License Act; modifying appointment authority for Committee of Mechanical Examiners; providing for codification; and providing an effective date.

SB 1445 – By Leftwich of the Senate and Nance of the House.

[counties and county officers - directing funding from grants to go directly into the sheriff's general revenue fund - effective date - emergency]

SB 1580 – By Cain of the Senate and Benson of the House.

An Act relating to The Governmental Tort Claims Act; amending 51 O.S. 2001, Section 152, which relates to definitions; modifying definition to clarify language; providing an effective date; and declaring an emergency.

SB 1613 – By Robinson of the Senate and Benson of the House.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 5024, which relates to incorporated physician providers income deferral programs; permitting adoption of certain plan related to investment of deferral amounts in life insurance or annuity contracts; providing limitation; and declaring an emergency.

SB 1628 – By Williams, Milacek, Coffee, Herbert and Monson of the Senate and Vaughn, Paulk, Leist, Roach and Sullivan of the House.

[public health and safety - Oklahoma Organ Donor Education and Awareness Program - effective date]

SB 1634 – By Williams of the Senate and Nations of the House.

[schools- resident teachers - low-performing or high challenge schools – codification - effective date - emergency]

SB 1643 – By Wilkerson of the Senate and Askins of the House.

[crimes and punishments and occupations - embezzled or stolen property – pawnbrokers - effective date – emergency]

SB 1645 – By Monson of the Senate and Mitchell of the House.

[public health and safety - Oklahoma Medicaid Accountability and Outcomes Act - codification - emergency]

SB 1655 – By Pruitt of the Senate and Winchester of the House.

An Act relating to poor persons; requiring the Oklahoma Health Care Authority Board to amend the state Medicaid program to provide certain coverage for eligible participants; specifying benefits for inclusion and providing limit; prohibiting coverage as substitution for private health insurance; stating sources of health care benefits; requiring submission of

waiver application and promulgation of rules; defining term; specifying method for determining whether insurance is cost-effective; requiring the Authority to contribute to the cost of insurance for certain eligible dependent children; requiring participants to apply for full premium contribution available from employees; providing for coverage under the state Medicaid program for specified time period; providing for codification; and providing an effective date.

SB 1657 – By Cain and Williams of the Senate and Gilbert of the House.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-1918, which relates to nursing home patient rights and responsibilities; expanding resident's rights and responsibilities; and providing an effective date.

SB 1660 – By Cain of the Senate and Gilbert of the House.

[poor persons - Temporary Assistance for Needy Families (TANF) Program – effective date]

SB 1661 – By Cain of the Senate and Blackburn of the House.

An Act relating to children; amending 10 O.S. 2001, Sections 7003-4.7, 7003-5.6, 7003-5.6d and 7209, which relate to the Oklahoma Children's Code; expanding circumstances and specifying time frames under which a district attorney is required to file a petition for termination of parental rights; modifying time frame for judicial review of case of child alleged or adjudicated to be deprived; clarifying time frames within which the court shall conduct a permanency hearing on behalf of a child; requiring written permanency decisions in accordance with the health, safety or welfare and long-term best interests of the child; requiring a determination of the most suitable permanency plans based on specified factors; requiring certain judicial determinations; requiring approval of a plan for guardianship or kinship guardianship; specifying contents of certain order; requiring court to enter certain order; specifying conditions and terms under which the Department of Human Services may place a child in an emergency situation; and providing an effective date.

SB 1674 – By Williams of the Senate and Deutschendorf of the House.

[public health and safety - Oklahoma Health Care Authority - reward and reimburse facilities - effective date]

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 56 – By Muegge and Capps of the Senate and Pope (Clay) of the House.

A Concurrent Resolution finding the winter ice storm that hit the state to be of such magnitude that state and local governments are unable to match federal funds; requesting the Federal Emergency Management Agency (FEMA) to fund 100% of Category A and B storm-related damage; and directing distribution.

Returning engrossed measure, as amended

Announcing the passage of and returning engrossed measure as amended: **HB 2536**, Coauthored by Senators Morgan, Henry, Williams, Smith, Nichols, Reynolds .

Senate amendments were read on the above numbered measure.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 2743** failed.

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Monday, March 18, 2002, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 10:50 a.m., to reconvene Monday, March 18, 2002, at 10:00 a.m.

COMMUNICATION

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

STATE OF OKLAHOMA
OFFICE OF STATE FINANCE

February 19, 2002

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

Members of the Board:

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

...Not more than forty-five (45) days or less than thirty-five (35) days prior to the convening of each regular session of the Legislature, the State Board of Equalization shall certify the total amount of revenue which accrued during the last preceding fiscal year to the General Revenue Fund and to each special Revenue Fund appropriated directly by the Legislature, and further certify amounts available for appropriation which shall be based on a determination, in accordance with the procedure hereinafter provided, of the revenues to be received by the state under the laws in effect at the time such determination is made, for the next ensuing fiscal year, showing separately the revenue to accrue to the credit of each such fund, appropriated directly by the Legislature.

Amounts certified as available for appropriation from each fund, as herein before provided shall be ninety-five percent (95%) of an itemized estimate made by the State Board of Equalization, which shall include all sources of revenue to each fund for the next ensuing fiscal year, provided, however, appropriated federal funds shall be certified for the full amount of the estimate. Said estimate shall consider any increase or decline in revenues that would result from predictable changes in the economy...

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

Very truly yours,

/s/ Tom Daxon
Director of State Finance