

Thirty-fifth Legislative Day

Thursday, April 4, 2002

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

The roll was called with 99 Members present.

The following Member was excused: Stanley.—1.

Vacancy: Dist. 71.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Richard McClure, First Baptist Church, Garvin.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 950, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1319, 1395, 1420 and 1661 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

INTRODUCTION AND REMARKS

Representatives Deutschendorf and Nance introduced Neal Bush, CEO of IGNITE and brother of the President of the United States, George W. Bush. Mr. Bush addressed the House of Representatives and upon unanimous consent request of Representative Deutschendorf, his remarks were ordered printed in full as follows:

Thank you gentlemen. Thank you very much John and Abe and Mr. Speaker. Thank you for letting me be here. In the words of Elizabeth Taylor to her seventh husband, AI won=t keep you long.@

I just wanted to share, on behalf of my brother and our family, the feeling of great warmth we all have for the way this country has unified in our effort to fight evil. My brother has done his share. It is not a partisan thing. This is a thing that has unified our country. Republicans and Democrats, Oklahomans especially, have rallied and I appreciate it as an American and I just want to extend my words of gratitude.

I also want to applaud you for being a state that is recognized - I happen to be in the education business - that is recognized around the country for your leadership in the field of education. The Vision Program you are pursuing here and the care and concern you have for kids resonates well all over the country.

As one last bit of commentary, I would like to ask you, as you consider issues related to kids, to consider the fact that all kids are gifted. That every kid can learn. There is a lot of information out there about how children learn and I would suggest that the next wave of reform and the next wave of activity be centered on how to stimulate that incredible mind that God gifted every kid to enjoy.

So thank you again from the bottom of my heart for what you are doing for children in this great state and thank you for your support of my brother in this great time of need.

Bless you all.

PERSONAL PRIVILEGE

Representative Cox made the following remarks to the House of Representatives and upon unanimous consent request, the remarks were ordered printed in full as follows:

Thank you Mr. Speaker, members of the House. I would like to announce that 34 years ago today, my senior year in high school and during track season that year, Dr. Martin Luther King, Jr. was assassinated. I remember so well how I felt as a young member of the African American race that perhaps the greatest American Civil Rights leader was taken from us.

I want to make this observation today and ask by unanimous consent that my comments be placed in the Journal. Today we have a variety of young people in the gallery and we also honored the people of Scottish heritage. Dr. King's only motive was to try to unite all races together in a nonviolent manner.

I visited Memphis, Tennessee, the Lorraine Motel, before it was transformed into a memorial. It was an eerie feeling to stand right where Dr. Martin Luther King was standing when he was cut down in the prime of his life and taken away from his family. I have visited the memorial and the very room Dr. Martin Luther King stayed in is now a memorial in almost the same condition as it was the day he was assassinated. I want to bring this moment to the House of Representatives that 34 years ago today, Dr. Martin Luther King, Jr. was assassinated.

Thank you.

MOTION

Representative Balkman asked that the Journal reflect that had he been present in the Chamber on Wednesday, April 3, 2002, he would have voted aye on **SBs 950, 1319, 1366, 1395, 1420, 1527** and **1661**, which was the order.

GENERAL ORDER

SB 1312 by Easley of the Senate and Rice of the House was read and considered.

Coauthored by Representative(s) Hilliard, Pope (Clay), Glover, Benson

Representative Rice moved that **SB 1312** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Rice, **SB 1312** was placed on Third Reading and Final Passage.

THIRD READING

SB 1312 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, Glover, Graves, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Hopper), Staggs, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Gray, Smith (Dale), Stanley.--3.

Constitutional Priv: Matlock.--1.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1312** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1521 by Leftwich et al of the Senate and Nance et al of the House was read and considered.

Representative Toure moved to amend **SB 1521** by adding a new Section 3 to read as follows and renumbering subsequent section, which amendment was declared adopted upon a division of the question:

“SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 18-202 of Title 70, unless there is created a duplication in numbering, reads as follows:

Each school district with an average daily membership of thirty thousand (30,000) or more receiving State Aid funds generated by the economically disadvantaged weight pupil category calculation as provided for in Section 18-201.1 of Title 70 of the Oklahoma Statutes, shall annually submit a report to the State Department of Education outlining how the funds received during the previous fiscal year were distributed and expended. The report shall include, but not be limited to, an accounting of the amount of funds distributed to each school site in the district, the percentage of economically disadvantaged students at each school site, and a description of the programs or services funded at each school site which are provided to address the specific needs of economically disadvantaged students including, but not limited to, remediation programs, before and after school programs, and tutoring services. The State Board of Education shall withhold from a school district any State Aid funds generated by the economically disadvantaged weight if the district fails to submit an annual report.”

Representative Nance moved that **SB 1521** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **SB 1521** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1521 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, 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), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Hopper), Staggs, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--97.

Excused: Smith (Dale), Stanley, Worthen.--3.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

SB 1521 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 61 – By Wilkerson of the Senate and Dunegan of the House.

A Concurrent Resolution directing the Oklahoma Sentencing Commission and the Oklahoma Criminal Justice Resource Center to identify certain persons having certain criminal sentences; directing the Oklahoma Sentencing Commission to make certain recommendations to the Legislature for certain persons; and directing distribution.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 1366** and **1527**.

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

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

HCR 1055 – Appropriations and Budget, Authored by Senator Morgan (principal Senate author)

SB 650 – Judiciary

SB 834 – Revenue and Taxation

SB 928 – Public Health

SB 947 – Revenue and Taxation, Coauthored by Representative(s) Adair, Hilliard, Askins, Blackburn, Bonny, Covey, Matlock, Mitchell, Roach, Braddock

SB 971 – Revenue and Taxation

SB 1233 – Government Operations and Agency Oversight

SB 1240 – Government Operations and Agency Oversight
SB 1253 – Revenue and Taxation
SB 1281 – Revenue and Taxation
SB 1285 – Transportation
SB 1286 – Revenue and Taxation
SB 1327 – Government Operations and Agency Oversight
SB 1371 – Transportation
SB 1377 – Government Operations and Agency Oversight
SB 1413 – Revenue and Taxation
SB 1438 – Rules
SB 1447 – Revenue and Taxation
SB 1448 – Revenue and Taxation
SB 1484 – Government Operations and Agency Oversight
SB 1507 – Public Health
SB 1542 – Public Health
SB 1544 – Transportation
SB 1583 – Appropriations and Budget
SB 1600 – Rules
SB 1657 – Human Services
SJR 32 – Revenue and Taxation

DO PASS, As Amended:

CS for SB 563 – Appropriations and Budget, Remove as coauthor Representative(s) Eddins, and Remove Representative Leist as principal House author and substitute with Representative Eddins, and Coauthored by Representative(s) Leist
CS for SB 732 – Human Services
CS for SB 815 – Rules, Remove Representative Erwin as principal House author and substitute with Representative Roach, and Coauthored by Representative(s) Erwin
CS for SB 820 – Human Services
CS for SB 826 – Rules
CS for SB 867 – Rules
CS for SB 872 – Revenue and Taxation
CS for SB 932 – Appropriations and Budget
CS for SB 934 – Appropriations and Budget, Coauthored by Representative(s) Begley, Ferguson, Staggs, Easley
CS for SB 975 – Public Health
CS for SB 1222 – Appropriations and Budget
CS for SB 1232 – Government Operations and Agency Oversight
CS for SB 1243 – Government Operations and Agency Oversight
CS for SB 1247 – Appropriations and Budget
CS for SB 1293 – Appropriations and Budget

CS for SB 1307 – Environment and Natural Resources
CS for SB 1309 – Environment and Natural Resources
CS for SB 1326 – Rules
CS for SB 1329 – Human Services
CS for SB 1350 – Rules, Coauthored by Senator(s) Monson
CS for SB 1358 – Government Operations and Agency Oversight
CS for SB 1361 – Appropriations and Budget
CS for SB 1363 – Appropriations and Budget, Coauthored by Senator(s) Monson
CS for SB 1364 – Government Operations and Agency Oversight
CS for SB 1368 – Appropriations and Budget
CS for SB 1384 – Government Operations and Agency Oversight
CS for SB 1385 – Government Operations and Agency Oversight
CS for SB 1410 – Environment and Natural Resources
CS for SB 1468 – Appropriations and Budget
CS for SB 1516 – Appropriations and Budget
CS for SB 1517 – Appropriations and Budget
CS for SB 1534 – Transportation
CS for SB 1560 – Human Services
CS for SB 1623 – Transportation
CS for SB 1627 – Appropriations and Budget
CS for SB 1628 – Common Education
CS for SB 1632 – Appropriations and Budget
CS for SB 1635 – Public Health
CS for SB 1645 – Appropriations and Budget
CS for SB 1649 – Public Health
CS for SB 1655 – Appropriations and Budget
CS for SB 1664 – Appropriations and Budget
CS for SB 1671 – Human Services
CS for SB 1677 – Human Services
CS for SB 1679 – Appropriations and Budget

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 8, 2002, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 9:45 a.m., to reconvene Monday, April 8, 2002, at 1:30 p.m.