

## **Fourth Legislative Day**

**Thursday, February 7, 2002**

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

The roll was called with 97 Members present.

The following Members were excused: Ericson, Miller (Ray), Ross.—3.

Vacancy: Dist. 71.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Jeff Zurheide, First Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

### **RESOLUTIONS REFERRED**

The following were withdrawn from the Calendar and referred to committee:

**HCR 1045** – Appropriations and Budget

**HCR 1047** – Appropriations and Budget

### **MESSAGES FROM THE SENATE**

Announcing the passage of **HB 1292**.

The above-numbered measure was referred for enrollment.

**Transmitting engrossed measures**

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

**SB 1486** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to education; making an appropriation to the State Board of Education for the financial support of public schools; authorizing expenditures from the Common Education Technology Revolving Fund for the financial support of public schools; making an appropriation to the State Board of Education for the financial support of public schools; making an appropriation to the State Board of Education for the Instructional, Cooperative and Technological Education program; directing expenditure of funds for Instructional, Cooperative and Technological Education programs; directing expenditure of staff development funds; directing the State Board of Education to disburse state funds to school districts for textbook allocations based on certain criteria; setting budgetary limitations for the Oklahoma School for Science and Mathematics; requiring performance measures; providing for duties and compensation of employees; setting FTE limits for the Oklahoma School for Science and Mathematics; setting budget limits on the executive director's salary and FTE limits for the Oklahoma Department of Career and Technology Education; providing for duties and compensation of employees of the Oklahoma Department of Career and Technology Education; limiting the salary of the director; authorizing expenditures by the Commissioners of the Land Office for construction; setting budgetary limitations for the Oklahoma Commission for Teacher Preparation; setting budgetary limitations for the Oklahoma Board of Private Vocational Schools; requiring performance measures; making an appropriation to the Oklahoma State Regents for Higher Education for duties imposed by the constitution; specifying purposes; authorizing expenditures from the Oklahoma Tuition Scholarship Revolving Fund and the Higher Education Capital Revolving Fund; making appropriations to the State Regents for Higher Education; stating legislative intent; authorizing the Oklahoma State Regents for Higher Education to establish certain lease financing program; limiting transactions for which program may be used; making an appropriation to the Oklahoma Center for the Advancement of Science and Technology for duties imposed upon the Oklahoma Institute of Technology; making an appropriation to the Oklahoma Center for the Advancement of Science and Technology for biomedical research services; providing exemption from budgetary limitations; providing for limitation on encumbrances; providing lapse dates; requiring and prohibiting certain budget procedures; repealing 70 O.S. 2001, Section 16-114 (Section 6, Chapter 433, O.S.L. 2001), which relates to textbook allocations for school districts; repealing 70 O.S. 2001, Section 3206.5 (Section 16, Chapter 433, O.S.L. 2001), which relates to higher education leasing; repealing Section 1, Chapter 302, O.S.L. 2001, as amended by Section 11, Chapter 433, O.S.L. 2001, which relates to higher education funding; repealing Section 12, Chapter 433, O.S.L. 2001, which relates to expenditure authorization for the Oklahoma State Regents for Higher Education; repealing Section 13, Chapter 433, O.S.L. 2001, which relates to expenditure authorization for the Oklahoma State Regents for Higher Education; repealing Section 14, Chapter 433, O.S.L. 2001, which relates to appropriations to the Oklahoma State Regents for Higher Education; repealing Section 15, Chapter 433, O.S.L. 2001, which relates to appropriations to the Oklahoma State Regents for Higher Education; repealing Section 1, Chapter 416, O.S.L. 2001, as amended by Section 1, Chapter 433,

O.S.L. 2001, which relates to appropriations for the State Board of Education; repealing Section 37, Chapter 416, O.S.L. 2001, as amended by Section 4, Chapter 433, O.S.L. 2001, which relates to budget expenditures for the Instructional, Cooperative and Technological Education program; repealing Section 38, Chapter 416, O.S.L. 2001, which relates to funding for education program; repealing Section 61, Chapter 416, O.S.L. 2001, as amended by Section 7, Chapter 433, O.S.L. 2001, which relates to budget limits for the Oklahoma School for Science and Mathematics; repealing Section 62, Chapter 416, O.S.L. 2001, as amended by Section 8, Chapter 433, O.S.L. 2001, which relates to FTE limits for the Oklahoma School for Science and Mathematics; repealing Section 76, Chapter 416, O.S.L. 2001, as amended by Section 9, Chapter 433, O.S.L. 2001, which relates to salary and FTE limits for the Oklahoma Department of Career and Technology Education; repealing Section 66, Chapter 416, O.S.L. 2001, as amended by Section 19, Chapter 433, O.S.L. 2001, which relates to budget limits for the Oklahoma Commission for Teacher Preparation; repealing Section 2, Chapter 433, O.S.L. 2001, which relates to expenditure authorization for the State Board of Education; repealing Section 3, Chapter 433, O.S.L. 2001, which relates to appropriations to the State Board of Education; repealing Section 5, Chapter 433, O.S.L. 2001, which relates to expenditures in professional development programs for the State Board of Education; repealing Section 10, Chapter 433, O.S.L. 2001, which relates to OCAST funding; repealing Section 21, Chapter 433, O.S.L. 2001, which relates to appropriations to the Oklahoma Center for the Advancement of Science and Technology; repealing Section 18, Chapter 433, O.S.L. 2001, which relates to expenditure authorization to the Commissioners of the Land Office; repealing Section 20, Chapter 433, O.S.L. 2001, which relates to appropriations to the State Board of Education; repealing Section 25, Chapter 417, O.S.L. 2001, as amended by Section 17, Chapter 433, O.S.L. 2001, which relates to the Oklahoma Board of Private Vocational Schools; providing for codification; and declaring an emergency.

**SB 1487** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to health; requiring a transfer of funds within the J.D. McCarty Center for Children with Developmental Disabilities; specifying purpose; making an appropriation to the State Department of Health; stating purpose; authorizing certain expenditures for certain purposes; requiring budgeting in certain categories and amounts; requiring certain transfers; stating purposes; creating the Eldercare Revolving Fund; restricting use of certain monies; requiring certain expenditures; specifying purposes; making appropriations to the Oklahoma Health Care Authority; stating purposes; authorizing certain expenditures; providing for duties and compensation of employees; limiting salary of the Administrator; authorizing payment of certain expenses; authorizing the employing of certain attorneys; providing certain exceptions; providing budgetary limitations; making an appropriation to the University Hospitals Authority; stating purpose; making appropriations to the Department of Mental Health and Substance Abuse Services; stating purpose; requiring certain transfers; requiring budgeting in certain categories and amounts; stating legislative intent; requiring certain report; making an appropriation to the Department of Mental Health and Substance Abuse Services for the purpose of contractual services; providing for the responsibility of medical and surgical care of inmates of the Department of Corrections; providing for the transportation of inmates; providing that specific services be without cost to the Department of Corrections; making certain appropriations nonfiscal; providing exceptions to budgetary limitations; providing lapse dates; requiring certain budget procedures; prohibiting certain budget procedures; repealing Section 32, Chapter 433,

O.S.L. 2001, Section 7, Chapter 217, O.S.L. 2001, as amended by Section 33, Chapter 433, O.S.L. 2001, Section 10, Chapter 217, O.S.L. 2001, as amended by Section 34, Chapter 433, O.S.L. 2001, Section 18, Chapter 217, O.S.L. 2001, as amended by Section 35, Chapter 433, O.S.L. 2001, Section 36, Chapter 433, O.S.L. 2001, 63 O.S. 2001, Section 1-107.1 (Section 37, Chapter 433, O.S.L. 2001), Section 39, Chapter 433, O.S.L. 2001, Section 40, Chapter 433, O.S.L. 2001, Section 98, Chapter 6, O.S.L. 2001, as amended by Section 53, Chapter 433, O.S.L. 2001, Section 100, Chapter 6, O.S.L. 2001, as amended by Section 54, Chapter 433, O.S.L. 2001, Section 101, Chapter 6, O.S.L. 2001, as amended by Section 55, Chapter 433, O.S.L. 2001, Section 3, Chapter 217, O.S.L. 2001, as amended by Section 56, Chapter 433, O.S.L. 2001, Section 57, Chapter 433, O.S.L. 2001, Section 34, Chapter 217, O.S.L. 2001, as amended by Section 58, Chapter 433, O.S.L. 2001, Section 42, Chapter 433, O.S.L. 2001, Section 90, Chapter 6, O.S.L. 2001, as amended by Section 43, Chapter 433, O.S.L. 2001, Sections 44 and 45, Chapter 433, O.S.L. 2001, Section 27, Chapter 217, O.S.L. 2001, as amended by Section 46, Chapter 433, O.S.L. 2001, Section 30, Chapter 217, O.S.L. 2001, as amended by Section 47, Chapter 433, O.S.L. 2001, Section 48, Chapter 433, O.S.L. 2001, 43A O.S. 2001, Section 3-701 (Section 51, Chapter 433, O.S.L. 2001), which relate to health services; providing for codification; providing for noncodification; and declaring an emergency.

**SB 1488** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to social services; providing for budgetary limitations for the Oklahoma Commission on Children and Youth; requiring performance measures; exempting certain funds from expenditure limitations; making an appropriation to the Office of Juvenile Affairs for the purpose of increasing contractual responsibilities relating to public safety; requiring budgeting in certain categories and amounts; requiring performance measures; requiring funds specifically appropriated for Youth Services Agency programs to be made available through certain contracting procedures; providing criteria and procedure for designation of Youth Services Agencies; designating the Department of Juvenile Justice as the sole administrator of Youth Services Agency contracts; requiring a cooperative agreement between the Department of Juvenile Justice and the Department of Human Services; authorizing specific contracts between the Office of Juvenile Affairs and the Oklahoma Association of Youth Services; making an appropriation to the Department of Rehabilitation Services for the purpose of health and medical assistive technology; modifying certain budgetary categories and amounts; making an appropriation to the Department of Human Services for the purpose of education-related after school services; requiring budgeting in certain categories and amounts; exempting certain funds from expenditure limitations; making an appropriation to the Department of Human Services; stating purpose; providing for limitation on encumbrances; requiring and prohibiting certain budget practices; providing lapse dates; providing for codification; repealing Section 2, Chapter 228, O.S.L. 2001, as amended by Section 52, Chapter 433, O.S.L. 2001, Section 15, Chapter 229, O.S.L. 2001, as amended by Section 60, Chapter 433, O.S.L. 2001, Section 17, Chapter 395, O.S.L. 2000, as amended by Section 62, Chapter 433, O.S.L. 2001, 10 O.S. 2001, Section 7302-3.6 (Section 64, Chapter 433, O.S.L. 2001), and Sections 61, 63 and 103, Chapter 433, O.S.L. 2001; and declaring an emergency.

**SB 1489** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to public safety; authorizing the Council on Law Enforcement Education and Training to enter into lease-purchase agreements for certain facilities; making an appropriation to the Department of Public Safety; stating purpose; requiring certain expenditure by the Department of Public Safety; limiting certain expenditure by the Department of Public Safety; authorizing a patrol academy and specifying minimum participation; authorizing the Department of Public Safety to expend certain funds for specific purposes; authorizing the State Fire Marshal to employ certain personnel; providing exemption from Merit System of Personnel Administration; making an appropriation to the Office of State Fire Marshal; stating purpose; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 4, Chapter 316, O.S.L. 2000, as amended by Section 73, Chapter 433, O.S.L. 2001, Section 23, Chapter 218, O.S.L. 2001, as amended by Section 77, Chapter 433, O.S.L. 2001, Section 25, Chapter 218, O.S.L. 2001, as amended by Section 78, Chapter 433, O.S.L. 2001, Section 24, Chapter 218, O.S.L. 2001, as amended by Section 94, Chapter 433, O.S.L. 2001, and Sections 76, 79, 82 and 83, Chapter 433, O.S.L. 2001, which relate to public safety; providing for noncodification; and declaring an emergency.

**SB 1490** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to the state legal system; requiring the Supreme Court to implement an accounting system for certain information system; requiring certain approval; stating legislative intent for enhanced revenues; making an appropriation to the Supreme Court; stating purpose; requiring the Supreme Court to budget funds for the district courts in certain categories and amounts; limiting compensation of certain district court employees; setting budgetary limitations for the district courts; requiring Supreme Court to budget all funds in certain categories and amounts; making an appropriation to the Oklahoma Indigent Defense System; specifying purpose; requiring the Attorney General to budget funds in certain categories and amounts; requiring the District Attorneys Council to budget funds in certain categories and amounts; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 9, Chapter 291, O.S.L. 2001, as amended by Section 87, Chapter 433, O.S.L. 2001, Section 10, Chapter 291, O.S.L. 2001, as amended by Section 88, Chapter 433, O.S.L. 2001, Section 11, Chapter 291, O.S.L. 2001, as amended by Section 89, Chapter 433, O.S.L. 2001, Section 18, Chapter 291, O.S.L. 2001, as amended by Section 90, Chapter 433, O.S.L. 2001, Section 2, Chapter 432, O.S.L. 2001, as amended by Section 91, Chapter 433, O.S.L. 2001, Section 9, Chapter 432, O.S.L. 2001, as amended by Section 92, Chapter 433, O.S.L. 2001, and Sections 84, 85 and 86, Chapter 433, O.S.L. 2001, which relate to the state legal system; providing for codification; and declaring an emergency.

**SB 1491** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to the state correctional system; authorizing reimbursement to Pardon and Parole Board members for travel expenses; amending 57 O.S. 2001, Section 332.4 (Section 17, Chapter 292, O.S.L. 2001), which relates to the selection of the Chair of the Pardon and Parole Board; making language gender neutral; modifying sentence structure; adding criteria for certain resolution; providing for duties and compensation of employees of the Department of Corrections; limiting the salary of the Director of the Department of Corrections; setting budgetary limitations; repealing 57 O.S. 2001, Section 332.4 (Section

75, Chapter 433, O.S.L. 2001), Section 4, Chapter 292, O.S.L. 2001, as amended by Section 104, Chapter 433, O.S.L. 2001, and Section 74, Chapter 433, O.S.L. 2001, which relate to the state correctional system; providing for codification; and declaring an emergency.

**SB 1492** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to tourism; requiring the Oklahoma Tourism and Recreation Department to budget certain funds in certain categories and amounts; providing for duties and compensation of employees; limiting the salary of the Executive Director; providing budgetary limitations; making filling of certain position contingent on receipt of certain funds; making an appropriation to the Oklahoma Historical Society; specifying purpose; requiring budgeting in certain categories and amounts; requiring performance measures; making appropriations to the J.M. Davis Memorial Commission and the Will Rogers Memorial Commission; specifying purposes; providing for exception to certain budgetary limitations; providing lapse dates; providing for budgeting; requiring procedures; repealing Sections 5, 6 and 7, Chapter 290, O.S.L. 2001, as amended by Sections 65, 66 and 67, Chapter 433, O.S.L. 2001, Sections 1 and 3, Chapter 342, O.S.L. 2001, as amended by Sections 71 and 72, Chapter 433, O.S.L. 2001, and Sections 101 and 102, Chapter 433, O.S.L. 2001, which relate to tourism; and declaring an emergency.

**SB 1493** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to natural resources; making appropriations to the State Department of Agriculture; specifying purposes; requiring the Oklahoma Water Resources Board to budget certain funds in certain categories and amounts; amending 74 O.S. 2001, Section 500.18, as last amended by Section 4, Chapter 355, O.S.L. 2001, which relates to travel reimbursements; authorizing certain travel reimbursements; authorizing certain travel reimbursements for certain agencies; merging duplicate section provisions; providing exception to certain budgetary limitations; providing lapse dates; providing for budgeting; requiring procedures; repealing Sections 1 and 2, Chapter 417, O.S.L. 2001, as amended by Sections 68 and 69, Chapter 433, O.S.L. 2001, and Section 11, Chapter 301, O.S.L. 2001, as amended by Section 70, Chapter 433, O.S.L. 2001, which relate to natural resource appropriations and budgetary limitations; repealing 74 O.S. 2001, Section 500.18 (Section 105, Chapter 433, O.S.L. 2001), which is a duplicate section and which relates to travel reimbursements; and declaring an emergency.

**SB 1494** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to supervision of the electoral process; directing the transfer of certain money previously appropriated to the State Election Board; requiring budgeting in certain categories and amounts; requiring performance measures; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 31, Chapter 433, O.S.L. 2001, which relates to the State Election Board; repealing Section 6, Chapter 268, O.S.L. 2001, as amended by Section 93, Chapter 433, O.S.L. 2001, which relates to the Ethics Commission; and declaring an emergency.

**SB 1495** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to the Department of Central Services; providing for the disposal of certain real property; providing for the disposition of certain monies received; repealing Section 96, Chapter 433, O.S.L. 2001; and declaring an emergency.

**SB 1496** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to the Office of the Governor; making an appropriation to the Office of the Governor; stating purpose of appropriation; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 23, Chapter 433, O.S.L. 2001, which relates to the Office of the Governor; and declaring an emergency.

**SB 1497** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to the Legislative Service Bureau; making an appropriation; stating purpose; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 24, Chapter 433, O.S.L. 2001, which relates to an appropriation to the Legislative Service Bureau; and declaring an emergency.

**SB 1498** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to state finance; making an appropriation to the Office of State Finance; specifying purpose; making an appropriation to the Oklahoma Tax Commission; specifying purpose; requiring budgeting in certain categories and amounts; requiring performance measures; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budgetary practices; repealing Sections 22 and 26, Chapter 433, O.S.L. 2001, and Section 3, Chapter 226, O.S.L. 2001, as amended by Section 27, Chapter 433, O.S.L. 2001, which relate to state finance; and declaring an emergency.

**SB 1499** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to economic development; making appropriations to the Oklahoma Department of Commerce; stating purpose of appropriations; providing exemption from Oklahoma Central Purchasing Act; providing exemption to certain budgetary limitations; providing lapse dates; requiring and prohibiting certain practices; and repealing Sections 28, 29, 30, 97, 98, 99 and 100, Chapter 433, O.S.L. 2001, which relate to economic development.

**SB 1500** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to the Oklahoma Department of Transportation; making an appropriation; stating purpose of appropriation; requiring transfer of certain funds; providing exemption for certain budgetary limitations; providing lapse dates; requiring and prohibiting certain budget practices; repealing Section 80, Chapter 433, O.S.L. 2001, and Section 5, Chapter 345, O.S.L. 2001, as amended by Section 81, Chapter 433, O.S.L. 2001, which relate to Oklahoma Department of Transportation funding; and declaring an emergency.

**SB 1501** – By Haney and Hobson of the Senate and Mass and Bonny of the House.

An Act relating to state employees; providing terminology; providing maximum full-time-equivalent employees for certain state agencies; providing maximum salaries for certain chief executive officers of certain agencies; granting authority to set certain salaries with the Oklahoma Public Employees Retirement System Board of Trustees; providing for treatment of certain employees of the Oklahoma Used Motor Vehicle and Parts

Commission; providing for codification; repealing 74 O.S. 2001, Section 3601 (Section 95, Chapter 433, O.S.L. 2001), which relates to full-time-equivalent employees and chief executive officers; requiring the Oklahoma Merit Protection Commission to budget in certain categories and amounts; requiring performance measures; repealing Section 2, Chapter 227, O.S.L. 2001, as amended by Section 25, Chapter 433, O.S.L. 2001, which relates to the Oklahoma Merit Protection Commission; and declaring an emergency.

## **ENGROSSED AND ENROLLED MEASURES**

**HB 1292** was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **MESSAGE FROM THE SENATE**

Announcing that Enrolled **HB 1292** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

## **COMMITTEE REPORTS**

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

DO PASS:

**HB 2151** – Environment and Natural Resources

**HB 2207** – Career and Technology Education, Coauthored by Representative(s) Askins, Nance, Steele, Turner, Wells, and Authored by Senator Fisher (principal Senate author)

**HB 2264** – Veterans and Military Affairs, Coauthored by Representative(s) Wells, Claunch, Covey, Hilliard, Kirby, McCarter, and Authored by Senator Crutchfield (principal Senate author)

**HB 2330** – Environment and Natural Resources, Authored by Senator Coffee (principal Senate author)

**HB 2367** – Career and Technology Education, Coauthored by Representative(s) Askins, Wells, Staggs, and Authored by Senator Crutchfield (principal Senate author)

**HB 2609** – Career and Technology Education, Coauthored by Representative(s) Wells, Turner, Staggs, Roberts, Adkins, Askins, Nance, Steele, O’Neal, Maddux, and Authored by Senator Milacek (principal Senate author)

DO PASS, As Amended:

**CS for HB 2088** – Revenue and Taxation, Authored by Senator Muegge (principal Senate author)

**CS for HB 2715** – Public Health, Coauthored by Representative(s) Glover, Piatt, and Authored by Senator Robinson (principal Senate author)

**MESSAGE FROM THE GOVERNOR**

Advising of his approval of **HB 1292** on February 7, 2002.

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 11, 2002, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 9:30 a.m., to reconvene Monday, February 11, 2002, at 1:30 p.m.