

## **Fortieth Legislative Day**

**Monday, April 15, 2002**

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

The roll was called with 100 Members present.

The following Member was excused: Ross.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Gregory Riether, Ascension Lutheran Church, Tulsa.

Upon motion of Representative Peters, Pastor Riether was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

### **ENGROSSED AND ENROLLED MEASURES**

**HAs to SBs 1231, 1336, 1458 and 1595** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HBs 2085, 2133, 2163, 2167, 2168, 2196, 2257 and 2301** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

### **MESSAGES FROM THE SENATE**

Announcing the passage of and returning engrossed measures as amended: **HBs 2110**, Coauthored by Representative Mass, **2371** and **2762**.

Senate amendments were read on the above numbered measures.

**Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 981, 1250, 1450, 1553 and 1579**.

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

**Returning enrolled measures**

Announcing that Enrolled **HBs 2085, 2133, 2163, 2167, 2168, 2196, 2257 and 2301** 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.

**Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 66** – By Capps, Price, Cain, Campbell, Coffee, Crutchfield, Douglass, Dunlap, Easley, Fair, Fisher, Ford, Haney, Harrison, Helton, Henry, Herbert, Hobson, Horner, Johnson, Kerr, Laughlin, Leftwich, Littlefield, Maddox, Martin, Mickle, Milacek, Monson, Morgan, Muegge, Nichols, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Stipe, Taylor, Wilcoxson, Wilkerson, Williams and Williamson of the Senate and Bonny and Langmacher of the House.

A Concurrent Resolution urging Congress to quickly pass a Farm Bill; and directing distribution.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2796** were called up for consideration.

Upon motion of Representative Braddock, the House concurred in the **SAs to HB 2796**.

**HB 2796**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adkins, Askins, Balkman, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Ervin, Ferguson, Fields, Gilbert, Graves, Gray, Greenwood, Hefner, Hielt, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Tim), Rice, Roach, Roan, Roberts,

Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites (Chad), Stites (J.T.), Sullivan, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--83.

Nay: Begley, Hilliard, Langmacher, Pope (Clay).--4.

Excused: Easley, Eddins, Ericson, Erwin, Friskup, Glover, Hastings, Miller (Ray), Mitchell, Paulk, Ross, Stanley, Sweeden.--13.

Constitutional Priv: Wilson.--1.

The measure and emergency passed.

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

## GENERAL ORDER

**SB 842** by Herbert of the Senate and Nance of the House was read and considered.

Representative Nance moved that **SB 842** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **SB 842** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 842** 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, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites (Chad), Stites (J.T.), Sullivan, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--90.

Excused: Easley, Ericson, Friskup, Glover, Hastings, Mitchell, Paulk, Phillips, Ross, Stanley, Sweeden.--11.

The measure and emergency passed.

**SB 842** was referred for engrossment.

### **GENERAL ORDER**

**SB 917** by Leftwich of the Senate and Nance of the House was read and considered.

Representative Nance moved that **SB 917** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Nance, **SB 917** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 917** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Balkman, Begley, Bengel, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Eddins, Ervin, Erwin, Ferguson, Fields, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites (Chad), Stites (J.T.), Sullivan, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--88.

Nay: Askins, Gilbert, Toure.--3.

Excused: Easley, Ericson, Friskup, Glover, Hastings, Mitchell, Paulk, Ross, Stanley, Sweeden.--10.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 917** and ordered same returned to the Honorable Senate.

### **GENERAL ORDER**

**SB 1445** by Leftwich of the Senate and Nance of the House was read and considered.

Representative Nance moved that **SB 1445** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **SB 1445** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1445** 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, Eddins, Ervin, Erwin, Ferguson, Fields, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roggow, Smaligo, Smith (Hopper), Staggs, Steele, Stites (Chad), Stites (J.T.), Sullivan, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--87.

Nay: Gilbert, Leist, Roberts, Smith (Dale).--4.

Excused: Easley, Ericson, Friskup, Glover, Hastings, Mitchell, Paulk, Ross, Stanley, Sweeden.--10.

The measure and emergency passed.

**SB 1445** was referred for engrossment.

### **GENERAL ORDER**

**SB 1407** by Rozell of the Senate and Fields of the House was read and considered.

Representative Graves moved to amend **SB 1407**, Page 17, Section 7, Line 20 by inserting after the word "times" and before the comma "," the language "and after reasonable notice to the loading rack operator and importer", which amendment was declared adopted.

Representative Fields moved that **SB 1407** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Fields, **SB 1407** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1407** 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, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Morgan, Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Excused: Easley, Ericson, Friskup, Glover, Hastings, Mitchell, Paulk, Ross, Stanley.--9.

The measure and emergency passed.

**SB 1407** was referred for engrossment.

**GENERAL ORDER**

**SB 1432** by Snyder of the Senate and Fields of the House was read and considered.

Representative Fields moved that **SB 1432** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Fields, **SB 1432** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1432** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Cargill, Case, Claunch, Corn, Covey, Cox, Deutschendorf, DeWitt, Dunegan, Eddins, Ervin, Erwin, Ferguson, Fields, Gilbert, Gray, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Langmacher, Leist, Lindley, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nations, Newport, Phillips, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smith (Dale), Staggs, Stites (J.T.), Sweeden, Taylor, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Mr. Speaker.--62.

Nay: Adkins, Balkman, Calvey, Coleman, Dank, Davis, Graves, Greenwood, Hiett, Jones, Liotta, Maddux, Morgan, Nance, O'Neal, Perry, Peters, Peterson, Pettigrew, Piatt, Smaligo, Smith (Hopper), Steele, Stites (Chad), Sullivan, Tibbs, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--32.

Excused: Easley, Ericson, Friskup, Glover, Paulk, Ross, Stanley.--7.

The measure passed.

**SB 1432** was referred for engrossment.

### GENERAL ORDER

**SB 1259** by Coffee of the Senate and Phillips et al of the House was read and considered.

Representative Phillips moved to amend **SB 1259** by striking the enacting clause, which amendment was declared adopted.

Representative Phillips moved that **SB 1259** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Phillips, **SB 1259** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 1259** 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, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Gilbert, 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, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Easley, Friskup, Glover, Paulk, Ross, Stanley.--6.

The measure and emergency passed.

**SB 1259** was referred for engrossment.

**GENERAL ORDER**

**SB 1418** by Smith of the Senate and Hastings of the House was read and considered.

Representative Hastings moved that **SB 1418** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Hastings, **SB 1418** was placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1418** 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, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Easley, Friskup, Glover, Ross, Vaughn.--5.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1418** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 1434** by Leftwich of the Senate and Winchester of the House was read and considered.

Representative Winchester moved to amend **SB 1434**, Page 3, Section 2, Line 11 by inserting after the period "." and before the word "A" the following language, which amendment was declared adopted:

"To be eligible for a rebate payment, the production company shall provide the name of the completion bond, a copy of the bond, and a copy of the contract between the production company and the principal actors or equivalent proof of completion to ensure a mechanism for the compensation of local vendors. To be eligible for a rebate payment, the minimum

budget for the film shall be One Million Dollars (\$1,000,000.00). To be eligible for a rebate payment, the production company shall provide evidence of a recognizable distribution agreement within one hundred eighty (180) days."

Representative Winchester moved that **SB 1434** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Winchester, **SB 1434** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 1434** 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, Cargill, Case, Claunch, Coleman, Corn, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Covey.--1.

Excused: Easley, Friskup, Glover, Ross.--4.

The measure and emergency passed.

**SB 1434** was referred for engrossment.

### GENERAL ORDER

**SB 1538** by Cain of the Senate and Vaughn of the House was read and considered.

Representative Graves moved to amend **SB 1538**, Page 6, Section 2, Line 7 by changing the period "." after the word "parent" to a comma "," and adding the following language: "but may presume that it is not in the best interest of a child to award custody of the child to a parent or guardian who is homosexual, lesbian or bisexual.", which amendment was declared adopted upon roll call 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, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, 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), Rice, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Nay: Gilbert, Toure, Wilson.--3.

Excused: Easley, Friskup, Glover, Gray, Roach, Ross.--6.

Representative Vaughn moved that **SB 1538** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Vaughn, **SB 1538** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1538** 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, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Toure.--1.

Excused: Easley, Friskup, Glover, Ross.--4.

The measure passed.

**SB 1538** was referred for engrossment.

## GENERAL ORDER

**SB 1564** by Williamson of the Senate and Vaughn of the House was read and considered.

Representative Davis moved to amend **SB 1564**, Page 3, Section 1, Line 2 by adding after the word “jurisdiction” and before the word “where” the words “for a county in which either party resides and”, which amendment was declared adopted.

Representative Vaughn moved that **SB 1564** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Vaughn, **SB 1564** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 1564** 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, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Easley, Friskup, Glover, Ross.--4.

The measure passed.

**SB 1564** was referred for engrossment.

## GENERAL ORDER

**SB 914** by Capps of the Senate and Covey of the House was read and considered.

Representative Covey moved to amend **SB 914** by striking the enacting clause, which amendment was declared adopted.

Representative Covey moved that **SB 914** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Covey, **SB 914** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 914** 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, Case, Corn, Covey, Cox, Deutschendorf, DeWitt, Dunegan, Eddins, Ericson, Erwin, Ferguson, Fields, Gilbert, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--86.

Nay: Calvey, Cargill, Claunch, Coleman, Dank, Davis, Ervin, Graves, Greenwood, Miller (Doug), Pettigrew.--11.

Excused: Easley, Friskup, Glover, Ross.--4.

The measure and emergency passed.

**SB 914** was referred for engrossment.

### GENERAL ORDER

**SB 935** by Nichols of the Senate and Nance of the House was read and considered.

Coauthored by Representative(s) O'Neal

Representative O'Neal moved to amend **SB 935** by inserting a new Section 1 to read as follows and renumbering subsequent sections:

“SECTION 1. AMENDATORY 68 O.S. 2001, Section 1356, as amended by Section 25 of Enrolled House Bill No. 2924 of the 2nd Session of the 48th Oklahoma Legislature, is amended to read as follows:

Section 1356. Exemptions - Governmental and nonprofit entities.

There are hereby specifically exempted from the tax levied by Section 1350 et seq. of this title:

1. Sale of tangible personal property or services to the United States government or to the State of Oklahoma, any political subdivision of this state or any agency of a political subdivision of this state; provided, all sales to contractors in connection with the performance of any contract with the United States government, State of Oklahoma or any of its political subdivisions shall not be exempted from the tax levied by Section 1350 et seq. of this title, except as hereinafter provided;

2. Sales of property to agents appointed by or under contract with agencies or instrumentalities of the United States government if ownership and possession of such property transfers immediately to the United States government;

3. Sales of property to agents appointed by or under contract with a political subdivision of this state if the sale of such property is associated with the development of a qualified federal facility, as provided in the Oklahoma Federal Facilities Development Act, and if ownership and possession of such property transfers immediately to the political subdivision or the state;

4. Sales made directly by county, district or state fair authorities of this state, upon the premises of the fair authority, for the sole benefit of the fair authority;

5. Sale of food in cafeterias or lunch rooms of elementary schools, high schools, colleges or universities which are operated primarily for teachers and pupils and are not operated primarily for the public or for profit;

6. Dues paid to fraternal, religious, civic, charitable or educational societies or organizations by regular members thereof, provided, such societies or organizations operate under what is commonly termed the lodge plan or system, and provided such societies or organizations do not operate for a profit which inures to the benefit of any individual member or members thereof to the exclusion of other members and dues paid monthly or annually to privately owned scientific and educational libraries by members sharing the use of services rendered by such libraries with students interested in the study of geology, petroleum engineering or related subjects;

7. Sale of tangible personal property or services to or by churches, except sales made in the course of business for profit or savings, competing with other persons engaged in the same or a similar business;

8. The amount of proceeds received from the sale of admission tickets which is separately stated on the ticket of admission for the repayment of money borrowed by any accredited state-supported college or university or any public trust of which a county in this state is the beneficiary, for the purpose of constructing or enlarging any facility to be used for the staging of an athletic event, a theatrical production, or any other form of entertainment, edification or cultural cultivation to which entry is gained with a paid admission ticket. Such facilities include, but are not limited to, athletic fields, athletic stadiums, field houses, amphitheaters and theaters. To be eligible for this sales tax exemption, the amount separately stated on the admission ticket shall be a surcharge which is imposed, collected and used for the sole purpose of servicing or aiding in the servicing of debt incurred by the college or university to effect the capital improvements hereinbefore described;

9. Sales of tangible personal property or services to the council organizations or similar state supervisory organizations of the Boy Scouts of America, Girl Scouts of U.S.A. and the Campfire Boys and Girls;

10. Sale of tangible personal property or services to any county, municipality, rural water district, public school district, the institutions of The Oklahoma State System of Higher Education, the Grand River Dam Authority, the Northeast Oklahoma Public

Facilities Authority, the Oklahoma Municipal Power Authority, City of Tulsa-Rogers County Port Authority, Muskogee City-County Port Authority, the Oklahoma Department of Veterans Affairs, or to any person with whom any of the above-named subdivisions or agencies of this state has duly entered into a public contract pursuant to law, necessary for carrying out such public contract or to any subcontractor to such a public contract. Any person making purchases on behalf of such subdivision or agency of this state shall certify, in writing, on the copy of the invoice or sales ticket to be retained by the vendor that the purchases are made for and on behalf of such subdivision or agency of this state and set out the name of such public subdivision or agency. Any person who wrongfully or erroneously certifies that purchases are for any of the above-named subdivisions or agencies of this state or who otherwise violates this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount equal to double the amount of sales tax involved or incarcerated for not more than sixty (60) days or both;

11. Sales of tangible personal property or services to private institutions of higher education and private elementary and secondary institutions of education accredited by the State Department of Education or registered by the State Board of Education for purposes of participating in federal programs or accredited as defined by the Oklahoma State Regents for Higher Education which are exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), including materials, supplies, and equipment used in the construction and improvement of buildings and other structures owned by the institutions and operated for educational purposes.

Any person, firm, agency or entity making purchases on behalf of any institution, agency or subdivision in this state, shall certify in writing, on the copy of the invoice or sales ticket the nature of the purchases, and violation of this paragraph shall be a misdemeanor as set forth in paragraph 10 of this section;

12. Tuition and educational fees paid to private institutions of higher education and private elementary and secondary institutions of education accredited by the State Department of Education or registered by the State Board of Education for purposes of participating in federal programs or accredited as defined by the Oklahoma State Regents for Higher Education which are exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3);

13. Sales of tangible personal property made by:

- a. a public school,
- b. a private school offering instruction for grade levels kindergarten through twelfth grade,
- c. a public school district,
- d. a public or private school board,
- e. a public or private school student group or organization,
- f. a parent-teacher association or organization, or
- g. public or private school personnel for purposes of raising funds for the benefit of a public or private school, public school district, public or private school board or public or private school student group or organization.

The exemption provided by this paragraph for sales made by a public or private school shall be limited to those public or private schools accredited by the State Department of Education or registered by the State Board of Education for purposes of participating in federal programs. Sale of tangible personal property in this paragraph shall include sale of admission tickets and concessions at athletic events;

14. Sales of tangible personal property by:
  - a. local 4-H clubs,
  - b. county, regional or state 4-H councils,
  - c. county, regional or state 4-H committees,
  - d. 4-H leader associations,
  - e. county, regional or state 4-H foundations, and
  - f. authorized 4-H camps and training centers.

The exemption provided by this paragraph shall be limited to sales for the purpose of raising funds for the benefit of such organizations. Sale of tangible personal property exempted by this paragraph shall include sale of admission tickets;

15. The first Seventy-five Thousand Dollars (\$75,000.00) each year from sale of tickets and concessions at athletic events by each organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(4);

16. Items or services which are subsequently given away by the Oklahoma Tourism and Recreation Department as promotional items pursuant to Section 1834 of Title 74 of the Oklahoma Statutes;

17. Sales of tangible personal property or services to fire departments organized pursuant to Section 592 of Title 18 of the Oklahoma Statutes which items are to be used for the purposes of the fire department. Any person making purchases on behalf of any such fire department shall certify, in writing, on the copy of the invoice or sales ticket to be retained by the vendor that the purchases are made for and on behalf of such fire department and set out the name of such fire department. Any person who wrongfully or erroneously certifies that the purchases are for any such fire department or who otherwise violates the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount equal to double the amount of sales tax involved or incarcerated for not more than sixty (60) days, or both;

18. Complimentary or free tickets for admission to places of amusement, sports, entertainment, exhibition, display or other recreational events or activities which are issued through a box office or other entity which is operated by a state institution of higher education with institutional employees or by a municipality with municipal employees;

19. The first Fifteen Thousand Dollars (\$15,000.00) each year from sales of tangible personal property by fire departments organized pursuant to Titles 11, 18, or 19 of the Oklahoma Statutes for the purposes of raising funds for the benefit of the fire department. Fire departments selling tangible personal property for the purposes of raising funds shall be limited to no more than six (6) days each year to raise such funds in order to receive the exemption granted by this paragraph;

20. Sales of tangible personal property or services to any Boys & Girls Clubs of America affiliate in this state which is not affiliated with the Salvation Army and which is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3);

21. Sales of tangible personal property or services to any organization, which takes court-adjudicated juveniles for purposes of rehabilitation, and which is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), provided that at least fifty percent (50%) of the juveniles served by such organization are court adjudicated and the organization receives state funds in an amount less than ten percent (10%) of the annual budget of the organization;

22. Sales of tangible personal property or services to:
- a. any federally qualified community health center as defined in Section 254c of Title 42 of the United States Code,
  - b. any migrant health center as defined in Section 254b of Title 42 of the United States Code,
  - c. any clinic receiving disbursements of state monies from the Indigent Health Care Revolving Fund pursuant to the provisions of Section 66 of Title 56 of the Oklahoma Statutes, and
  - d. any community based health center which meets all of the following criteria:
    - (1) provides primary care services at no cost to the recipient, and
    - (2) is exempt from taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3);

23. Dues or fees, including free or complimentary dues or fees which have a value equivalent to the charge that could have otherwise been made, to YMCAs, YWCAs or municipally-owned recreation centers, or recreation centers owned and operated by a church for the use of facilities and programs;

24. The first Fifteen Thousand Dollars (\$15,000.00) each year from sales of tangible personal property or services to or by a cultural organization established to sponsor and promote educational, charitable and cultural events for disadvantaged children, and which organization is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3);

25. Sales of tangible personal property or services to museums or other entities which have been accredited by the American Association of Museums. Any person making purchases on behalf of any such museum or other entity shall certify, in writing, on the copy of the invoice or sales ticket to be retained by the vendor that the purchases are made for and on behalf of such museum or other entity and set out the name of such museum or other entity. Any person who wrongfully or erroneously certifies that the purchases are for any such museum or other entity or who otherwise violates the provisions of this paragraph shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount equal to double the amount of sales tax involved or incarcerated for not more than sixty (60) days, or by both such fine and incarceration;

26. Sales of tickets for admission by any museum accredited by the American Association of Museums. In order to be eligible for the exemption provided by this paragraph, an amount equivalent to the amount of the tax which would otherwise be required to be collected pursuant to the provisions of Section 1350 et seq. of this title shall be separately stated on the admission ticket and shall be collected and used for the sole purpose of servicing or aiding in the servicing of debt incurred by the museum to effect the construction, enlarging or renovation of any facility to be used for entertainment, edification or cultural cultivation to which entry is gained with a paid admission ticket;

27. Sales of tangible personal property or services occurring on or after June 1, 1995, to children's homes which are supported or sponsored by one or more churches, members of which serve as trustees of the home;

28. Sales of tangible personal property or services to the organization known as the Disabled American Veterans, Department of Oklahoma, Inc., and subordinate chapters thereof;

29. Sales of tangible personal property or services to youth camps which are supported or sponsored by one or more churches, members of which serve as trustees of the organization;

30. Transfer of tangible personal property made pursuant to Section 3226 of Title 63 of the Oklahoma Statutes by the University Hospitals Trust;

31. Sales of tangible personal property or services to a municipality, county or school district pursuant to a lease or lease-purchase agreement executed between the vendor and a municipality, county or school district. A copy of the lease or lease-purchase agreement shall be retained by the vendor;

32. Sales of tangible personal property or services to any spaceport user, as defined in the Oklahoma Space Industry Development Act;

33. The sale, use, storage, consumption, or distribution in this state, whether by the importer, exporter, or another person, of any satellite or any associated launch vehicle, including components of, and parts and motors for, any such satellite or launch vehicle, imported or caused to be imported into this state for the purpose of export by means of launching into space. This exemption provided by this paragraph shall not be affected by:

- a. the destruction in whole or in part of the satellite or launch vehicle,
- b. the failure of a launch to occur or be successful, or
- c. the absence of any transfer or title to, or possession of, the satellite or launch vehicle after launch;

34. The sale, lease, use, storage, consumption, or distribution in this state of any space facility, space propulsion system or space vehicle, satellite, or station of any kind possessing space flight capacity, including components thereof;

35. The sale, lease, use, storage, consumption, or distribution in this state of tangible personal property, placed on or used aboard any space facility, space propulsion system or space vehicle, satellite, or station possessing space flight capacity, which is launched into space, irrespective of whether such tangible property is returned to this state for subsequent use, storage, or consumption in any manner;

36. The sale, lease, use, storage, consumption, or distribution in this state of tangible personal property meeting the definition of "section 38 property" as defined in Sections 48(a)(1)(A) and (B)(i) of the Internal Revenue Code of 1986, that is an integral part of and used primarily in support of space flight; however, section 38 property used in support of space flight shall not include general office equipment, any boat, mobile home, motor vehicle, or other vehicle of a class or type required to be registered, licensed, titled, or documented in this state or by the United States government, or any other property not specifically suited to supporting space activity. The term "in support of space flight", for purposes of this paragraph, means the altering, monitoring, controlling, regulating, adjusting, servicing, or repairing of any space facility, space propulsion systems or space vehicle, satellite, or station possessing space flight capacity, including the components thereof;

37. The purchase or lease of machinery and equipment for use at a fixed location in this state, which is used exclusively in the manufacturing, processing, compounding, or producing of any space facility, space propulsion system or space vehicle, satellite, or station of any kind possessing space flight capacity. Provided, the exemption provided for in this paragraph shall not be allowed unless the purchaser or lessee signs an affidavit stating that the item or items to be exempted are for the exclusive use designated herein. Any person furnishing a false affidavit to the vendor for the purpose of evading payment of any tax imposed by Section 1354 of this title shall be subject to the penalties provided by

law. As used in this paragraph, "machinery and equipment" means "section 38 property" as defined in Sections 48(a)(1)(A) and (B)(i) of the Internal Revenue Code of 1986, which is used as an integral part of the manufacturing, processing, compounding, or producing of items of tangible personal property. Such term includes parts and accessories only to the extent that the exemption thereof is consistent with the provisions of this paragraph;

38. The amount of a surcharge or any other amount which is separately stated on an admission ticket which is imposed, collected and used for the sole purpose of constructing, remodeling or enlarging facilities of a public trust having a municipality or county as its sole beneficiary;

39. Sales of tangible personal property or services which are directly used in or for the benefit of a state park in this state, which are made to an organization which is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3) and which is organized primarily for the purpose of supporting one or more state parks located in this state;

40. The sale, lease or use of parking privileges by an institution of The Oklahoma State System of Higher Education;

41. Sales of tangible personal property or services for use on campus construction projects for the benefit of institutions of The Oklahoma State System of Higher Education or private institutions of higher education accredited by the Oklahoma State Regents for Higher Education when such projects are financed by or through the use of nonprofit entities which are exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3);

42. Sales of tangible personal property or services by an organization which is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3), in the course of conducting a national championship sports event, but only if all or a portion of the payment in exchange therefor would qualify as the receipt of a qualified sponsorship payment described in Internal Revenue Code, 26 U.S.C., Section 513(i). Sales exempted pursuant to this paragraph shall be exempt from all Oklahoma sales, use, excise and gross receipts taxes; and

43. Sales of tangible personal property or services to or by an organization which:

- a. is exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(3),
- b. is affiliated with a comprehensive university within The Oklahoma State System of Higher Education, and
- c. has been organized primarily for the purpose of providing education and teacher training and conducting events relating to robotics.”

Representative Gilbert asked a ruling of the Presiding Officer whether the O'Neal amendment is germane to **SB 935**.

The Presiding Officer ruled the point not well taken and the amendment germane.

Representative O'Neal pressed adoption of his amendment, which amendment was declared adopted.

Representative Covey moved to amend **SB 935**, Page 10, Section 1, Lines 11-12 by deleting the following language:

“b. the sale must be conducted within six (6) months of the date of death of the decedent, and”,

which amendment was declared adopted.

Representative Worthen moved to amend **SB 935**, Page 10, Section 1, Line 4 by deleting the language “on the premises of the former residence of the decedent” and Lines 13-14 by deleting the following language:

“c. the exemption allowed by this paragraph shall not be allowed for property that was not part of the decedent’s estate.”,

which amendment was declared adopted.

Representative Davis moved to amend **SB 935**, Page 10, Section 1, Lines 4-8 by deleting the language “by a person who is not required to be licensed pursuant to the Transient Merchant Licensing Act, Section 1601 et seq. of Title 19 of the Oklahoma Statutes, or who is not otherwise required to obtain a sales tax permit for the sale of such property pursuant to the provisions of Section 1364 of this title”, which amendment was declared adopted.

Representative Nance moved to amend **SB 935** by striking the enacting clause, which amendment was declared adopted.

Representative Nance moved that **SB 935** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **SB 935** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 935** 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, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn,

Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Friskup, Glover, Ross.--3.

The measure and emergency passed.

**SB 935** was referred for engrossment.

## GENERAL ORDER

**SB 1442** by Kerr et al of the Senate and Covey of the House was read and considered.

Coauthored by Representative(s) Ervin

Representative Covey moved to amend **SB 1442** by striking the enacting clause, which amendment was declared adopted.

Representative Nations moved to amend **SB 1442** by adding a new Section 10 to read as follows and renumbering subsequent section, which amendment was declared adopted:

“SECTION 10. AMENDATORY 74 O.S. 2001, Section 5078, is amended to read as follows:

Section 5078. A. For a period of up to ten (10) years from the date of tenant's occupancy in an incubator, income earned by the tenant as a result of activities conducted as an occupant in an incubator, including income distributed to partners, shareholders of a corporation for which a Subchapter S election is in effect and to the members of a limited liability company, shall be exempt from state income tax. The exemption provided by this section shall remain in effect for such activities by such tenant after the date the tenant is no longer an occupant in an incubator, but not to exceed a total duration of ten (10) years for any tenant.

B. In order to qualify for the income tax exemption for the sixth through tenth year as authorized by this section, the tenant must make at least seventy-five percent (75%) of its gross sales constituting the principal business activity of the business to buyers located outside the state or to buyers whose principal business activity is conducted outside the state or to the federal government or to buyers located within the state if the product or service is resold to an out-of-state customer or buyer for ultimate use. Provided, if a tenant does not achieve the qualifying percentage for any one of the above tax years, the tenant shall not be disqualified for subsequent tax years in which the qualifying percentage is achieved.

C. The Oklahoma Tax Commission shall promulgate rules to implement the provisions of this section.”

Representative Covey moved that **SB 1442** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Covey, **SB 1442** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1442** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benson, Bonny, Braddock, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, 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, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smith (Dale), Staggs, Stanley, Steele, Stites (J.T.), Sullivan, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--89.

Nay: Benge, Calvey, Graves, Greenwood, Smaligo, Smith (Hopper), Stites (Chad), Tibbs, Wright.--9.

Excused: Blackburn, Glover, Ross.--3.

The measure passed.

**SB 1442** was referred for engrossment.

### **GENERAL ORDER**

**SB 1592** by Wilkerson of the Senate and Kirby of the House was read and considered.

Representative Kirby moved to amend **SB 1592** by restoring the title, which amendment was declared adopted.

Representative Kirby moved that **SB 1592** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Kirby, **SB 1592** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1592** 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, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Glover, Ross.--2.

The measure and emergency passed.

**SB 1592** was referred for engrossment.

**GENERAL ORDER**

**SB 1581** by Wilkerson of the Senate and Braddock of the House was read and considered.

Representative Braddock moved that **SB 1581** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Braddock, **SB 1581** was placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1581** 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, 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice,

Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Glover, Ross.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1581** and ordered same returned to the Honorable Senate.

### **GENERAL ORDER**

**SB 1572** by Monson of the Senate and Mitchell of the House was read and considered.

Representative Mitchell moved that **SB 1572** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Mitchell, **SB 1572** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1572** 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Glover, Ross.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1572** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 1608** by Robinson of the Senate and Mitchell of the House was read and considered.

Representative Miller (Ray) moved to amend **SB 1608** by adding a new Section 2 to read as follows and renumbering subsequent sections, which amendment was declared adopted:

“SECTION 2. REPEALER 59 O.S. 2001, Section 1150.14, is hereby repealed.”

Representative Wright moved to amend **SB 1608**, Page 2, Section 1, Line 14 by adding after the period “.” the following language:

“The information shall also be transmitted monthly to the State Election Board for cancellation of the voter registration.”

Representative Kirby asked a ruling of the Presiding Officer whether the Wright amendment is germane to **SB 1608**.

The Presiding Officer ruled the point not well taken and the amendment germane.

Representative Wright pressed adoption of his amendment, which amendment was declared adopted.

Representative Davis moved to amend **SB 1608** by striking the title, which amendment was declared adopted.

Representative Mitchell moved that **SB 1608** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **SB 1608** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1608** 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, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, 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, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele,

Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Davis, Graves.--2.

Excused: Glover, Ross.--2.

The measure and emergency passed.

**SB 1608** was referred for engrossment.

### **MOTION**

Representative Friskup asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2796** and **SBs 842, 914, 917, 1259, 1407, 1418, 1432, 1434, 1445, 1538** and **1564**, which was the order.

### **MOTION**

Representative Hilliard moved that the House stand at ease until 1:30 p.m., which was the order.

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

### **GENERAL ORDER**

**SB 1365** by Dickerson of the Senate and Askins of the House was read and considered.

Representative Askins moved to amend **SB 1365** by striking the enacting clause, which amendment was declared adopted.

Representative Askins moved that **SB 1365** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Askins, **SB 1365** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1365** 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, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Glover, Gray, Maddux, Ross.--4.

The measure passed.

**SB 1365** was referred for engrossment.

**GENERAL ORDER**

**SB 1381** by Dickerson of the Senate and Askins of the House was read and considered.

Representative Askins moved to amend **SB 1381** by restoring the title, which amendment was declared adopted.

Representative Askins moved that **SB 1381** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Askins, **SB 1381** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1381** 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, Corn, Covey, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, 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, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--91.

Nay: Coleman, Davis, Graves, Greenwood, Smith (Hopper), Worthen, Wright.--7.

Excused: Glover, Piatt, Ross.--3.

The measure passed.

**SB 1381** was referred for engrossment.

### GENERAL ORDER

**SB 1335** by Wilcoxson of the Senate and Morgan et al of the House was read and considered.

Coauthored by Representative(s) Coleman, Dank, Greenwood

Representative Morgan moved to amend **SB 1335** by restoring the title, which amendment was declared adopted.

Representative Morgan moved to amend **SB 1335**, Page 1, Section 1, Line 5 by striking the word "of" after the word "review" and inserting in lieu thereof the language "program to determine", which amendment was declared adopted.

Representative Morgan moved to amend **SB 1335**, Page 1, Section 1, Line 10 by striking the word "shall" and inserting the word "may"; Line 10 by striking the word "an"; Line 10 by striking the word "entity" and replacing it with the word "entities"; Line 11 by striking the word "conduct" and inserting the language "assist them in conducting"; Line 11 by striking the word "reviews" and inserting the language "review program"; and Line 11 by striking the word "entity" and inserting the language "outside entities", which amendment was declared adopted.

Representative Morgan moved that **SB 1335** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Morgan, **SB 1335** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1335** 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Glover, Roach, Ross.--3.

The measure and emergency passed.

**SB 1335** was referred for engrossment.

**GENERAL ORDER**

**SB 1425** by Nichols of the Senate and Ericson of the House was read and considered.

Coauthored by Representative(s) Nance

Representative Ericson moved to amend **SB 1425** by striking the enacting clause, which amendment was declared adopted.

Representative Ericson moved that **SB 1425** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ericson, **SB 1425** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1425** 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Glover, Ross.--2.

The measure and emergency passed.

**SB 1425** was referred for engrossment.

### **GENERAL ORDER**

**SB 1472** by Pruitt of the Senate and Smith (Hopper) of the House was read and considered.

Coauthored by Representative(s) Nance

Representative Smith (Hopper) moved to amend **SB 1472** by restoring the title, which amendment was declared adopted.

Representative Smith (Hopper) moved that **SB 1472** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Smith (Hopper), **SB 1472** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1472** 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, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler,

Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Glover, Ross.--2.

The measure and emergency passed.

**SB 1472** was referred for engrossment.

## **GENERAL ORDER**

**SB 1326** by Hobson of the Senate and Glover of the House was read and considered.

Representative Roach moved that **SB 1326** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roach, **SB 1326** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**SB 1326** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Begley, Benson, Bonny, Braddock, Case, Corn, Covey, Dank, DeWitt, Eddins, Ervin, Erwin, Ferguson, Friskup, Gilbert, Gray, Hastings, Hefner, Hiatt, Hutchison, Ingmire, Kirby, Leist, Lindley, Liotta, Maddux, Mass, McCarter, Miller (Ray), Nations, O'Neal, Paulk, Peters, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roach, Roan, Roberts, Smith (Hopper), Stanley, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Turner, Tyler, Vaughn, Wells, Wilson, Mr. Speaker.--54.

Nay: Adkins, Askins, Balkman, Benge, Blackburn, Calvey, Cargill, Claunch, Coleman, Cox, Davis, Deutschendorf, Dunegan, Easley, Ericson, Graves, Greenwood, Hilliard, Jones, Langmacher, Matlock, Miller (Doug), Mitchell, Morgan, Nance, Newport, Perry, Peterson, Pettigrew, Pope (Tim), Roggow, Smaligo, Smith (Dale), Staggs, Steele, Tibbs, Toure, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young.--44.

Excused: Fields, Glover, Ross.--3.

The measure passed.

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

Aye: Balkman, Begley, Benson, Bonny, Braddock, Case, Corn, Covey, Dank, Deutschendorf, DeWitt, Eddins, Ervin, Erwin, Ferguson, Friskup, Gilbert, Gray, Hastings, Hefner, Hiatt, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass,

Matlock, McCarter, Miller (Ray), Morgan, Nations, Newport, O'Neal, Paulk, Peters, Peterson, Phillips, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Smaligo, Smith (Hopper), Stanley, Stites (Chad), Stites (J.T.), Sweeden, Taylor, Tibbs, Turner, Tyler, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--65.

Nay: Adkins, Askins, Bengé, Blackburn, Calvey, Cargill, Claunch, Coleman, Cox, Davis, Dunegan, Easley, Ericson, Graves, Greenwood, Hilliard, Miller (Doug), Mitchell, Nance, Perry, Pettigrew, Piatt, Smith (Dale), Staggs, Steele, Sullivan, Toure, Vaughn, Walker, Webb, Worthen, Wright.--32.

Excused: Fields, Glover, Maddux, Ross.--4.

The emergency failed.

Representative Roach served notice to reconsider the vote whereby the emergency failed.

## RESOLUTION FOR CONSIDERATION

**SCR 66** was called up for consideration.

Coauthored by Representative(s) Askins, Balkman, Braddock, Corn, Covey, DeWitt, Easley, Friskup, Hutchison, Kirby, Lindley, Mass, McCarter, Miller (Ray), Nance, Nations, Plunk, Pope (Clay), Rice, Roan, Smith (Dale), Staggs, Stites (J.T.), Sweeden, Turner, Walker

Upon motion of Representative Bonny, **SCR 66** was considered and adopted.

**SCR 66** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

## MOTION

Representative Easley asked that the Journal reflect that had she been present in the Chamber, she would have voted aye on **HB 2796** and **SBs 842, 917, 1259, 1407, 1418, 1432, 1434, 1445, 1538** and **1564**, which was the order.

## PENDING CONSIDERATION OF SAs

**SAs** to **HB 2099** were rejected upon motion of Representative Gilbert. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2407** were rejected upon motion of Representative Vaughn. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2850** were rejected upon motion of Representative Case. Conferees to be named later.

**CCR SUBMITTED**

The conference committee report was read on the following measure:

**HB 1503****MESSAGE FROM THE SENATE**

Advising the signing of and transmitting for signature Enrolled **SCR 66**.

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

**MESSAGES FROM THE GOVERNOR**

Advising of his approval of **HBs 2037, 2068, 2074, 2174, 2225, 2267, 2349, 2375** and **2907** on April 15, 2002.

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, April 16, 2002, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 2:10 p.m., to reconvene Tuesday, April 16, 2002, at 9:00 a.m.