

Forty-ninth Legislative Day

Tuesday, April 30, 2002

The House was called to order by Speaker Adair.

The roll was called with 99 Members present.

The following Members were excused: Eddins, Glover.—2.

The Speaker declared a quorum present.

Prayer was offered by Reverend Dennis Gullion, Youth Minister, Crossroads Cathedral, Oklahoma City.

The Journal for the last legislative day was approved.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 897, 952, 991, 995, 1359** and **1453**.

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

Returning engrossed measure

Announcing the passage of **HCR 1057**, Coauthored by all members of the Senate and Coauthored by Representatives Case, Ervin, Ferguson, Morgan, Phillips, Piatt, Roggow, Wilt.

The above-numbered measure was referred for enrollment.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 840, 879, 897, 952, 991, 995, 1265, 1359, 1453** and **1623** and the passage of said measures, as amended thereby.

Further Conference requested

Advising rejection of **CCR** to **HB 1291** and requesting further conference thereon. The Senate conferees to be named later.

Conferees named

Advising the Senate naming conferees as follows:

SB 920 - Martin, Shurden, Harrison

SB 975 - Shurden, Herbert, Crutchfield, Coffee

SB 1301 - Snyder, Coffee, Williams, Wilkerson, Henry

SB 1425 - GCCA

SB 1429 - Fisher, Leftwich, Herbert

Transmitting engrossed measure

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 72 – By Maddox of the Senate and Plunk of the House.

A Concurrent Resolution recalling from the Office of the Governor Enrolled Senate Bill No. 948 passed by the 2nd Session of the 48th Oklahoma Legislature.

ENGROSSED AND ENROLLED MEASURES

HBs 2073, 2110, 2255, 2762, 2836 and **2855** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1057 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HCR 1057** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Announcing that Enrolled **HBs 2073, 2110, 2255, 2762, 2836** and **2855** 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.

Conference requested

Advising rejection of **HAs** to Engrossed **SBs 817, 828, 871, 893, 904, 934, 983, 1307, 1367, 1378, 1383, 1390, 1403, 1404, 1451, 1460, 1461, 1463, 1507, 1517, 1583, 1591, 1609, 1655, 1664** and **1669** and requesting conference thereon. The Senate conferees to be named later.

Conference granted

Advising conference granted and the Senate naming GCCA as conferees on the following: **HBs 2425, 2426, 2427, 2428, 2433, 2434, 2439, 2440, 2441, 2442, 2445, 2446, 2451, 2452, 2453, 2454, 2455, 2456, 2459, 2460, 2469, 2470, 2471, 2472, 2473, 2474, 2479, 2480, 2486, 2487, 2488, 2490, 2492, 2501, 2502, 2505, 2506, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2532, 2537, 2538, 2547, 2548, 2553, 2554, 2555, 2556, 2557, 2558, 2561, 2562, 2569, 2570, 2573, 2574, 2581, 2582, 2583, 2584, 2585** and **2586**.

Advising conference granted and the Senate naming conferees as follows:

HB 1457 - Milacek, Monson, Easley, Dunlap

HB 1709 - Littlefield, Rozell, Cain, Williams, Robinson, Coffee, Douglass

HB 2215 - Littlefield, Rozell, Cain, Williams, Robinson, Coffee, Douglass

HB 2330 - Coffee, Morgan, Price

HB 2895 - Easley, Rabon, Muegge, Smith, Cain

HB 2901 - Smith, Fisher, Monson, Cain, Morgan, Robinson, Rabon, Kerr, Nichols

HJR 1051 - Coffee, Henry, Morgan, Smith, Nichols

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1457

HB 2231

HB 2425

HB 2439

HB 2445

HB 2455

HB 2505

RESOLUTION

The following was introduced and read:

HCR 1061 – By Corn.

A Concurrent Resolution relating to private contract of certain tourism operations and the sale of certain assets; directing the Oklahoma Tourism and Recreation Department not to engage in such contracts; directing the Department not to engage in certain sales without legislative approval; and directing distribution.

PENDING CONSIDERATION OF SAs

SAs to HB 2679 were called up for consideration.

Coauthored by Representative(s) Nance, Roach, Mitchell, Leist, Tyler

Upon motion of Representative Calvey, the House concurred in the **SAs to HB 2679**.

HB 2679, 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, Begley, Benge, Benson, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, 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, Ross, 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.

Excused: Blackburn, Bonny, Eddins, Ervin, Glover.--5.

The measure and emergency passed.

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

Speaker Pro Tempore Matlock Presiding

PENDING CONSIDERATION OF SAs

SAs to HB 2170 were called up for consideration.

Upon motion of Representative Easley, the House concurred in the **SAs to HB 2170**.

HB 2170, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, 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: Graves.--1.

Excused: Eddins, Glover, Hastings, Smith (Dale).--4.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2171 were called up for consideration.

Upon motion of Representative Easley, the House concurred in the **SAs to HB 2171**.

HB 2171, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, 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: Eddins, Glover, Hastings.--3.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2172 were called up for consideration.

Upon motion of Representative Easley, the House concurred in the **SAs to HB 2172**.

HB 2172, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, 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: Eddins, Glover, Hastings.--3.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2067 were called up for consideration.

Upon motion of Representative Covey, the House concurred in the **SAs to HB 2067**.

HB 2067, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, 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: Graves.--1.

Excused: Eddins, Glover, Hastings.--3.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2091 were called up for consideration.

Upon motion of Representative Roach, the House concurred in the **SAs to HB 2091**.

HB 2091, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, 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: Eddins, Glover, Hastings.--3.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2624 were called up for consideration.

Coauthored by Representative(s) Erwin, Mass

Upon motion of Representative Plunk, the House concurred in the **SAs to HB 2624**.

HB 2624, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roggow, Ross, 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, Young, Mr. Speaker.--94.

Nay: Graves, Vaughn, Wright.--3.

Excused: Eddins, Glover, Hastings, Roberts.--4.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2380 were called up for consideration.

Coauthored by Representative(s) Coleman, Dank

Upon motion of Representative Roan, the House concurred in the **SAs to HB 2380**.

HB 2380, 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, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (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: Eddins, Glover, Hastings.--3.

The measure and emergency passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2278 were called up for consideration.

Coauthored by Representative(s) Balkman, Bengé, Calvey, Greenwood, Liotta, Maddux, Pettigrew, Phillips, Piatt, Roggow, Vaughn, Wilt

Upon motion of Representative Pope (Tim), the House concurred in the **SAs to HB 2278**.

HB 2278, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Begley, Bengé, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Graves, Gray, Greenwood, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Stanley, Steele, Stites (Chad), Stites (J.T.), Sullivan, Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--91.

Nay: Gilbert, Leist, Miller (Ray), Toure, Wells, Wilson.--6.

Excused: Eddins, Glover, Hastings, Lindley.--4.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

HR 1036 was called up for consideration.

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

Upon motion of Representative Walker, **HR 1036** was considered and adopted.

HR 1036 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

SCR 72 was called up for consideration.

Upon motion of Representative Hilliard, **SCR 72** was considered and adopted.

SCR 72 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

MESSAGES FROM THE SENATE

Advising the signing of and transmitting for signature Enrolled **SCR 72**.

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

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 1232, 1243** and **1434** and the passage of said measures, as amended thereby.

Conferees changed

Advising changing Senate conferees as follows:

HB 1709 - Add Price as 1st conferee

Conference requested

Advising rejection of **HAs** to Engrossed **SBs 510, 732, 867, 1329, 1350, 1363, 1377, 1382, 1413, 1438, 1448, 1456, 1624** and **1645** and **SJR 22** and requesting conference thereon. The Senate conferees to be named later.

Returning CCRs

Returning **HBs 1503**, Coauthored by Representative Bonny, **2485, 2489** and **2491** together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

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

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 2046 - GCCA

Action rescinded

Advising that the Senate has rescinded its Signing and Fourth Reading of **SB 948** and requested the Honorable House to rescind their Signing and Fourth Reading, reconsider the vote whereby the bill passed on Third Reading, reconsider the vote whereby the bill was advanced and consider the bill further.

Returning engrossed measure

Announcing the passage of **HCR 1056**, Coauthored by all members of the Senate.

The above-numbered measure was referred for enrollment.

Transmitting CCRs

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

SB 1006

SB 1010

SB 1015
SB 1036
SB 1060

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

MEASURES REREFERRED

Pursuant to House Rule 11, Section 6, the following were withdrawn from the Calendar and rereferred to committee:

HJR 1035 – Administrative Rule Review
HJR 1056 – Administrative Rule Review
HJR 1058 – Administrative Rule Review
HJR 1059 – Administrative Rule Review

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

Pursuant to the motion of Representative Hilliard, the House was adjourned at 2:50 p.m., to reconvene Wednesday, May 1, 2002, at 1:30 p.m.