

Seventh Legislative Day

Wednesday, February 13, 2002

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

The roll was called with 99 Members present.

The following Member was excused: Stanley.—1.

Vacancy: Dist. 71.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend David Sutton, Southern Oaks Free Will Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

CONFEREES NAMED

The Speaker named same conferees on the following measure:

SB 37 – Peters, Roberts, Begley, Easley, Ferguson

RESOLUTION REFERRED

The following was withdrawn from the Calendar and referred to committee:

HCR 1048 – Science and Technology

MEASURES REASSIGNED

By unanimous consent, the following were reassigned:

HB 2193 - Withdrawn from Public Safety and referred to Revenue and Taxation.

HB 2509 – Withdrawn from the Calendar and referred to Appropriations and Budget

HB 2531 – Withdrawn from the Calendar and referred to Appropriations and Budget

ENGROSSED AND ENROLLED MEASURES

HB 2315 was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

Speaker Adair Presiding**PENDING CONSIDERATION OF SAs**

SAs to HB 1709 were rejected upon motion of Representative Friskup. Conferees to be named later.

GENERAL ORDER

HB 2111 by Braddock of the House and Wilkerson of the Senate was read and considered.

Representative Braddock moved to amend **HB 2111** by striking the title, which amendment was declared adopted.

Representative Braddock moved that **HB 2111** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2111** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2111 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, Glover, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley,

Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--87.

Nay: Coleman, Davis, Graves, Greenwood, Liotta, Perry, Sullivan, Vaughn, Worthen, Wright.--10.

Excused: Gray, Hastings, Stanley.--3.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2111 was referred for engrossment.

GENERAL ORDER

HB 2074 by Rice et al of the House and Wilkerson of the Senate was read and considered.

Coauthored by Representative(s) Gilbert, Nance

Representative Rice moved that **HB 2074** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Rice, **HB 2074** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2074 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, Glover, 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, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Gray, Stanley.--2.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2074 was referred for engrossment.

GENERAL ORDER

HB 2112 by Braddock of the House and Wilkerson of the Senate was read and considered.

Representative Braddock moved to amend **HB 2112** by striking the title, which amendment was declared adopted.

Representative Braddock moved that **HB 2112** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2112** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2112 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, 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), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--91.

Nay: Davis, Graves, Greenwood, Liotta, Pope (Tim), Vaughn, Worthen, Wright.--8.

Excused: Stanley.--1.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2112 was referred for engrossment.

GENERAL ORDER

HB 2921 by Morgan of the House and Pruitt of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Coleman, Dank, DeWitt, Ericson, Friskup, Nance, Peters, Peterson, Roan, Smaligo, Steele, Tibbs, Walker, Winchester

Representative Morgan moved that **HB 2921** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Morgan, **HB 2921** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2921 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, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roan, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Smith (Hopper), Staggs, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Stanley.--1.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2921 was referred for engrossment.

GENERAL ORDER

HB 2216 by Morgan et al of the House and Coffee et al of the Senate was read and considered.

Coauthored by Representative(s) Balkman, Bengé, Calvey, Davis, Ericson, Ferguson, Friskup, Graves, Greenwood, Hastings, Pettigrew, Pope (Tim), Roggow, Walker, Worthen, Wright

Representative Morgan moved that **HB 2216** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Morgan, **HB 2216** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2216 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, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, 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, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Toure.--1.

Excused: Langmacher, Stanley.--2.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2216 was referred for engrossment.

GENERAL ORDER

HB 2115 by Braddock of the House and Capps of the Senate was read and considered.

Representative Braddock moved to amend **HB 2115** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Copies for Members)

Representative Sullivan moved to amend the floor substitute, Page 2, Section 1, Line 14 1/2 by inserting the following language:

“8. The municipality will clean up any trash dumped on private property within fifteen (15) miles of a public airport upon request of the property owner.”

Representative Braddock moved to table the Sullivan amendment, which tabling motion prevailed.

Representative Braddock moved that **HB 2115** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2115** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2115 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, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, 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, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Langmacher, Stanley.--2.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2115 was referred for engrossment.

GENERAL ORDER

HB 2207 by Staggs et al of the House and Fisher of the Senate was read and considered.

Coauthored by Representative(s) Adair, Adkins, Tyler

Representative Friskup moved to amend **HB 2207**, Page 1, Section 1, Line 10 by changing the word and figure “six (6)” to the word and figure “five (5)”, which amendment was declared adopted.

Representatives Morgan and Staggs moved to amend **HB 2207** by striking the title, which amendment was declared adopted.

Representative Staggs moved that **HB 2207** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Staggs, **HB 2207** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2207 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, Cargill, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Fields, Friskup, Gilbert, Glover, Gray, Hastings, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, 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, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--90.

Nay: Calvey, Case, Davis, Ferguson, Graves, Greenwood, Hefner, Liotta.--8.

Excused: Langmacher, Stanley.--2.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2207 was referred for engrossment.

GENERAL ORDER

HB 2083 by Kirby of the House and Maddox of the Senate was read and considered.

Representative Kirby moved that **HB 2083** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Kirby, **HB 2083** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2083 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, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Gray, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, 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, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--93.

Nay: Calvey, Davis, Graves, Greenwood, Worthen.--5.

Excused: Langmacher, Stanley.--2.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2083 was referred for engrossment.

GENERAL ORDER

HB 2086 by Kirby of the House and Helton of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Kirby moved that **HB 2086** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Kirby, **HB 2086** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2086 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, Begley, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Case, Claunch, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Glover, Graves, Gray, Greenwood, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, 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, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Langmacher, Stanley.--2.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2086 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HB 2315** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

Further conference granted

Advising further conference granted and the Senate naming same conferees as follows:

SB 37 - Fisher, Hobson, Williams, Williamson, Dunlap

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature enrolled **SBs 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500 and 1501.**

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

COMMITTEE REPORTS

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

DO PASS:

HB 1974 – Revenue and Taxation, Authored by Senator Monson (principal Senate author)

HB 2002 – Revenue and Taxation, Coauthored by Representative(s) Pope (Clay), and Authored by Senator Shurden (principal Senate author)

HB 2084 – Corrections, Authored by Senator Helton (principal Senate author)

HB 2085 – Corrections, Authored by Senator Crutchfield (principal Senate author)

HB 2096 – Insurance, Authored by Senator Monson (principal Senate author)

HB 2108 – Revenue and Taxation, Authored by Senator Williams (principal Senate author)

HB 2153 – Wildlife, Authored by Senator Shurden (principal Senate author)

HB 2178 – Insurance, Authored by Senator Cain (principal Senate author)

HB 2204 – Wildlife, Authored by Senator Shurden (principal Senate author)

HB 2221 – Insurance, Authored by Senator Snyder (principal Senate author)

HB 2374 – Wildlife, Coauthored by Representative(s) Pettigrew, Smith (Dale), and Authored by Senator Shurden (principal Senate author)

HB 2713 – Insurance, Authored by Senator Morgan (principal Senate author)

HB 2719 – Insurance, Authored by Senator Herbert (principal Senate author)

HB 2738 – Higher Education, Authored by Senator Helton (principal Senate author)

HB 2748 – Revenue and Taxation, Authored by Senator Herbert (principal Senate author)

HJR 1042 – Revenue and Taxation, Coauthored by Representative(s) Pope (Clay), and Authored by Senator Johnson (principal Senate author)

HJR 1045 – Revenue and Taxation, Authored by Senator Monson (principal Senate author)

DO PASS, As Amended:

CS for HB 1049 – Commerce, Industry and Labor, Authored by Senator Douglass (principal Senate author)

CS for HB 1389 – Commerce, Industry and Labor, Authored by Senator Dunlap (principal Senate author)

CS for HB 2073 – Revenue and Taxation, Coauthored by Representative(s) Corn, Pope (Clay), and Authored by Senator Dickerson (principal Senate author)

CS for HB 2137 – Corrections, Coauthored by Representative(s) Eddins, Kirby, and Authored by Senator Rozell (principal Senate author)

CS for HB 2149 – Mental Health, Authored by Senator Rozell (principal Senate author)

CS for HB 2150 – Wildlife, Authored by Senator Rabon (principal Senate author)

CS for HB 2203 – Wildlife, Authored by Senator Shurden (principal Senate author)

CS for HB 2257 – Corrections, Authored by Senator Wilkerson (principal Senate author)

CS for HB 2267 – Commerce, Industry and Labor, Authored by Senator Mickle (principal Senate author)

CS for HB 2326 – Retirement Laws, Authored by Senator Dickerson (principal Senate author)

CS for HB 2329 – Wildlife, Coauthored by Representative(s) Smith (Dale), and Authored by Senator Shurden (principal Senate author)

CS for HB 2350 – Insurance, Authored by Senator Dunlap (principal Senate author)

HB 2371 – Insurance, Authored by Senator Pruitt (principal Senate author)

HB 2633 – Commerce, Industry and Labor, Authored by Senator Stipe (principal Senate author)

CS for HB 2662 – Corrections, Authored by Senator Wilkerson (principal Senate author)

HB 2669 – Insurance, Authored by Senator Shurden (principal Senate author)

CS for HB 2908 – Higher Education, Authored by Senator Henry (principal Senate author)

CS for HB 2911 – Insurance, Remove Representative Cox as principal House author and substitute with Representative Adkins, and Authored by Senator Henry (principal Senate author)

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 14, 2002, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 2:50 p.m., to reconvene Thursday, February 14, 2002, at 9:00 a.m.