

Ninth Legislative Day

Monday, February 18, 2002

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

The roll was called with 97 Members present.

The following Members were excused: Begley, Langmacher, Nations.—3.

Vacancy: Dist. 71.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Keith Klossner, Texas Banner Church of God, Wetumka.

Upon motion of Representative Turner, Reverend Klossner was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2367 and **2500** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

SECOND READING

The following was read for the second time and referred to committee:

SJR 42 – Direct To Calendar

GENERAL ORDER

HB 2151 by Hutchison of the House and Littlefield of the Senate was read and considered.

Coauthored by Representative(s) Nance, Nations

Representative Hutchison moved that **HB 2151** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Hutchison, **HB 2151** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2151 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, 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, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Begley, Glover, Langmacher, Nations, Ross.--5.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2151 was referred for engrossment.

GENERAL ORDER

HB 2046 by Wilt of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Dank, Nance

Representative Wilt moved to amend **HB 2046** by striking the title, which amendment was declared adopted.

Representative Wilt moved that **HB 2046** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wilt, **HB 2046** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2046 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, 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, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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.--95.

Excused: Begley, Glover, Langmacher, Nations, Stanley.--5.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2046 was referred for engrossment.

GENERAL ORDER

HB 2300 by Braddock of the House and Wilkerson of the Senate was read and considered.

Coauthored by Representative(s) Askins, Gilbert, McCarter, Perry, Tibbs, Nance, Liotta, Peters

Representative Braddock moved to amend **HB 2300**, Page 11, Section 4, Line 2, by deleting the following language: "This act shall become effective November 1, 2002." and inserting in lieu thereof an emergency clause, which amendment was declared adopted.

Representative Braddock moved that **HB 2300** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2300** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2300 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, 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, Hielt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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.--94.

Nay: Leist.--1.

Excused: Begley, Glover, Langmacher, Nations, Stanley.--5.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2300 was referred for engrossment.

GENERAL ORDER

HB 2739 by Deutschendorf of the House and Robinson of the Senate was read and considered.

Coauthored by Representative(s) Braddock, Nance, Peters

Representative Deutschendorf moved that **HB 2739** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Deutschendorf, **HB 2739** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2739 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, 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, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--94.

Excused: Begley, Glover, Langmacher, Nations, Ross, Stanley.--6.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2739 was referred for engrossment.

GENERAL ORDER

HB 2196 by Webb of the House and Laughlin of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Balkman, Nance, Roan, Sweeden, Walker, Wells

Representative Webb moved that **HB 2196** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Webb, **HB 2196** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2196 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, 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, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Begley, Glover, Langmacher, Nations.--4.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2196 was referred for engrossment.

GENERAL ORDER

HB 2001 by Turner et al of the House and Fisher of the Senate was read and considered.

Coauthored by Representative(s) Wells, Braddock, Covey, Walker, Miller (Ray)

Representative Turner moved that **HB 2001** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Turner, **HB 2001** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2001 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Benson, Blackburn, Bonny, Braddock, Case, Coleman, Corn, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Greenwood, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Leist, Lindley, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Nance, Newport, O'Neal, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Rice, Roan, Roberts, Roggow, Ross, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Winchester, Mr. Speaker.--73.

Nay: Adkins, Balkman, Benge, Calvey, Cargill, Claunch, Graves, Hastings, Liotta, Morgan, Paulk, Perry, Peters, Peterson, Pope (Tim), Roach, Smaligo, Smith (Hopper), Tibbs, Wilt, Worthen, Wright, Young.--23.

Excused: Begley, Glover, Langmacher, Nations.--4.

Vacancy: Dist. 71.--1.

The measure passed.

HB 2001 was referred for engrossment.

Speaker Adair Presiding

GENERAL ORDER

HB 2234 by Matlock et al of the House and Crutchfield of the Senate was read and considered.

Coauthored by Representative(s) Roberts, Tyler, Walker, Covey, Miller (Ray), Braddock

Representative Matlock moved that **HB 2234** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Matlock, **HB 2234** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2234 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, Benge, Benson, Blackburn, Bonny, Braddock, 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, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Calvey.--1.

Excused: Begley, Glover, Langmacher, Nations.--4.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2234 was referred for engrossment.

GENERAL ORDER

HB 2423 by Matlock of the House and Leftwich of the Senate was read and considered.

Representative Matlock moved that **HB 2423** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Matlock, **HB 2423** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2423 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, Benge, Benson, Blackburn, Bonny, Braddock, Calvey, Cargill, Claunch, Coleman, Corn, Covey, Cox, Dank, Deutschendorf, DeWitt, Dunegan, Easley, Eddins, Ericson, Ervin, Erwin, Ferguson, Fields, Friskup, Gilbert, Gray, Hefner, Hiatt, Hilliard, Hutchison, Jones, Kirby, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope (Clay), Pope (Tim), Rice, Roach, Roberts, Roggow, Ross, Smaligo, Smith (Dale), Staggs, Stanley, Steele, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--86.

Nay: Case, Davis, Graves, Greenwood, Hastings, Ingmire, Roan, Smith (Hopper), Vaughn, Wright.--10.

Excused: Begley, Glover, Langmacher, Nations.--4.

Vacancy: Dist. 71.--1.

The measure and emergency passed.

HB 2423 was referred for engrossment.

GENERAL ORDER

HB 1982 by Leist of the House and Shurden of the Senate was read and considered.

Representative Newport moved to amend **HB 1982**, Page 1, Section 1, Line 4 by deleting the word “shall” after the word “state” and before the word “wear” and replacing it with the word “may”.

Representative Leist moved to table the Newport amendment, which tabling motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Benson, Blackburn, Bonny, Braddock, Corn, Covey, Deutschendorf, Dunegan, Easley, Eddins, Erwin, Fields, Gilbert, Hilliard, Hutchison, Ingmire, Kirby, Leist, Lindley, Maddux, Mass, Matlock, Miller (Ray), Mitchell, Paulk, Peters, Peterson, Plunk, Pope (Tim), Rice, Roach, Roan, Roberts, Ross, Staggs, Stanley, Stites, Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Walker, Wells, Wilson, Young, Mr. Speaker.--51.

Nay: Balkman, Calvey, Cargill, Case, Coleman, Cox, Dank, Davis, DeWitt, Ferguson, Friskup, Graves, Greenwood, Hastings, Hefner, Hiatt, Jones, Liotta, Morgan, Nance, Newport, O'Neal, Perry, Pettigrew, Phillips, Piatt, Pope (Clay), Smaligo, Smith (Dale), Smith (Hopper), Steele, Vaughn, Webb, Winchester, Worthen, Wright.--36.

Excused: Begley, Benge, Claunch, Ericson, Ervin, Glover, Gray, Langmacher, McCarter, Miller (Doug), Nations, Roggow, Wilt.--13.

Vacancy: Dist. 71.--1.

Representative Leist moved that **HB 1982** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Leist, **HB 1982** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1982 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Balkman, 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, Leist, Lindley, Liotta, Maddux, Mass, Matlock, McCarter, Miller (Doug), Miller (Ray), Mitchell, Morgan, Nance, 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,

Sullivan, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Webb, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Begley, Glover, Langmacher, Nations.--4.

Vacancy: Dist. 71.--1.

The measure passed.

HB 1982 was referred for engrossment.

COMMITTEE REPORTS

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

DO PASS:

HB 2056 – Government Operations and Agency Oversight, Authored by Senator Coffee (principal Senate author)

HB 2634 – Rules, Authored by Senator Monson (principal Senate author)

HJR 1036 – Rules, Authored by Senator Taylor (principal Senate author)

HCR 1048 – Science and Technology, Authored by Senator Robinson (principal Senate author)

DO PASS, As Amended:

CS for HB 1146 – Rules, Authored by Senator Shurden (principal Senate author), and Coauthored by Senator(s) Coffee

CS for HB 1980 – Environment and Natural Resources, Authored by Senator Easley (principal Senate author)

CS for HB 2110 – Agriculture and Rural Development, Coauthored by Representative(s) Sullivan, Bonny, and Authored by Senator Muegge (principal Senate author)

CS for HB 2361 – Government Operations and Agency Oversight, Authored by Senator Dickerson (principal Senate author)

CS for HB 2772 – Rules, Authored by Senator Laughlin (principal Senate author)

CS for HJR 1038 – Environment and Natural Resources, Remove as author Representative(s) Erwin, Coauthored by Representative(s) Pettigrew, and Authored by Senator Price (principal Senate author)

CS for HJR 1048 – Rules, Coauthored by Representative(s) Blackburn, Cox, Deutschendorf, Easley, Gilbert, Gray, Hefner, Kirby, Lindley, Paulk, Rice, Ross, Sweeden, Taylor, Toure, Tyler, Wilson, Liotta, Maddux, Phillips, Vaughn

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Tuesday, February 19, 2002, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 2:30 p.m., to reconvene Tuesday, February 19, 2002, at 1:30 p.m.