

# HOUSE JOURNAL

**Second Regular Session of the Forty-ninth Legislature**

**of the State of Oklahoma**

**Twenty-first Legislative Day, Monday, March 8, 2004**

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

The roll was called with 100 Members present.

The following Member was excused: Greenwood.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Terry Martindale, First Methodist Church of Guthrie, Guthrie.

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

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 1427, 1823, 1837, 1849, 1981, 1982, 1983, 1984, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 2163, 2246, 2278, 2280, 2282, 2302, 2310, 2311, 2317, 2356, 2372, 2380, 2393, 2426, 2429, 2457, 2462, 2475, 2530, 2542, 2551, 2567, 2692 and 2693 and HCR 1045** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **SECOND READING**

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

**SB 1108** – Rules

**SB 1118** – Transportation

**SB 1121** – Revenue and Taxation  
**SB 1150** – Commerce, Industry and Labor  
**SB 1165** – Retirement Laws  
**SB 1168** – Criminal Justice  
**SB 1169** – Government Operations and Agency Oversight and Administrative Rules  
**SB 1172** – Appropriations and Budget  
**SB 1203** – Retirement Laws  
**SB 1208** – Public Safety and Homeland Security  
**SB 1212** – Higher Education  
**SB 1216** – Agriculture and Rural Development  
**SB 1224** – Public Safety and Homeland Security  
**SB 1227** – Government Operations and Agency Oversight and Administrative Rules  
**SB 1247** – Revenue and Taxation  
**SB 1255** – Public Health  
**SB 1256** – Commerce, Industry and Labor  
**SB 1263** – Public Health  
**SB 1272** – Appropriations and Budget  
**SB 1280** – Appropriations and Budget  
**SB 1284** – Energy and Utility Regulation  
**SB 1299** – Appropriations and Budget  
**SB 1310** – Appropriations and Budget  
**SB 1311** – Environment and Natural Resources  
**SB 1328** – Environment and Natural Resources  
**SB 1335** – Retirement Laws  
**SB 1340** – Judiciary  
**SB 1342** – Revenue and Taxation  
**SB 1354** – Revenue and Taxation  
**SB 1360** – Agriculture and Rural Development  
**SB 1372** – Appropriations and Budget  
**SB 1373** – Criminal Justice  
**SB 1381** – Commerce, Industry and Labor  
**SB 1385** – Government Operations and Agency Oversight and Administrative Rules  
**SB 1401** – Criminal Justice  
**SB 1406** – Public Health  
**SB 1419** – County and Municipal Government  
**SB 1435** – Judiciary  
**SB 1460** – Criminal Justice  
**SB 1461** – Public Safety and Homeland Security  
**SB 1470** – Appropriations and Budget  
**SB 1472** – Criminal Justice  
**SB 1473** – Common Education  
**SB 1509** – Mental Health  
**SB 1522** – Public Health  
**SB 1570** – Appropriations and Budget  
**SB 1578** – Mental Health

**SB 1597** – Judiciary

**SB 1598** – Mental Health

**SJR 41** – Energy and Utility Regulation

## **RESOLUTION REFERRED**

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

**SCR 38** – Appropriations and Budget

## **MESSAGE FROM THE SENATE**

Advising the signing of and transmitting for signature Enrolled **SCR 45**.

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

## **GENERAL ORDER**

**HB 2225** by Ingmire of the House and Helton of the Senate was read and considered.

Representative Ingmire moved to amend **HB 2225** 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 Ingmire moved that **HB 2225** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ingmire, **HB 2225** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2225** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Benge, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley,

Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Excused: Balkman, Bonny, Covey, Cox, Greenwood, Hamilton, Maddux, Perry, Wilson.--9.

The measure passed.

**HB 2225** was referred for engrossment.

## GENERAL ORDER

**HB 2442** by Roan of the House and Corn of the Senate was read and considered.

Representative Roan moved to amend **HB 2442** by striking the title, which amendment was declared adopted.

Representative Roan moved that **HB 2442** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roan, **HB 2442** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2442** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Greenwood, Maddux, Wilson.--3.

The measure and emergency passed.

**HB 2442** was referred for engrossment.

## **GENERAL ORDER**

**HB 2350** by Benge of the House and Smith of the Senate was read and considered.

Coauthored by Representative(s) Lamons, Adkins

Representative Benge moved to amend **HB 2350** by striking the title, which amendment was declared adopted.

Representative Benge moved that **HB 2350** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Benge, **HB 2350** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2350** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Greenwood, Maddux, Wilson.--3.

The measure and emergency passed.

**HB 2350** was referred for engrossment.

## **GENERAL ORDER**

**HB 2135** by Peters et al of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Carey, Adkins

Representative Peters moved to amend **HB 2135**, Page 2, Section 2, Line 8 by changing the word “all” to the word “a”, which amendment was declared adopted.

Representative Calvey moved to amend **HB 2135**, Page 2, Section 2, Line 16 by inserting the words “an Oklahoma resident or” after the word “trustee” and before the words “an Oklahoma-based bank”, which amendment was declared adopted.

Representative Morgan (Fred) moved to amend **HB 2135**, Page 4 by inserting a new Section 8 to read as follows and renumbering subsequent section, which amendment was declared adopted:

“SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 17 of Title 31, unless there is created a duplication in numbering, reads as follows:

A. Any transfer of monies or property by a grantor to a preservation trust shall be subject to the provisions of the Uniform Fraudulent Transfer Act.

B. A transfer of monies or property into a preservation trust by a grantor within one (1) year of the grantor filing for protection under the United States Bankruptcy Code, 11 U.S.C., Section 101 et seq. shall be presumed to be a fraudulent conveyance. This presumption shall not be applicable in the event of an involuntary bankruptcy proceeding being commenced against the grantor.”

Representative Peters moved that **HB 2135** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Peters, **HB 2135** was considered engrossed and placed on Third Reading and Final Passage.

### **Representative Roberts Presiding**

### **THIRD READING**

**HB 2135** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--93.

Nay: Blackburn, Davis, Deutschendorf, Graves, Young.--5.

Excused: Greenwood, Maddux, Wilson.--3.

The measure passed.

**HB 2135** was referred for engrossment.

## **GENERAL ORDER**

**HB 2213** by Piatt of the House and Crutchfield of the Senate was read and considered.

Coauthored by Representative(s) Adkins

Representative Piatt moved to amend **HB 2213** 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 Piatt moved that **HB 2213** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Piatt, **HB 2213** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2213** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Greenwood, Maddux, Wilson.--3.

The measure and emergency passed.

**HB 2213** was referred for engrossment.

**GENERAL ORDER**

**HB 2473** by Braddock et al of the House and Wilcoxson of the Senate was read and considered.

Coauthored by Representative(s) Balkman, Blackburn, Deutschendorf, Easley, Nance, Staggs

Representative Braddock moved to amend **HB 2473** by striking the title, which amendment was declared adopted.

Representative Braddock moved that **HB 2473** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2473** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2473** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Young, Mr. Speaker.--97.

Nay: Wright.--1.

Excused: Greenwood, Maddux, Wilson.--3.

The measure passed.

**HB 2473** was referred for engrossment.



## GENERAL ORDER

**HB 2630** by Braddock et al of the House and Helton of the Senate was read and considered.

Coauthored by Representative(s) Calvey, Case, Claunch, Deutschendorf, Ingmire, Nance

Representative Braddock moved that **HB 2630** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Braddock, **HB 2630** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2630** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Greenwood, Maddux, Wilson.--3.

The measure and emergency passed.

**HB 2630** was referred for engrossment.

## GENERAL ORDER

**HB 2477** by Harrison of the House and Laster of the Senate was read and considered.

Representative Harrison moved to amend **HB 2477**, Page 1, Section 1, Line 9 and Page 4, Section 2, Lines 11-12 by deleting the new language "Proficiency" and restoring the stricken word "Sufficiency", which amendment was declared adopted.

Representative Harrison moved that **HB 2477** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Harrison, **HB 2477** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2477** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Young, Mr. Speaker.--92.

Nay: Davis, Graves, Peterson (Pam), Reynolds, Wright.--5.

Excused: Greenwood, Maddux, Phillips, Wilson.--4.

The measure and emergency passed.

**HB 2477** was referred for engrossment.

### GENERAL ORDER

**HB 2399** by Smith of the House and Laster of the Senate was read and considered.

Representative Smith moved to amend **HB 2399** by striking the title and the emergency, which amendment was declared adopted.

Representative Smith moved that **HB 2399** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Smith, **HB 2399** was considered engrossed and placed on Third Reading and Final Passage.

Representative Smith moved that **HB 2399** be laid over on Third Reading, which was the order.

## GENERAL ORDER

**HB 2497** by Rice of the House and Fisher of the Senate was read and considered.

Representative Balkman moved to amend **HB 2497** by deleting Section 2 and inserting new Sections 2 and 3 which read as follows, which amendment was declared adopted:

“SECTION 2. AMENDATORY 40 O.S. 2001, Section 2-209, is amended to read as follows:

Section 2-209. BENEFITS FOR EMPLOYEES OF GOVERNMENTAL OR NONPROFIT EMPLOYERS. Benefits based on service in employment defined in paragraphs (2), (3) or (4) of Section 1-210 of this title, including any federally operated educational institutions, shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other service subject to the Employment Security Act of 1980, except that:

(1) With respect to service performed in an instructional, research or principal administrative capacity for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two (2) successive academic years, or during a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(2) With respect to services performed in any other capacity for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two (2) successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms, except that if compensation is denied to any individual under this paragraph and such individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of this clause.

(3) With respect to any services described in paragraphs (1) and (2) of this section, benefits shall not be payable on the basis of services in any such capacities to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performs such services in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(4) With respect to any services described in paragraphs (1) and (2) of this section, benefits shall not be payable on the basis of services in any such capacities as specified in paragraphs (1), (2) and (3) of this section to any individual who performed such services in an educational institution while in the employ of an educational service agency. For purposes of this paragraph, the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(5) With respect to services to which paragraphs (2), (3) ~~or~~ and (4) of Section 1-210 of this title apply, if such services are provided to or on behalf of an educational institution, benefits shall not be payable under the same circumstances and subject to the same terms and conditions as described in paragraphs (1), (2), (3) and (4) of this section.

(6) For purposes of this section, "educational institution" shall also mean any nonprofit Headstart program in this state.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Representative Rice moved to amend **HB 2497**, Page 1, Section 1, Line 4, by inserting after the word "for" the word "unemployment", which amendment was declared adopted.

Representative Rice moved that **HB 2497** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Rice, **HB 2497** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2497** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Tyler, Vaughn, Walker, Wells, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Leist, Turner.--2.

Excused: Greenwood, Maddux, Wilson.--3.

The measure and emergency passed.

**HB 2497** was referred for engrossment.

## **GENERAL ORDER**

**HB 2603** by Lindley of the House and Shurden of the Senate was read and considered.

Representative Lindley moved to amend **HB 2603** 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 Lindley moved that **HB 2603** be laid over, which was the order.

## **MOTION**

Representative Rice moved that the House stand at ease until 1:15 p.m., which was the order.

## **Speaker Pro Tempore Hilliard Presiding**

## **GENERAL ORDER**

**HB 2603** by Lindley of the House and Shurden of the Senate as previously read and amended on Page 769 was considered further.

Representative Lindley moved that **HB 2603** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Lindley, **HB 2603** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2603** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Blackburn, Braddock, Hamilton, Langmacher, Lindley, McIntyre, Paulk, Pettigrew, Phillips, Smith, Sweeden, Toure.--12.

Nay: Adkins, Armes, Askins, Balkman, Benge, Blackwell, Boren, Brannon, Calvey, Carey, Cargill, Claunch, Coleman, Covey, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Harrison, Hastings,

Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Leist, Liotta, Maddux, Mass, McCarter, McClain, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smithson, Staggs, Stanley, Steele, Sullivan, Taylor, Tibbs, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--83.

Excused: Bonny, Case, Cox, Greenwood, Hiatt, Pope.--6.

The measure failed.

Representative Lindley served notice to reconsider the vote whereby **HB 2603** failed.

### Representative Roberts Presiding

### RECONSIDERATION

Representative Sweeden moved to reconsider the vote whereby **HB 2613** failed, which motion prevailed upon roll call as follows:

Aye: Adkins, Askins, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nations, Newport, Paulk, Plunk, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Young, Mr. Speaker.--62.

Nay: Armes, Balkman, Benge, Calvey, Cargill, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Hiatt, Ingmire, Jones, Liotta, Miller (Doug), Nance, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Pope, Reynolds, Steele, Sullivan, Trebilcock, Wilt, Winchester, Worthen, Wright.--37.

Excused: Case, Greenwood.--2.

Representative Sweeden asked unanimous consent to return **HB 2613** to General Order for the purpose of an amendment, to which objection was heard.

Representative Sweeden moved to suspend House Rule 11, Sections 5 and 7, which motion failed of adoption upon roll call as follows:

Aye: Askins, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Perry, Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo,

Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Mr. Speaker.--62.

Nay: Adkins, Armes, Balkman, Bengé, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Jones, Liotta, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Reynolds, Steele, Sullivan, Tibbs, Trebilcock, Wilt, Winchester, Worthen, Wright, Young.--37.

Excused: Greenwood, Hiatt.--2.

### **THIRD READING**

**HB 2613** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Blackburn, Blackwell, Bonny, Braddock, Brannon, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Wells, Wilson, Mr. Speaker.--51.

Nay: Adkins, Armes, Balkman, Bengé, Boren, Calvey, Carey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Hiatt, Ingmire, Jones, Lamons, Liotta, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Walker, Wilt, Winchester, Worthen, Wright, Young.--48.

Excused: Greenwood, Staggs.--2.

The measure passed.

**HB 2613** was referred for engrossment.

### **THIRD READING**

**HB 2399** was read, amended and laid over on Page 766.

**HB 2399** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson,

Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Greenwood, Pope.--2.

The measure passed.

**HB 2399** was referred for engrossment.

## GENERAL ORDER

**HB 2129** by Carey of the House and Gumm of the Senate was read and considered.

Representative Miller (Ray) moved to amend **HB 2129** by inserting a new Section 1 to read as follows and renumbering subsequent sections:

“SECTION 1. AMENDATORY 68 O.S. 2001, Section 1356, as last amended by Section 66 of Enrolled House Bill No. 2725 of the 2nd Session of the 49th 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 or sales of admission tickets to such fairs or fair events at any location in the state authorized by county, district or state fair authorities; provided, the exemption provided by this paragraph for admission tickets to fair events shall apply only to any portion of the admission price that is retained



by or distributed to the fair authority. As used in this paragraph, "fair event" shall be limited to an event held on the premises of the fair authority in conjunction with and during the time period of a county, district or state fair;

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 or sale of tangible personal property or services by an organization exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, made on behalf of or at the request of a church or churches if the sale of such property is conducted not more than once each calendar year for a period not to exceed three (3) days by the organization and proceeds from the sale of such property are used by the church or churches or by the organization for charitable purposes;

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, the Broken Bow Economic Development Authority 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. a. Sales of tangible personal property made by:

- (1) a public school,
- (2) a private school offering instruction for grade levels kindergarten through twelfth grade,
- (3) a public school district,
- (4) a public or private school board,
- (5) a public or private school student group or organization,
- (6) a parent-teacher association or organization other than as specified in subparagraph b of this paragraph, or
- (7) 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, or

b. Sales of tangible personal property made by or to nonprofit parent-teacher associations or organizations exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501 (c)(3).

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 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;

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; ~~and~~

44. The first Fifteen Thousand Dollars (\$15,000.00) each year from sales of tangible personal property by youth athletic teams which are part of an athletic organization exempt from taxation pursuant to the provisions of the Internal Revenue Code, 26 U.S.C., Section 501(c)(4), for the purposes of raising funds for the benefit of the team; and

45. Sales of tangible personal property to a nonprofit organization having exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, for the purpose of constructing a facility the primary purpose of which is to allow the delivery of medical services as a result of occupancy of the facility by physicians or other medical service providers in counties with a population of less than fifteen thousand (15,000) persons, according to the latest Federal Decennial Census. For purposes of this paragraph, sales made to a contractor or subcontractor that has previously entered into a contractual relationship with a nonprofit entity as described by this paragraph shall be considered sales made to the nonprofit entity. For purposes of this paragraph, sales made to such an organization, or a contractor or subcontractor on or after October 1, 2003, but not later than June 30, 2004, shall be exempt and such exemption shall be applicable to sales for which an invoice is first presented for payment not later than June 30, 2004, regardless of whether or not payment of the invoiced amount is made subsequent to such date. The total amount of

the exemption authorized by this paragraph shall not exceed Thirty Thousand Dollars (\$30,000.00).”,

and on Page 2, Line 22, by deleting the capitalized word “This” and inserting in lieu thereof the words “Section 2 of this”; and on Page 2, Line 22 1/2 by inserting a new Section 3 to read as follows:

“SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.”

Representative Calvey asked a ruling of the Presiding Officer whether the Miller (Ray) amendment is germane to **HB 2129**.

The Presiding Officer ruled the point well taken and the amendment nongermane.

Representative Carey moved to amend **HB 2129**, Page 2, Section 1, Line 8, by deleting the words “Department of Human Services” and inserting in lieu thereof the words “Office of the Attorney General”, which amendment was declared adopted.

Representative Carey moved to amend **HB 2129** by creating a new subsection E to read as follows and renumbering subsequent section, which amendment was declared adopted:

“E. All CASA organizations in the State of Oklahoma shall receive a portion of this money.”

Representative Carey moved that **HB 2129** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Carey, **HB 2129** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 2129** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs,

Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Bonny, Greenwood.--2.

The measure passed.

**HB 2129** was referred for engrossment.

## GENERAL ORDER

**HB 2128** by Morgan (Danny) of the House and Lerblance of the Senate was read and considered.

Coauthored by Representative(s) Leist

Representative Morgan (Danny) moved that **HB 2128** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Morgan (Danny), **HB 2128** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2128** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Morgan (Danny), Morgan (Fred), Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smithson, Staggs, Stanley, Steele, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--91.

Nay: Davis, Mitchell, Nance, Phillips, Reynolds, Smith, Sullivan, Wright.--8.

Excused: Bonny, Greenwood.--2.

The measure and emergency passed.

**HB 2128** was referred for engrossment.



## GENERAL ORDER

**HB 2230** by Morgan (Danny) of the House and Rozell of the Senate was read and considered.

Coauthored by Representative(s) Carey

Representative Morgan (Danny) moved to amend **HB 2230**, Page 8, Section 1, Lines 16-21 by deleting the following language:

“recognized pursuant to the ruling of the United States Supreme Court in Oklahoma Tax Commission v. Sac and Fox Nation, 113 S. Ct. 1985 (1993), or through a compact between the State of Oklahoma and the tribe shall be deemed valid under Oklahoma law if validly perfected under the applicable tribal law and the lien is noted on the face of the tribal certificate of title.”

and inserting in lieu thereof the following language:

“shall be deemed valid under Oklahoma law if validly perfected under the applicable tribal law and the lien is noted on the face of the tribal certificate of title.”,

which amendment was declared adopted.

Representative Morgan (Danny) moved that **HB 2230** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Morgan (Danny), **HB 2230** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2230** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-97.

Excused: Bonny, Graves, Greenwood, Phillips.--4.

The measure and emergency passed.

**HB 2230** was referred for engrossment.

## GENERAL ORDER

**HB 2373** by McCarter et al of the House and Leftwich et al of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Blackburn, Blackwell, Deutschendorf, Easley, Hefner, Lindley, Wells

Representative McCarter moved to amend **HB 2373**, Page 5, Section 3, Line 8 1/2 by inserting a new subsection to read as follows, which amendment was declared adopted:

“g. The State Director of Career Technology Education”

Representative McCarter moved to amend **HB 2373**, Page 8, Section 5, Line 16 1/2 by inserting the following language, which amendment was declared adopted:

“f. that all labor disputes must be settled prior to accepting payment.”

Representative McCarter moved that **HB 2373** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative McCarter, **HB 2373** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2373** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Davis, Graves.--2.

Excused: Covey, Greenwood.--2.

The measure and emergency passed.

**HB 2373** was referred for engrossment.

## **GENERAL ORDER**

**HB 2495** by Wilt of the House and Dunlap of the Senate was read and considered.

Representative Staggs moved to amend **HB 2495** by striking the title, which amendment was declared adopted.

Representative Wilt moved that **HB 2495** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wilt, **HB 2495** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2495** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Mr. Speaker.--97.

Nay: Reynolds, Wright, Young.--3.

Excused: Greenwood.--1.

The measure passed.

**HB 2495** was referred for engrossment.

**GENERAL ORDER**

**HB 1855** by Peterson (Ron) et al of the House and Riley of the Senate was read and considered.

Coauthored by Representative(s) Adkins

Representative Winchester moved to amend **HB 1855** by adding a new Section 2 to read as follows, and renumbering subsequent section, which amendment was declared adopted:

“SECTION 2. AMENDATORY 70 O.S. 2001, Section 8-103, as amended by Section 12, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2003, Section 8-103), is amended to read as follows:

Section 8-103. A. In order that any student may be transferred, an application form specified by the State Board of Education must be completed by the parents of the student. For purposes of the Education Open Transfer Act, the term “parent” means the parent of the student or person having custody of the student as provided for in paragraph 1 of subsection A of Section 1-113 of this title. The application shall be obtained from and filed with the superintendent of the receiving school district for transfers to school districts in the State of Oklahoma and with the State Board of Education for transfers to school districts in another state. Applications ~~Except as otherwise provided for in this section, applications~~ shall be filed no later than February 1 of the school year preceding the school year for which the transfer is desired. By March 1 of the same school year, the receiving school district shall notify the resident school district that an application for transfer has been filed by a student enrolled in the resident school district. The board of education of the receiving school district shall approve or deny the application for transfer not later than June 1 of the same year and shall notify the parents of the student of the decision. By July 1 of the same year, the parents of the student shall notify the receiving school district that the student will be enrolling in that school district. Failure of parents to notify the district as required may result in loss of the student’s right to enroll in the district for that year.

B. On or before September 1, it shall be the duty of the superintendent of the receiving school district to file with the State Board of Education and each resident district a statement showing the names of the students granted transfers to the school district, the resident school district of the transferred students and their respective grade level.

C. The receiving school district of a student transferred pursuant to the provisions of this act shall notify the resident school district and parents of the student of a cancellation of the transfer. Such notice shall be made by June 1 prior to the school year for which the cancellation is applicable.

D. For students who are deaf or hearing impaired who wish to transfer to a school district with a specialized deaf education program, applications may be filed at any time during the school year. Upon approval of the receiving school district, the student may transfer to the receiving school district at any time during the school year.”

Representative Peterson (Ron) moved that **HB 1855** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Peterson (Ron), **HB 1855** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1855** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Bonny, Greenwood.--2.

The measure and emergency passed.

**HB 1855** was referred for engrossment.

### **GENERAL ORDER**

**HB 2668** by Staggs of the House and Robinson of the Senate was read and considered.

Representative Staggs moved to amend **HB 2668** 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 Staggs moved that **HB 2668** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Staggs, **HB 2668** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2668** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Bonny, Greenwood, Hiatt.--3.

The measure passed.

**HB 2668** was referred for engrossment.

**GENERAL ORDER**

**HB 2332** by Staggs of the House and Lawler of the Senate was read and considered.

Representative Staggs moved to amend **HB 2332** 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 Staggs moved to amend the floor substitute, Page 2, Section 1, by deleting after the word "indebtedness" on Line 20 the language " , which shall not include nonpayable warrants," and by inserting after the word "indebtedness" on Line 21 the language "which shall not include nonpayable warrants", which amendment was declared adopted.

Representative Staggs moved that **HB 2332** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Staggs, **HB 2332** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2332** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Greenwood, Hiatt.--2.

The measure and emergency passed.

**HB 2332** was referred for engrossment.

### GENERAL ORDER

**HB 2493** by Adkins of the House and Coffee of the Senate was read and considered.

Representative Adkins moved to amend **HB 2493** by striking the title and the emergency clause, which amendment was declared adopted.

Representative Blackwell moved to amend **HB 2493**, by inserting a new Section 2 to read as follows, and renumbering subsequent section, which amendment was declared adopted:

“SECTION 2. AMENDATORY Section 8, Chapter 432, O.S.L. 2003 (63 O.S. Supp. 2003, Section 3250.8), is amended to read as follows:

Section 3250.8 A. 1. There is hereby created in the State Treasury a revolving fund to be designated the “Medicaid Payment Reimbursement Fund”.

2. The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of:

- a. all monies received by the Oklahoma Health Care Authority pursuant to the Oklahoma Community Hospitals Public Trust Authorities Act and otherwise specified or authorized by law including but not limited to monies received by the Authority from assessments levied on hospitals included in a hospital district, and
- b. interest attributable to investment of money in the fund.

3. All monies accruing to the credit of the fund are hereby appropriated and shall be expended by the Authority for services to Medicaid beneficiaries residing within or receiving services within the boundaries of the community hospitals public trust.

B. Any monies received from any assessment levied on hospitals within a hospital district for purposes of providing the state matching funds for supplemental Medicaid programs pursuant to the provisions of the Oklahoma Community Hospitals Public Trust Authorities Act shall be submitted to the Oklahoma Health Care Authority for deposit into the Medicaid Payment Reimbursement Fund.

C. The Oklahoma Health Care Authority shall transfer to the Medicaid Payment Reimbursement Fund any payment received by the Oklahoma Health Care Authority pursuant to the Oklahoma Community Hospitals Public Trust Authorities Act and rules promulgated by the Oklahoma Health Care Authority pursuant to federal law and the provisions of the Oklahoma Community Hospitals Public Trust Authorities Act.

D. 1. The Oklahoma Health Care Authority Board shall promulgate rules to implement the provisions of this section. The rules, at a minimum, shall address the creation of hospital district accounts and methods for certifying funds for each hospital district established pursuant to the Oklahoma Community Hospitals Public Trust Authorities Act to be deposited in each hospital district account. The revenue for each hospital district account shall consist of the following:

a. local area monies dedicated for health care purposes including, but not limited to, ad valorem receipts dedicated to county hospitals, and

b. the federal matching dollar amounts for subparagraph a of this paragraph.

2. The Authority shall not reduce the amount of disbursements otherwise due to a hospital district based on the hospital district's receipt of local area dedicated monies and any attributable federal matching funds.

E. 1. The Oklahoma Health Care Authority shall make Medicaid reimbursement payments to each community public trust authority to the extent permitted by federal law and rules promulgated by the Oklahoma Health Care Authority pursuant to federal law and the provisions of the Oklahoma Community Hospitals Public Trust Authorities Act.

2. Each community hospital public trust authority established shall be limited to receipt of supplemental Medicaid program funds for its designated area.”

Representative Adkins moved that **HB 2493** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Adkins, **HB 2493** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2493** was read at length for the third time. On passage of the measure, the roll call was as follows:



Aye: Adkins, Armes, Askins, Balkman, Benge, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Graves, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--94.

Nay: Blackburn, Gilbert.--2.

Excused: Cargill, Greenwood, Hiett, O'Neal, Phillips.--5.

The measure passed.

**HB 2493** was referred for engrossment.

## **GENERAL ORDER**

**HB 2541** by Lamons of the House and Helton of the Senate was read and considered.

Representative Lamons moved to amend **HB 2541** by striking the title, which amendment was declared adopted.

Representative Lamons moved that **HB 2541** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Lamons, **HB 2541** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2541** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Askins, Benge, Blackburn, Boren, Braddock, Brannon, Carey, Cargill, Case, Cox, Dank, Deutschendorf, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Hastings, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Liotta, McCarter, McClain, McIntyre, Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Nations, O'Neal, Peters, Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Rice, Roan, Smaligo, Smith, Stanley, Steele, Sullivan, Taylor, Tibbs, Toure, Trebilcock, Tyler, Vaughn, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--65.

Nay: Armes, Balkman, Blackwell, Bonny, Claunch, Coleman, Covey, Davis, DeWitt, Dorman, Graves, Harrison, Hefner, Leist, Maddux, Mass, Miller (Doug), Mitchell, Newport, Paulk, Perry, Peterson (Pam), Pope, Reynolds, Roberts, Roggow, Smithson, Staggs, Sweeden, Turner, Walker, Worthen, Wright.--33.

Excused: Calvey, Greenwood, Hiatt.--3.

The measure passed.

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

Aye: Adkins, Askins, Balkman, Benge, Blackburn, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Cox, Easley, Eddins, Ellis, Ericson, Erwin, Gilbert, Hamilton, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, McCarter, McClain, McIntyre, Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Rice, Roan, Roggow, Smaligo, Smith, Staggs, Stanley, Steele, Taylor, Tibbs, Toure, Trebilcock, Tyler, Vaughn, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--69.

Nay: Armes, Blackwell, Claunch, Coleman, Covey, Dank, Davis, DeWitt, Dorman, Ferguson, Graves, Harrison, Leist, Liotta, Maddux, Mass, Miller (Doug), Mitchell, Paulk, Perry, Pope, Reynolds, Roberts, Smithson, Sullivan, Sweeden, Turner, Walker, Worthen, Wright.--30.

Excused: Deutschendorf, Greenwood.--2.

The emergency passed.

**HB 2541** was referred for engrossment.

## **GENERAL ORDER**

**HB 1571** by Dorman of the House and Rabon of the Senate was read and considered.

Remove Representative Dorman as principal House author and substitute with Representative Harrison

Coauthored by Representative(s) Dorman, Walker, Hamilton, Roan, Miller (Ray), Brannon, Smithson

Representative Harrison moved to amend **HB 1571** by striking the title, which amendment was declared adopted.

Representative Harrison moved that **HB 1571** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Harrison, **HB 1571** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1571** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Paulk, Peterson (Ron), Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--87.

Nay: Bengé, Coleman, Davis, Graves, Langmacher, Liotta, O'Neal, Perry, Peters, Peterson (Pam), Pettigrew, Reynolds, Wright.--13.

Excused: Greenwood.--1.

The measure passed.

**HB 1571** was referred for engrossment.

### **GENERAL ORDER**

**HB 1843** by Bonny of the House and Capps of the Senate was read and considered.

Representative Mass moved to amend **HB 1843** by inserting two new sections to read as follows and renumbering subsequent sections:

“SECTION \_\_\_\_ AMENDATORY 82 O.S. 2001, Section 1608, as amended by Section 8, Chapter 46, O.S.L. 2002 (82 O.S. Supp. 2003, Section 1608), is amended to read as follows:

Section 1608. All floodplain boards that choose to participate in the program shall adopt floodplain regulations, which shall conform with the requirements necessary to establish eligibility and to maintain participation in the program and shall include the following:

1. Regulations for any platting of land in floodplains, construction of dwelling units and commercial or industrial structures in floodplains, and all other construction in the floodplains, which may divert, retard or obstruct floodwater and threaten public health, safety or welfare;

2. Regulations which establish minimum flood protection elevations and flood damage prevention requirements for use of structures and facilities which are located in a floodplain or are vulnerable to flood damage. Regulations adopted under this section are to be in accordance with any applicable state and local laws, regulations and ordinances;

3. Regulations which provide for coordination by the floodplain board with all other interested and affected political subdivisions and state agencies. The regulations of a floodplain board shall not apply to the use of the usual farm buildings for agricultural purposes, the planting of agricultural crops or the construction of farm ponds; ~~and~~

4. Regulations which establish minimum floodplain protection standards for a proposed drilling or operations of any well for the exploration, development or production of oil or gas, or as an injection or disposal well to be located in a floodplain area; and

5. Counties and municipalities that choose to participate in the program and utilize a floodplain manager are encouraged to attend the floodplain development management classes offered by the National Flood Insurance Program and any additional annual continuing education classes offered by the Oklahoma Water Resources Board.

SECTION \_\_. AMENDATORY 52 O.S. 2001, Section 318.1, is amended to read as follows:

Section 318.1 A. Any person who drills or operates any well for the exploration, development or production of oil or gas, or as an injection or disposal well, within this state, shall furnish in writing, on forms approved by the Corporation Commission, ~~his or her~~ the following:

1. The agreement to drill, operate and plug wells in compliance with the rules of the Commission and the laws of this state; ~~together with evidence;~~

2. Evidence of financial ability to comply with the requirements for plugging, closure of surface impoundments, removal of trash and equipment as established by the rules of the Commission and by law. To establish evidence of financial ability, the Commission shall require:

~~1.~~

a. Category A surety which shall include a financial statement listing assets and liabilities and including a general release that the information may be verified with banks and other financial institutions. The statement shall prove a net worth of not less than Fifty Thousand Dollars (\$50,000.00); ~~2.~~ or

~~2.~~

b. Category B surety which shall include an irrevocable commercial letter of credit, cash, a cashier's check, a Certificate of Deposit, Bank Joint Custody Receipt, other negotiable instrument or, a blanket surety bond. Except as provided in paragraph 3 of subsection A of this section, amount of such letter of credit, cash, cashier's check, certificate, bond, receipt or other negotiable instrument shall be in the amount of Twenty-five Thousand Dollars (\$25,000.00) but may be set higher at the discretion of the Director of the Oil and Gas Conservation Division. The Commission is authorized to determine the amount of Category B surety based upon the past performance of the operator and its insiders and affiliates regarding compliance with the laws of this state, and any rules promulgated thereto including but not limited to the drilling, operation and plugging of wells, closure of surface impoundments or removal of trash and equipment. Any instrument

shall constitute an unconditional promise to pay and be in a form negotiable by the Commission; and

3. ~~The~~

c. the Commission upon certification by any operator subject to Category B surety that its plugging liability statewide is less than the twenty-five-thousand-dollar standard specified in this section may allow said operator to provide Category B type surety in an amount less than the required Twenty-five Thousand Dollars (\$25,000.00), but at least sufficient to cover the estimated cost of all plugging, closure, and removal operations currently the responsibility of that operator. The liability certification referred to in this paragraph shall take the form of an affidavit from a licensed well plugger estimating the costs of all plugging, closure, and removal operations of the operator requesting such relief. This alternative amount shall be modified upward upon the assumption of additional operations by such operator, the maximum amount of Category B surety to be posted not to exceed the twenty-five-thousand-dollar total unless as provided previously; and

3. The applicant shall submit a list of all permits needed by the applicant to conduct the proposed drilling or operation of any well or surface impoundment for the exploration, development or production of oil or gas, or as an injection or disposal well to be located in a floodplain, as such term is defined by the Floodplain Management Act. This list shall identify each license and permit by:

- a. type of permit or license,
- b. name and address of the person intended to operate the well,
- c. which well and/or surface impoundment is to be located in a floodplain,
- d. identification number or a copy of the application for permits or licenses or, if issued a copy of the permit or license, and
- e. if a decision has been made, the date of approval or disapproval by the floodplain management board.

An existing proposed drilling or operation of any well for the exploration, development or production of oil or gas, or as an injection or disposal well which does not have on file a list of the applicable licenses or permits with the Commission on the date of enactment of this act shall not be out of compliance with the provisions of this section. Any renewal of an existing permit or expansion or amendment to an existing operation upon time of application shall submit a copy of all approved licenses and permits issued by other agencies or jurisdictions.

B. Operators of record as of June 7, 1989, who do not have any outstanding contempt citations or fines and whose insiders or affiliates have no outstanding contempt citations or fines may post Category A surety.

New operators, operators who have outstanding fines or contempt citations and operators whose insiders or affiliates have outstanding contempt citations or fines as of June 7, 1989, shall be required to post Category B surety. Operators who have posted Category B surety and have operated under this type surety and have no outstanding fines at the end of three (3) years may post Category A surety.

Operators using Category A surety who are assessed a fine of Two Thousand Dollars (\$2,000.00) or more and who do not pay the fine within the specified time shall be required to post a Category B surety within thirty (30) days of notification by the Commission.

C. For good cause shown concerning pollution or improper plugging of wells by the operator posting either Category A or B surety or by an insider or affiliate of such operator, the Commission, upon application of the Director of the Oil and Gas Conservation Division, after notice and hearing, may require the filing of additional Category B surety in an amount greater than Twenty-five Thousand Dollars (\$25,000.00) but not to exceed One Hundred Thousand Dollars (\$100,000.00).

D. If the Commission determines that a blanket surety bond is required, the bond shall be conditioned on the fact that the operator shall cause the wells to be plugged and abandoned surface impoundments to be closed, and trash and equipment to be removed in accordance with the laws of this state and the rules of the Commission. Each bond shall be executed by a corporate surety authorized to do business in this state and shall be renewed and continued in effect until the conditions have been met or release of the bond is authorized by the Commission.

E. The agreement provided for in subsection A of this section shall provide that if the Commission determines that the person furnishing the agreement has neglected, failed, or refused to plug and abandon, or cause to be plugged and abandoned, or replug any well or has neglected, failed or refused to close any surface impoundment or removed or cause to be removed trash and equipment in compliance with the rules of the Commission, then the person shall forfeit from his or her bond, letter of credit or negotiable instrument or shall pay to this state, through the Commission, for deposit in the State Treasury, a sum equal to the cost of plugging the well, closure of any surface impoundment or removal of trash and equipment. The Commission may cause the remedial work to be done, issuing a warrant in payment of the cost thereof drawn against the monies accruing in the State Treasury from the forfeiture or payment. Any monies accruing in the State Treasury by reason of a determination that there has been a noncompliance with the provisions of the agreement or the rules of the Commission, in excess of the cost of remedial action ordered by the Commission, shall be credited to the Oil and Gas Revolving Fund. The Commission shall also recover any costs arising from litigation to enforce this provision. Provided, before a person is required to forfeit or pay any monies to the state pursuant to this section, the Commission shall notify the person at his or her last-known address of the determination of neglect, failure or refusal to plug or replug any well, or close any surface impoundment or remove trash and equipment and said person shall have ten (10) days from the date of notification within which to commence remedial operations. Failure to commence remedial operations shall result in forfeiture or payment as provided in this subsection.

F. It shall be unlawful for any person to drill or operate any oil or gas well subject to the provisions of this section, without the evidence of financial ability required by this section. The Commission shall shut in, without notice, hearing or order of the Commission, the wells of any such person violating the provisions of this subsection and such wells shall remain shut in for noncompliance until the required evidence of Category B surety is obtained and verified by the Commission.

G. If title to property or a well is transferred, the transferee shall furnish the evidence of financial ability to plug the well and close surface impoundments required by the provisions of this section, prior to the transfer.

H. As used in this section:

1. "Affiliate" means an entity that owns twenty percent (20%) or more of the operator, or an entity of which twenty percent (20%) or more is owned by the operator; and

2. "Insider" means officer, director, or person in control of the operator; general partners of or in the operator; general or limited partnership in which the operator is a general partner; spouse of an officer, director, or person in control of the operator; spouse of a general partner of or in the operator; corporation of which the operator is a director, officer, or person

in control; affiliate, or insider of an affiliate as if such affiliate were the operator; or managing agent of the operator."

Representative Davis raised a point of order whether the Mass amendment is germane to **HB 1843**.

The Presiding Officer ruled the point well taken and the amendment nongermane.

Representative Bonny moved that **HB 1843** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Bonny, **HB 1843** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1843** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Greenwood.--1.

The measure passed.

**HB 1843** was referred for engrossment.

**Speaker Pro Tempore Hilliard Presiding****GENERAL ORDER**

**HB 1894** by Bonny of the House and Capps of the Senate was read and considered.

Representative Bonny moved that **HB 1894** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Bonny, **HB 1894** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1894** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peterson (Pam), Pettigrew, Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Winchester, Mr. Speaker.--84.

Nay: Coleman, Davis, Graves, Leist, Maddux, Miller (Doug), Morgan (Fred), Peters, Peterson (Ron), Reynolds, Tibbs, Vaughn, Wilt, Worthen, Wright, Young.--16.

Excused: Greenwood.--1.

The measure and emergency passed.

**HB 1894** was referred for engrossment.

**GENERAL ORDER**

**HB 1853** by Turner of the House and Wilkerson of the Senate was read and considered.

Representative Turner moved to amend **HB 1853** 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 Turner moved that **HB 1853** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Turner, **HB 1853** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1853** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hielt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Davis, Graves, Leist, Paulk, Toure.--5.

Excused: Greenwood.--1.

The measure passed.

**HB 1853** was referred for engrossment.

### **GENERAL ORDER**

**HB 1818** by Mass et al of the House and Shurden of the Senate was read and considered.

Coauthored by Representative(s) Boren, Brannon, Carey, Covey, Deutschendorf, Dorman, Ellis, Gilbert, Morgan (Danny), Nations, Pope, Smithson, Staggs, Taylor, Tyler, Walker, Wilson

Coauthored by Senator(s) Gumm

Representative Mass moved that **HB 1818** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mass, **HB 1818** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1818** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--95.

Nay: Coleman, Graves, Reynolds, Wright.--4.

Excused: Greenwood, Phillips.--2.

The measure and emergency passed.

**HB 1818** was referred for engrossment.

### GENERAL ORDER

**HB 1819** by Mass et al of the House and Shurden of the Senate was read and considered.

Coauthored by Representative(s) Boren, Brannon, Carey, Covey, Deutschendorf, Dorman, Ellis, Gilbert, Morgan (Danny), Nations, Pope, Smithson, Staggs, Stanley, Taylor, Tyler, Walker, Wilson

Coauthored by Senator(s) Gumm

Representative Mass moved that **HB 1819** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mass, **HB 1819** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1819** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Cargill, Covey, Cox, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Maddux, Mass, McCarter, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nations, Newport, Paulk, Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Mr. Speaker.--75.

Nay: Balkman, Bengé, Calvey, Case, Claunch, Coleman, Dank, Graves, Leist, Liotta, McClain, Morgan (Fred), Nance, O'Neal, Perry, Peters, Peterson (Pam), Reynolds, Smaligo, Tibbs, Vaughn, Worthen, Wright, Young.--24.

Excused: Greenwood, Phillips.--2.

The measure and emergency passed.

**HB 1819** was referred for engrossment.

### **MOTION**

Upon unanimous consent request of Representative Miller (Doug), House Rule 12, Section 3 was suspended for the remainder of this legislative day.

### **RESOLUTION FOR CONSIDERATION**

**HR 1035** was called up for consideration.

Upon motion of Representative Hefner, **HR 1035** was considered and adopted.

**HR 1035** was referred for enrollment.

**Representative Roberts Presiding**

**GENERAL ORDER**

**HB 1999** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 1999** by striking the title, which amendment was declared adopted.

Representative Mitchell moved that **HB 1999** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 1999** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1999** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--52.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, McClain, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--48.

Excused: Greenwood.--1.

The measure passed.

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

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--52.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hiatt, Ingmire, Jones, Liotta, Maddux, McClain, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--46.

Excused: Case, Greenwood, Hastings.--3.

The emergency failed.

**HB 1999** was referred for engrossment.

### **Speaker Pro Tempore Hilliard Presiding**

#### **GENERAL ORDER**

**HB 2494** by Adkins et al of the House and Coffee of the Senate was read and considered.

Representative Adkins moved to amend **HB 2494** by striking the title, which amendment was declared adopted.

Representative Adkins moved that **HB 2494** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Adkins, **HB 2494** was considered engrossed and placed on Third Reading and Final Passage.

#### **THIRD READING**

**HB 2494** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Boren, Braddock, Brannon, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--96.

Nay: Calvey, Young.--2.

Excused: Bonny, Greenwood, Harrison.--3.

The measure passed.

**HB 2494** was referred for engrossment.

## GENERAL ORDER

**HB 2000** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 2000** by striking the title, which amendment was declared adopted.

Representative Mitchell moved that **HB 2000** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 2000** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2000** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--52.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, McClain, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--48.

Excused: Greenwood.--1.

The measure passed and the emergency failed.

**HB 2000** was referred for engrossment.

## GENERAL ORDER

**HB 2681** by Hefner et al of the House and Kerr of the Senate was read and considered.

Representative Dorman moved that **HB 2681** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Dorman, **HB 2681** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2681** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Greenwood.--1.

The measure and emergency passed.

**HB 2681** was referred for engrossment.

## THIRD READING

**HB 1998** as read, amended and laid over on Page 748, was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--52.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, McClain, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--48.

Excused: Greenwood.--1.

The measure passed and the emergency failed.

**HB 1998** was referred for engrossment.

## GENERAL ORDER

**HB 2682** by Hefner et al of the House and Kerr of the Senate was read and considered.

Coauthored by Representative(s) Blackwell

Representative Dorman moved to amend **HB 2682** by striking the enacting clause, which amendment was declared adopted.

Representative Dorman moved that **HB 2682** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Dorman, **HB 2682** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2682** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Mr. Speaker.--93.

Nay: Coleman, Graves, Leist, Reynolds, Wright, Young.--6.



Excused: Bonny, Greenwood.--2.

The measure passed.

**HB 2682** was referred for engrossment.

## **GENERAL ORDER**

**HB 2001** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 2001** by striking the title, which amendment was declared adopted.

Representatives Blackwell and Dorman moved to amend **HB 2001**, Page 1, Section 1, Line 9 by inserting after the period “.” the following language, which amendment was declared adopted:

“If a bridge improvement project will result in a decrease in a load limit, the Oklahoma Department of Transportation is required to hold informational meetings in the surrounding towns or cities that will be affected economically.”

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

By unanimous consent, upon request of Representative Mitchell, **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 and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Bonny, Greenwood.--2.

The measure and emergency passed.

**HB 2001** was referred for engrossment.

## GENERAL ORDER

**HB 1828** by Balkman et al of the House and Pruitt of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Nations

Representative Balkman moved that **HB 1828** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Balkman, **HB 1828** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 1828** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Blackburn, Eddins.--2.

Excused: Greenwood.--1.

The measure passed.

**HB 1828** was referred for engrossment.

## **GENERAL ORDER**

**HB 2002** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 2002** by striking the title, which amendment was declared adopted.

Representative Mitchell moved that **HB 2002** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 2002** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2002** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--52.

Nay: Adkins, Armes, Balkman, Bengé, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, McClain, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--47.

Excused: Blackwell, Greenwood.--2.

The measure passed and the emergency failed.

**HB 2002** was referred for engrossment.

## **GENERAL ORDER**

**HB 2004** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 2004** by striking the title, which amendment was declared adopted.

Representative McCarter moved to amend **HB 2004**, Page 4, Section 1, Line 8 1/2 by adding the following language, and renumbering subsequent subsections, which amendment was declared adopted:

“19. ‘Competitive Job’ means a skilled job designated by the Office of Personnel Management.”

Representative Mitchell moved that **HB 2004** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 2004** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 2004** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--91.

Nay: Coleman, Dank, Graves, O'Neal, Piatt, Reynolds, Sullivan, Vaughn, Wright.--9.

Excused: Greenwood.--1.

The measure and emergency passed.

**HB 2004** was referred for engrossment.

## **GENERAL ORDER**

**HB 2005** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 2005** by striking the title, which amendment was declared adopted.

Representative McCarter moved to amend **HB 2005**, Page 1, Section 1, Line 9 by adding after the word “officer” the words “or appointed proxy”, which amendment was declared adopted.

Representative Mitchell moved that **HB 2005** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 2005** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2005** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Askins, Benge, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Case, Claunch, Covey, Cox, Deutschendorf, Dorman, Easley, Eddins, Ellis, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Plunk, Pope, Rice, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--61.

Nay: Adkins, Balkman, Blackwell, Calvey, Cargill, Coleman, Dank, Davis, DeWitt, Ericson, Graves, Hiatt, Jones, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--38.

Excused: Greenwood, Roan.--2.

The measure passed and the emergency failed.

**HB 2005** was referred for engrossment.

**GENERAL ORDER**

**HB 2006** by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Mitchell moved to amend **HB 2006** by striking the title, which amendment was declared adopted.

Representative Mitchell moved that **HB 2006** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Mitchell, **HB 2006** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2006** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Cargill, Case, Claunch, Covey, Cox, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Paulk, Perry, Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Taylor, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Winchester, Young, Mr. Speaker.--81.

Nay: Calvey, Coleman, Dank, Graves, Hiatt, Liotta, Miller (Doug), O'Neal, Peters, Peterson (Pam), Phillips, Reynolds, Sullivan, Tibbs, Vaughn, Wilt, Worthen, Wright.--18.

Excused: Greenwood, Roan.--2.

The measure and emergency passed.

**HB 2006** was referred for engrossment.

**GENERAL ORDER**

**HB 2284** by Balkman of the House and Price of the Senate was read and considered.

Representative Dorman moved to amend **HB 2284**, Page 6, Section 1, Line 9 by adding before the word “Accredit” the word “To”, which amendment was declared adopted.

Representative Balkman moved that **HB 2284** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Balkman, **HB 2284** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 2284** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Greenwood, Phillips, Roan.--3.

The measure passed.

**HB 2284** was referred for engrossment.

### **GENERAL ORDER**

**HB 1875** by Langmacher of the House and Price of the Senate was read and considered.

Representative Langmacher moved that **HB 1875** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Langmacher, **HB 1875** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 1875** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-98.

Excused: Claunch, Greenwood, Roan.--3.

The measure passed.

**HB 1875** was referred for engrossment.

**GENERAL ORDER**

**HB 2367** by Jones of the House and Brogdon of the Senate was read and considered.

Representative Jones moved that **HB 2367** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Jones, **HB 2367** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2367** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson,



Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Coleman, Eddins.--2.

Excused: Claunch, Greenwood, Roan, Vaughn.--4.

The measure and emergency passed.

**HB 2367** was referred for engrossment.

## **GENERAL ORDER**

**HB 2369** by Jones of the House and Laughlin of the Senate was read and considered.

Representative Jones moved that **HB 2369** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Jones, **HB 2369** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2369** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Claunch, Greenwood, Roan, Vaughn.--4.

The measure passed.

**HB 2369** was referred for engrossment.

**GENERAL ORDER**

**HB 2697** by Ferguson of the House and Lawler of the Senate was read and considered.

Representative Ferguson moved that **HB 2697** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ferguson, **HB 2697** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2697** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Claunch, Greenwood, Roan, Vaughn.--4.

The measure and emergency passed.

**HB 2697** was referred for engrossment.

**GENERAL ORDER**

**HB 1693** by Tyler of the House and Stipe et al of the Senate was read and considered.

Coauthored by Representative(s) Adkins

Representative Tyler moved that **HB 1693** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Tyler, **HB 1693** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 1693** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--92.

Nay: Coleman, Davis, Graves, Liotta, Worthen.--5.

Excused: Claunch, Greenwood, Roan, Vaughn.--4.

The measure and emergency passed.

**HB 1693** was referred for engrossment.

### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2192** were called up for consideration.

Coauthored by Representative(s) Adkins

Upon motion of Representative Pope, the House concurred in the **SAs to HB 2192**.

**HB 2192**, 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, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Claunch, Greenwood, Roan, Vaughn.--4.

The measure and emergency passed.

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

#### **MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby **HB 1822** passed.

**HB 1822** was referred for engrossment.

#### **MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 2293**.

**HB 2293** was referred for engrossment.

#### **MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 2402**.

**HB 2402** was referred for engrossment.

#### **MEASURES REREFERRED**

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

**HB 2412** – Human Services

**HB 2483** – Insurance

## **COMMITTEE REPORT**

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

DO PASS:

**HCR 1056** – Economic Development

## **MESSAGES FROM THE GOVERNOR**

Advising of his approval of **HBs 1950** and **2076** on March 8, 2004.

## **MESSAGE FROM THE SENATE**

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

**SB 840** – By Coates of the Senate and Ferguson and Staggs of the House.

An Act relating to public finance; amending 61 O.S. 2001, Section 102, as amended by Section 13, Chapter 294, O.S.L. 2002 (61 O.S. Supp. 2003, Section 102), which relates to the Public Competitive Bidding Act of 1974; amending 62 O.S. 2001, Section 430.1, as last amended by Section 8, Chapter 433, O.S.L. 2003 (62 O.S. Supp. 2003, Section 430.1), which relates to powers of political subdivisions to rent property; modifying definitions; and declaring an emergency.

**SB 844** – By Snyder of the Senate and Phillips of the House.

[ revenue and taxation – modifying income tax – providing for suspension of licenses – effective date – emergency ]

**SB 1110** – By Cain of the Senate and Gilbert and Eddins of the House.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-227.9, which relates to the Child Abuse Training and Coordination Council; deleting obsolete language; modifying and clarifying qualifications of members; and declaring an emergency.

**SB 1233** – By Crutchfield of the Senate and Pope of the House.

[ agriculture - Oklahoma Licensed Managed Feeding Operations Act – repealer - codification – recodification - effective date - emergency ]

**SB 1259** – By Cain and Reynolds of the Senate and Sullivan of the House.

An Act relating to waters and water rights; designating certain section of the North Canadian River as the Oklahoma River; providing for codification; and declaring an emergency.

**SB 1270** – By Crutchfield of the Senate and Pope of the House.

[ agriculture - Oklahoma Agriculture Pollutant Discharge Elimination System Act - corrective action – codification - effective date – emergency]

**SB 1322** – By Johnson, Brogdon, Coates and Laughlin of the Senate and Young of the House.

[ performance audits – Legislative Service Bureau – requiring certain performance audits – Legislative Oversight Committee on State Budget Performance – direct certain audits – effective date – emergency ]

**SB 1367** – By Helton of the Senate and Nance of the House.

[ controlled dangerous substances - authority of certain peace officers - investment of certain money – emergency]

**SB 1457** – By Kerr of the Senate and Covey of the House.

[ state government - amending 74 O.S., Section 5064.4 - Made in Oklahoma and Oklahoma Inventors Trade Show - authorizing funding - directing coordination - effective date]

**SB 1465** – By Littlefield of the Senate and Sullivan of the House.

An Act relating to Oklahoma Historical Societies; allowing certain deposits to be made to certain account; directing the Board of Directors of the Oklahoma Historical Society to hold certain funds in trust or investment or sell them; allowing certain principal and interest to benefit the Society; providing for codification; and declaring an emergency.

**SB 1483** – By Fisher of the Senate and Askins of the House.

[ unclaimed property – providing for distribution of property – removing requirements – limiting claims – effective date – emergency ]

**SB 1500** – By Myers of the Senate and DeWitt of the House.

[ motor vehicles – creating a special license plate for the electric lineman - providing design and fee - effective date ]

**SB 1595** – By Kerr and Gumm of the Senate and Gilbert of the House.

[ poor persons - Commission for Human Services to promulgate rules - Personal Emergency Response Systems (PERS) – codification - effective date ]

**SB 1600** – By Cain of the Senate and Vaughn of the House

An Act relating to marriage and family; amending 43 O.S. 2001, Sections 601-101, 601-103, 601-201, 601-202, 601-203, 601-204, 601-205, 601-206, 601-207, 601-208, 601-209, 601-301, 601-302, 601-303, 601-304, 601-305, 601-306, 601-307, 601-308, 601-309, 601-310, 601-311, 601-312, 601-313, 601-314, 601-315, 601-316, 601-317, 601-318, 601-319, 601-401, 601-501, 601-502, 601-503, 601-504, 601-505, 601-506, 601-507, 601-601, 601-602, 601-603, 601-604, 601-605, 601-607, 601-610, 601-611, 601-612, 601-613, 601-701, 601-802 and 601-901, which relate to the Uniform Interstate Family Support Act; modifying definitions; clarifying applicability of act; clarifying jurisdiction for certain child support order; establishing jurisdiction for modification of certain child support order; authorizing certain tribunal to request enforcement of certain order; modifying procedures for enforcement of certain multiple orders; requiring certain notice; requiring certain order to contain specified information; stating effect of certain order; clarifying language; modifying certain credit; stating evidentiary procedures for certain proceedings; establishing jurisdiction for certain order; clarifying applicability of act to certain proceedings; reducing number of copies of certain petition; requiring certain conversion upon request; updating statutory reference; modifying duties of certain tribunal; stating duties and responsibilities of certain agency under specified circumstances; allowing Attorney General to make

certain determination; modifying certain filing requirements; modifying requirements for sealing certain information; authorizing disclosure of certain information; conforming language; modifying persons required to appear in person; modifying documents admissible by nonresident party; requiring tribunal to permit certain deposition of nonresident party or witness; authorizing admissibility of certain document; adding entities who may communicate with state tribunal for specified purpose; providing procedures for redirecting support payments; modifying circumstances for issuing certain order; updating reference; providing procedure for registering certain order for determination of controlling order; stating governing law under particular circumstances; adding defense for particular purpose; prohibiting imposition of certain obligation by specified tribunal; modifying requirement of tribunal to enforce certain order; clarifying certain amounts; authorizing tribunal to assume jurisdiction in certain cases under specified circumstances; stating effect of certain order; allowing certain court to conduct specified proceeding; construing provision; providing for codification; and providing an effective date.

**SB 1608** – By Littlefield of the Senate and Wilson of the House.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 4022, which relates to the logo signing program; requiring the Department of Transportation expand the logo signing program; and declaring an emergency.

**SJR 50** – By Lawler of the Senate and Tyler of the House.

A Joint Resolution designating the month of May of each year as "Motorcycle Safety Month" in the State of Oklahoma; providing for codification; and declaring an emergency.

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 39** – By Maddox and Helton of the Senate and Deutschendorf of the House.

A Concurrent Resolution authorizing the Board of Regents of the University of Oklahoma, acting on behalf of Cameron University, to issue certain revenue bonds pursuant to Section 4002.1 of Title 70 of the Oklahoma Statutes; and directing distribution.

Representative Toure moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:30 a.m., Tuesday, March 9, 2004, which was the order.

Pursuant to the motion of Representative Toure, the House was adjourned at 5:55 p.m., to reconvene Tuesday, March 9, 2004, at 10:30 a.m.