

HOUSE JOURNAL

First Regular Session of the Forty-ninth Legislature

of the State of Oklahoma

Fifty-third Legislative Day, Thursday, May 1, 2003

The House was called to order by Representative Nations.

The roll was called with 99 Members present.

The following Members were excused: Graves, Miller (Doug)—2.

Representative Nations declared a quorum present.

Prayer was offered by Dr. Gene Nease, First Foursquare Church of Oklahoma City, Oklahoma City.

The Journal for the last legislative day was approved.

REMARKS

Upon unanimous consent request of Representative Wright, the remarks of Dr. Nease were ordered printed in full as follows:

I want to say thanks to Representative Wright for inviting me to this House, accepting me and making me feel comfortable here this week in receiving the ministry that I believe the Lord has given to you through me.

I want to read a scripture this morning as I begin the devotion for the morning. The scripture comes from the Book of First Peter, Chapter 2.

It says, "Submit yourself to every ordeal of man for the Lord's sake, whether it be to the King as Supreme or unto Governors, as unto them that are sent by him for the punishment of evil doers and for the praise of them that do well. For so is the Will of God that with well-doing, you may put to silence the ignorance of foolish men, as free and not using your liberty for a cloak of maliciousness but as the servants of God."

I read a story some time ago about a great cathedral that was being built abroad. And it was being built out of stone. And naturally, there were many stone masons on the job. So a person from one of the local media interviewed some of the stone masons. And the first

one that was interviewed said, "I am just a lowly worker. I cut stone every day. All of my life, I've spent cutting stone. I am looking forward to one day, finding a better job."

The second one interviewed said, "I love this job. I cut stone for a living but because I have this job I am able to make a living for my family. I am a lowly stone cutter but it provides me a way to make a living for my family."

The third stone cutter that was interviewed said, "I am proud to be a rock man. I am a rock mason. I am doing what I believe to be a very admirable job. I am building a great cathedral that will one day stand tall and will be a place where the people of God can come and worship."

I have a word for you as Members of this House. You have bills to pass and I understand that, you have some bills that you have to defeat, you must be honorable people. On other days you find yourself thinking, wow, I've got a family and I have to make a living for them. And part of this is making a living for your family. But that's not your main purpose. You've been elected, and the Bible says, that's God's way of choosing leaders.

Some of the ways in the Bible when God wanted someone chosen, they got elected by drawing straws. Well, the people of Oklahoma have elected you, and I believe this is God's way of putting you in a place to do a job that needs to be well done.

So you do have to make a living, you do have to deal with bills, but that's not your main purpose. Your main purpose is to build a great State. You're here because you've been put here to do jobs that the rest of us can't do. And I believe that when the people have put you in this place, this is God's way of assigning you to a job that cares for the rest of us.

I like the road sign around construction that says, "Be careful, my daddy works here." I like that. And I want to say to you, be careful, my children and grandchildren live here. And you're responsible under God to build a great State in which they can live. I understand that in each of us, whatever our calling is, we feel lack. I've run into very few people that feel like they've got all of the qualities and qualifications that they need to do the job they've been called to do. And I give God thanks for people like that because if that's your place, then you are available to God for him to inspire you with wisdom that's beyond yourself, and to give you the strength that comes from the operation of the Holy Spirit in your life, that as he works in you, you are able to go beyond yourself and accomplish things for the good of people that are far beyond anything that you can physically touch.

I like what our Lord said, just before he died and he was giving a lesson to the disciples in the Gospel of John. And he said to them, "I am going to go, and if I go, I am going to prepare a place for you and I am going to make it possible because I am sending a comforter called the Holy Spirit. And when he comes, with his help, you are going to be able to do even greater things than I have done." The reason for that was that he was no longer limited by geographical location in time and space. He operated in the spirit realm. And because of that, he operates in us today, who will give him a chance. And when he operates in us, then he gives to us wisdom, he gives to us the opportunity to think out of the box and to make decisions that sometimes are not exactly what is the most pleasing to us but they end up being better than we've ever intended. I know this to be true. I've been preaching now for 44 years and there's been a lot of sermons that I've preached that hadn't been worth too much, by my opinion. I worked hard at them, I wanted them to be good. When I got through I was disappointed and almost without fail, those that I thought were absolutely worse, God did something good in somebody's life and he made something good

happen out of something that wasn't too good as far as I was concerned. Remember that. He's able to take that, which we give our best to, and make it far more beneficial than even our mind can conceive. And as a result of that, we've become tools in his hands to do a job for his people, in his Kingdom, and in this place called the State of Oklahoma. God bless you as you work and as you put forth your very best effort to do that which he has called you to do.

Let us pray.

Our Father and our God, we pray for you to remove us from the sophistication of our age and from the skeptical analysis that causes paralysis. Bring back to this House of Representatives, oh Lord, a faith that makes men and women great and strong, a faith that sets us free, a faith that enables us to love and to live, a faith by which alone, we can walk with you. And Lord in doing that for us, you will be able to strengthen us to strengthen our families.

God, I pray for the families of all of these people that are back at home. Some of those families are hurting today, Lord. And I pray for you to reach down by the great love and mercy of God Almighty and put your arms around them and draw them close to you and breathe your spirit and love and mercy and kindness into their lives, that they may know the ever-loving presence of you. And as a result, find faith to live by, to these family leaders to get back home.

Lord, on this national day of prayer, people around the world and in our Nation have come to realize that prayer really is more than just an experience in saying a few words. But that prayer really does make an affect on the world around us.

Lord, let us today be conscious of our calling that goes around the world. And Lord I pray for a simple trust in you that made strong and great homes of our ancestors who built this good land, who built this building we stand in, and left us a heritage.

Lord, where we have lack, make us willing to be changed. Reveal your Will to the Members of this House that the financial gloom that's over our State may be lifted, and that you will give us wisdom for a workable plan that will help us rise above what we face today. For we ask you to do that through Jesus Christ, our Lord. Amen.

ENGROSSED AND ENROLLED MEASURES

HBs 1007, 1085, 1101, 1103 and 1566 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 29 – By Shurden of the Senate and Harrison of the House.

A Concurrent Resolution acknowledging Narconon Arrowhead for its commitment to the eradication of substance abuse; commending Narconon Arrowhead for its successful

program design; wishing Narconon Arrowhead continued long and successful experience in the State of Oklahoma; and directing distribution.

Returning engrossed measures

Announcing the passage of **HCRs 1015**, Coauthored by all Members of the Senate and **1022**, Coauthored by all Members of the Senate.

The above-numbered measures were referred for enrollment.

Returning enrolled measures

Announcing that Enrolled **HBs 1007, 1085, 1101, 1103** and **1566** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 19, 265, 276, 357, 428, 557, 588, 631, 634, 635, 663, 673, 772, 801** and **837**.

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

PENDING CONSIDERATION OF SAs

SAs to HB 1802 were called up for consideration.

Upon motion of Representative Askins, the House concurred in the **SAs to HB 1802**.

HB 1802, 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, Carey, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Greenwood, Hamilton, Harrison, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Leist, Lerblance, Lindley, Liotta, McCarter, McClain, Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sweeden, Taylor, Tibbs, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--90.

Excused: Calvey, Cargill, Graves, Hastings, Langmacher, Maddux, McIntyre, Miller (Doug), Sullivan, Toure, Worthen.--11.

The measure and emergency passed.

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

RESOLUTION FOR CONSIDERATION

HR 1013 was called up for consideration.

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

Upon motion of Representative Claunch, **HR 1013** was considered and adopted.

HR 1013 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

SCR 23 was called up for consideration.

Upon motion of Representative Deutschendorf, **SCR 23** was considered and adopted.

SCR 23 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 29 was called up for consideration.

Representative Harrison moved adoption of **SCR 29**, which motion failed of adoption upon roll call as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Dorman, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Leist, Lerblance, Lindley, McCarter, McClain, McIntyre, Miller (Ray), Morgan (Danny), Nations, Plunk, Pope, Rice, Roan, Roberts, Smith (Dale), Smithson, Staggs, Stanley, Sweeden, Turner, Wells, Wilson, Mr. Speaker.--43.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, Deutschendorf, DeWitt, Easley, Ericson, Ferguson, Greenwood, Hiett, Ingmire, Jones, Liotta, Mitchell, Morgan (Fred), Nance, Newport, O'Neal, Paulk, Perry, Peters, Peterson, Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Smith (Hopper), Steele, Sullivan, Taylor, Tibbs, Toure, Trebilcock, Tyler, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--50.

Excused: Cox, Graves, Hastings, Langmacher, Maddux, Miller (Doug), Phillips, Walker.--8.

PENDING CONSIDERATION OF SAs

SAs to HB 1767 were rejected upon motion of Speaker Adair. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 1382, 1646 and 1647 were rejected upon motion of Representative Ferguson. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1052 were rejected upon motion of Representative Toure. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 1273 and 1562 were rejected upon motion of Representative Perry. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1814 were rejected upon motion of Speaker Pro Tempore Hilliard. Conferees to be named later.

MESSAGES FROM THE SENATE

Advising rejection of **HAs to SBs 257, 340, 342, 391, 412, 553, 610, 621 and 629** and **SJR 21** and requesting conference thereon, the Senate conferees to be named later.

Conferees named

Advising the Senate naming conferees as follows:

- SB 60** - Morgan, Hobson, Smith
- SB 61** - Morgan, Hobson, Smith
- SB 221** - Leftwich, Rabon, Coffee
- SB 242** - GCCA
- SB 243** - Robinson, Helton, Reynolds

SB 246 - Leftwich, Crutchfield, Coates
SB 267 - GCCA
SB 297 - Easley, Wilkerson, Smith
SB 319 - Gumm, Branan, Horner
SB 322 - Hobson, Gumm, Easley, Wilcoxson
SB 325 - GCCA
SB 360 - Shurden, Rabon, Reynolds
SB 368 - Robinson, Leftwich, Smith
SB 391 - Nichols, Smith, Robinson, Cain, Horner
SB 408 - Easley, Littlefield, Ford
SB 421 - Gumm, Crutchfield, Corn, Brogdon, Johnson
SB 436 - Laughlin, Crutchfield, Wilkerson
SB 437 - GCCA
SB 531 - Littlefield, Crutchfield, Dunlap
SB 553 - Hobson, Wilkerson, Smith
SB 556 - Price, Easley, Robinson, Smith, Laughlin
SB 606 - Corn, Price, Harrison, Laughlin, Myers
SB 633 - Smith, Helton, Cain, Laster
SB 646 - Corn, Crutchfield, Reynolds
SB 652 - Leftwich, Branan, Wilkerson, Rozell, Nichols
SB 671 - Monson, Williams, Maddox, Crutchfield, Coffee, Laughlin
SB 688 - GCCA
SB 708 - GCCA
SB 715 - Corn, Williams, Rozell, Ford, Wilcoxson
SB 727 - Smith, Helton, Laster, Cain, Brogdon
SB 733 - Gumm, Littlefield, Crutchfield, Myers, Johnson
SB 747 - Williams, Ford, Morgan, Nichols, Horner
SB 787 - Monson, Williams, Rozell, Riley, Wilcoxson
SB 795 - GCCA
SB 834 - Shurden, Wilkerson, Nichols

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 1110 - GCCA
HB 1190 - Morgan, Hobson, Nichols, Robinson, Cain, Dunlap
HB 1335 - Coffee, Hobson, Morgan
HB 1570 - GCCA
HB 1592 - Price, Easley, Robinson, Coates, Nichols

CCR SUBMITTED

The conference committee report was read on the following measure:

HB 1449

COMMITTEE REPORTS

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

DO PASS:

HJR 1030 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Monson (principal Senate author), and Coauthored by Senator(s) Dunlap

HJR 1031 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Gumm (principal Senate author)

HJR 1032 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Shurden (principal Senate author)

HJR 1033 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Shurden (principal Senate author)

HJR 1034 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Shurden (principal Senate author)

HJR 1035 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Snyder (principal Senate author)

HCR 1021 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Robinson (principal Senate author)

Representative Rice moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 5, 2003, which was the order.

Pursuant to the motion of Representative Rice, the House was adjourned at 9:50 a.m., to reconvene Monday, May 5, 2003, at 1:30 p.m.