

HOUSE JOURNAL

First Regular Session of the Forty-ninth Legislature of the State of Oklahoma

Fifty-fourth Legislative Day, Monday, May 5, 2003

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

The roll was called with 99 Members present.

The following Members were excused: Bengé, Graves—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Father Clark Shackelford, St. Matthews Episcopal Church, Sand Springs.

Upon motion of Representative Lamons, Father Shackelford was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HB 1802 was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCRs 1015 and **1022** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1013 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

FIRST READING

The following was introduced and read for the first time:

HJR 1036 – By Reynolds.

A Joint Resolution disapproving proposed permanent rules of the Oklahoma Department of Public Safety relating to parent-taught driver education; distribution; emergency.

RESOLUTIONS

The following were introduced and read:

HCR 1025 – By Pope of the House and Leftwich of the Senate.

A Concurrent Resolution relating to international development; making findings regarding international development; calling for creation of standing committees on International Development in the Oklahoma House of Representatives and the State Senate; requesting certain composition of committee membership; describing functions of standing committees; providing for role of committees with respect to Oklahoma Department of Commerce; requesting assignment of certain legislation to standing committees; and providing for distribution.

HR 1014 – By Adair and McCarter.

A Resolution congratulating George V. Moser for being selected the 2003 recipient of the Administrator of the Year Award from the Oklahoma Chapter of the American Society for Public Administration; expressing gratitude for outstanding service and loyalty to the House of Representatives; and directing distribution.

MESSAGES FROM THE SENATE

Advising the signing of and transmitting for signature Enrolled **SCR 23**.

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

Conferees added

Advising adding Senate conferees as follows:

HB 1535 - Milacek, Harrison

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 318, 464, 547** and **554** and the passage of said measures, as amended thereby.

Returning enrolled measures

Announcing that Enrolled **HCRs 1015** and **1022** have been signed by the Presiding Officer of Senate, in open session.

The above measures were ordered filed with the Secretary of State.

Announcing that Enrolled **HB 1802** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

Transmitting CCR

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

SB 793

Conference committee report was read on the above-numbered measure.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1030 – Piatt, Miller (Ray), Bengé, Staggs, Tyler

HB 1064 – Gilbert, Peters, Case, Toure, Davis, Braddock, Askins

HB 1099 – Rice, Mitchell, Bonny, Case, Ingmire

HB 1115 – GCCA

HB 1143 – Covey, Hamilton, Ellis, Calvey, Wilt

HB 1147 – Kirby, Deutschendorf, Roan, Newport, Nance, Askins, Ingmire

HB 1149 – Miller (Ray), Taylor, Case, Walker, Young

HB 1273 – Perry, Young, Cox, Morgan (Danny), Smith (Dale), Tyler, Winchester

HB 1300 – Turner, Jones, Deutschendorf, DeWitt, Taylor

HB 1335 – Adkins, Wells, Morgan (Danny), Dorman, Pope, Peterson, Smaligo

HB 1362 – Ingmire, Ferguson, Brannon, Roberts, Staggs

HB 1406 – Toure, Davis, Braddock, Paulk, Hastings

HB 1414 – Staggs, Vaughn, Dank, Brannon, Harrison

- HB 1422** – Roan, Wilson, Walker, Nance, Smaligo
HB 1438 – Brannon, Staggs, Vaughn, Miller (Ray), Harrison, Blackwell, Cargill
HB 1440 – Brannon, Ferguson, Miller (Ray), Smithson, Pettigrew
HB 1442 – Stanley, Greenwood, Adkins, Braddock, Cox, Eddins, Lindley, McIntyre, Morgan (Fred), Paulk, Piatt, Smithson, Staggs, Vaughn, Winchester, Wright
HB 1451 – Toure, Davis, McCarter, Askins, Hiatt, Hastings, Braddock
HB 1465 – Askins, Toure, Davis, Harrison, Ingmire
HB 1466 – Askins, Toure, Davis, Nations, Hastings
HB 1467 – Paulk, Lamons, Nance, Liotta, Roan
HB 1484 – Walker, Askins, Toure, Nance, Adkins, Mitchell, Bonny, Ingmire, Pettigrew
HB 1500 – GCCA
HB 1501 – Cox, Hefner, Hastings, Roan, Newport
HB 1530 – Lerblance, Cox, Winchester, Roberts, Peterson
HB 1562 – Perry, Roan, Paulk, Askins, Smith (Hopper), Newport, Wilson
HB 1569 – Morgan (Danny), Lamons, Boren, Lerblance, Wells, Wilt, Jones, Peters, Smith (Hopper)
HB 1570 – Boren, Armes, Turner, Jones, Taylor
HB 1580 – Askins, Easley, Piatt, Carey, Adkins
HB 1583 – Nations, Taylor, Case, Miller (Doug), Walker
HB 1587 – Leist, Nations, Maddux, Pope, Gilbert, Peters, Greenwood
HB 1605 – GCCA
HB 1611 – Wilt, Toure, Davis, Taylor, Tyler
HB 1650 – Tibbs, Nance, Deutschendorf, Perry, Rice, Wilson, Hilliard
HB 1690 – Askins, Roan, Newport, McCarter, Roggow
HB 1705 – Case, Tyler, Plunk, Young, Nance, Boren, McCarter
HB 1738 – Morgan (Danny), Lamons, McClain, Peters, Wells, Piatt, Wilt
HB 1742 – Langmacher, Leist, Wilt, Armes, Miller (Ray)
HB 1764 – Adair, Kirby, Roggow, Eddins, Nance
HB 1767 – Adair, Staggs, Vaughn, Ferguson, Rice
HB 1770 – Rice, Turner, Jones, Adair, Hastings
HB 1771 – Askins, Roan, Newport, Braddock, Case
HB 1790 – Hefner, Erwin, Plunk, Hutchison, Hastings, Pettigrew, Pope, Nance
HB 1801 – Askins, Mitchell, Bonny, Wilt, Ericson, Maddux, Hamilton

CONFEREES CHANGED

The Speaker changed House conferees on **HB 1357** by adding Wilson, Hutchison, Eddins, Hilliard, Case, Hastings and deleting Pope, Roberts, Calvey. The conferees are as follows:

- HB 1357** – Nance, Rice, Wilson, Hutchison, Eddins, Hilliard, Case, Hastings

CONFERENCE GRANTED

Upon motion of Representative Rice, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

- SB 216** – Coleman, Staggs, Vaughn, Dank, Easley, Gilbert, Morgan (Danny), Harrison
- SB 238** – Covey, Tyler, Plunk, Armes, DeWitt
- SB 240** – Newport, Paulk, Miller (Doug), Maddux, Deutschendorf, Wilson, Wells, Morgan (Danny)
- SB 267** – Covey, Pope, Walker, Bonny, Nance, Maddux, Perry
- SB 272** – Covey, Cox, Langmacher, Winchester, Maddux
- SB 274** – Turner, Taylor, Case, Braddock, Davis
- SB 286** – Erwin, Plunk, Hefner, Calvey, Ferguson, Brannon, Bengé
- SB 294** – Hefner, Erwin, Hutchison, Hastings, Pettigrew, Wilson, Walker, Piatt
- SB 300** – Carey, Pope, Nance, Dorman, Maddux
- SB 308** – Rice, Taylor, Case, Maddux, Harrison
- SB 314** – Leist, Mitchell, Bonny, Roggow, Gilbert, Carey, Maddux, Davis
- SB 317** – Tyler, Paulk, Taylor, Wilt, Plunk, Case, Bengé
- SB 322** – Rice, Wells, Morgan (Danny), Wilt, Phillips, Boren, Pettigrew
- SB 358** – Hefner, Erwin, Plunk, Hutchison, Hastings, Pettigrew, Roberts, Maddux, Phillips
- SB 383** – Rice, Wells, Morgan (Danny), Wilt, Phillips, Boren, Hastings
- SB 407** – Rice, Wilson, Walker, Hutchison, Maddux, Hiatt, Armes
- SB 408** – Hutchison, Rice, Eddins, Jones, Morgan (Danny), Wells, Ferguson, Wilt
- SB 409** – Miller (Ray), Ferguson, Brannon, Pettigrew, Roberts
- SB 411** – Ellis, Erwin, Ferguson, Brannon, Pettigrew
- SB 422** – Sweeden, Ferguson, Brannon, Braddock, Armes
- SB 426** – Paulk, Lamons, Reynolds, Mitchell, Bonny, Pettigrew, Smith (Hopper)
- SB 430** – GCCA
- SB 436** – Nance, Taylor, Case, Lamons, Roan
- SB 438** – Pope, Nance, Dorman, Paulk, Lamons, Roggow, Jones
- SB 440** – Pope, Nance, Dorman, Roberts, Maddux
- SB 442** – Braddock, Smith (Dale), Rice, Perry, Pope, Nance, Roberts, Maddux
- SB 453** – Askins, Sweeden, Dank, Davis, Smaligo, Bonny, Mitchell
- SB 479** – Askins, Mitchell, Bonny, Lerblance, Morgan (Fred), Calvey, Davis, Harrison, Hastings
- SB 492** – Winchester, Gilbert, Peters, Tibbs, Eddins, Case, Staggs, Stanley, Blackburn
- SB 512** – Hastings, Case, Ferguson, Rice, Toure, Davis, Askins, Braddock, Paulk
- SB 524** – Oneal, Toure, Davis, Morgan (Fred), Askins, Braddock, McCarter
- SB 531** – Roberts, Taylor, Case, Maddux, McCarter
- SB 535** – Rice, Pope, Nance, Wells, Morgan (Danny), Wilt, Phillips
- SB 543** – Wilson, Smithson, Coleman, Walker, Worthen

- SB 545** – Paulk, Tyler, Phillips, Hamilton, Ellis, Vaughn, Nance
SB 546 – Bonny, Covey, Plunk, Pettigrew, Maddux, Langmacher, Wilt
SB 565 – Reynolds, Askins, Braddock, Roan, Newport, Lamons, Hastings
SB 566 – Vaughn, Paulk, Askins, Adair, Maddux, Pettigrew, Hamilton, Ellis
SB 585 – Askins, Toure, Davis, Braddock, Lerblance, Harrison, Hastings, Vaughn, Graves
SB 589 – Roan, Gilbert, Peters, McIntyre, Perry
SB 591 – Askins, Stanley, Greenwood, Adkins, Braddock, Cox, Eddins, Lindley, McIntyre, Morgan (Fred), Paulk, Piatt, Smithson, Staggs, Vaughn, Winchester, Wright
SB 601 – Peters, Lindley, Balkman, Roberts, Adkins, Hamilton, Gilbert
SB 607 – Ingmire, Askins, Toure, Ericson, Nance, Mitchell, Bonny
SB 616 – Askins, Roan, Newport, Braddock, Ingmire, Lamons, Case
SB 661 – Erwin, Hutchison, Plunk, Hefner, Maddux, Hastings, Kirby, Roggow
SB 667 – Roberts, Pope, Nance, Dorman, Maddux
SB 671 – Pope, Nance, Dorman, Wilson, Piatt, Trebilcock, Boren, Nations, Miller (Doug)
SB 675 – Braddock, Sweeden, Hilliard, Askins, Roberts, Maddux, Hastings, Perry
SB 680 – Toure, Stanley, Greenwood, Adkins, Braddock, Cox, Eddins, Lindley, McIntyre, Morgan (Fred), Paulk, Piatt, Smithson, Staggs, Vaughn, Winchester, Wright
SB 686 – McIntyre, Toure, Davis, Bengé, Rice, Perry, Hiatt, Nations, Lamons
SB 688 – Covey, Askins, Hilliard, Peters, Morgan (Fred), Gilbert, Langmacher, Case
SB 704 – Erwin, Hutchison, Calvey, Balkman, Paulk, Lamons, Roan, Smithson, Nance, Perry
SB 708 – Pope, Nance, Dorman, Roberts, Maddux
SB 713 – Roberts, Staggs, Vaughn, Blackburn, Harrison, Morgan (Danny), Gilbert, Peters, Adkins, Hastings
SB 724 – Askins, Easley, Piatt, Carey, Morgan (Fred)
SB 725 – Toure, Hastings, Askins, Braddock, Davis
SB 786 – Miller (Ray), Askins, Boren, Worthen, Greenwood, Mitchell, Bonny, Nance
SB 791 – Askins, Roan, Newport, Braddock, Ericson, Lerblance, Morgan (Fred)
SB 807 – Nance, Mitchell, Bonny, Maddux, Davis, Braddock, Lerblance
SB 818 – Askins, Mitchell, Bonny, Balkman, Leist, Nations, Ingmire, Peterson, Adkins
SB 820 – Leist, Toure, Davis, Braddock, Vaughn, Smithson, Maddux
SB 823 – Kirby, Deutschendorf, McCarter, Hamilton, Roan, Newport, Hastings, Ingmire
SB 826 – Paulk, Lamons, Nance, Wells, Smith (Hopper)
SB 830 – Leist, Sweeden, Dank, Pettigrew, Nations, Cox, Newport
SB 838 – Erwin, Hutchison, Plunk, Hefner, Pettigrew, Peters, Toure, Davis, Nance
SJR 12 – Pope, Nance, Dorman, Blackburn, Piatt

PENDING CONSIDERATION OF SAs

SAs to **HB 1469** were called up for consideration.

Coauthored by Representative(s) Nance

Upon motion of Representative Lerblance, the House concurred in the **SAs to HB 1469**.

HB 1469, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Armes, Askins, Balkman, 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, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, McCarter, McClain, McIntyre, Miller (Doug), 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, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Bengé, Graves.--2.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

HCR 1024 was called up for consideration.

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

Upon motion of Representative Dorman, **HCR 1024** was considered and adopted.

HCR 1024 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1014 was called up for consideration.

Upon unanimous consent request of Speaker Adair, all Members of the House were added as coauthors.

Upon motion of Speaker Adair, **HR 1014** was considered and adopted.

HR 1014 was referred for enrollment.

Upon unanimous consent request of Speaker Adair, **HR 1014** was ordered printed in full as follows:

HR 1014 – By Adair, McCarter, 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, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Lindley, Liotta, Maddux, McClain, McIntyre, Miller (Doug), 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, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young.

A Resolution congratulating George V. Moser for being selected the 2003 recipient of the Administrator of the Year Award from the Oklahoma Chapter of the American Society for Public Administration; expressing gratitude for outstanding service and loyalty to the House of Representatives; and directing distribution.

WHEREAS, George V. Moser has been part of the staff of the Oklahoma Legislature since 1977; and

WHEREAS, George V. Moser began his career on the staff of the Oklahoma House of Representatives in 1978 as the only researcher on the House staff, but was entrusted, as the first Research Director for the Oklahoma House of Representatives in 1980, after the Oklahoma Legislative Council was abolished; and

WHEREAS, in recognition of George's outstanding leadership, Speaker Jim Barker created the position of Executive Director of the Research, Legal, and Fiscal Divisions for the Oklahoma House of Representatives in 1984 and appointed George V. Moser to that position; and

WHEREAS, George V. Moser's tenure during the administrations of five Speakers as Executive Director of the Research, Legal, and Fiscal Divisions has been distinguished by the development of a highly respected and professional staff, the greatly expanded use of computers to facilitate the legislative process, leadership in national and regional legislative organizations that proved invaluable in recruiting to Oklahoma the annual meeting of the National Conference of State Legislatures and the Southern Legislative Conference, all of which has added to the reputation of the Oklahoma House of Representatives; and

WHEREAS, George V. Moser has performed with distinction when the leadership of the Oklahoma House of Representatives assigned him the principal staff leadership responsibilities for redistricting the Oklahoma House of Representatives after each of the last three decennial censuses and in coordinating several large state bond programs; and

WHEREAS, George V. Moser has been directly involved in the orientation of twelve classes of new House members beginning in 1981, that would include every current House member except for Representative Davis; and

WHEREAS, the Oklahoma Chapter of the American Society of Public Administration has selected George V. Moser as the 2003 winner of its Administrator of the Year Award given to a public servant whose career exhibits the highest standards of excellence, dedication, and accomplishment.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 49TH OKLAHOMA LEGISLATURE:

THAT George V. Moser, Executive Director of the Oklahoma House of Representatives, be congratulated for being selected the 2003 recipient of the Administrator of the Year Award from the Oklahoma Chapter of the American Society for Public Administration.

THAT the Oklahoma House of Representatives expresses its gratitude to George V. Moser for his career of outstanding service and loyalty to the House of Representatives.

THAT a copy of this resolution be distributed to George V. Moser.

MESSAGES FROM THE SENATE

Advising conference granted and the Senate naming conferees as follows:

HB 1052 - Smith, Cain, Laster
HB 1064 - Corn, Smith, Cain
HB 1273 - Maddox, Horner, Aldridge
HB 1358 - Williamson, Smith, Laster, Cain, Morgan
HB 1382 - GCCA
HB 1396 - GCCA
HB 1430 - GCCA
HB 1438 - Corn, Fisher, Rozell, Crutchfield, Coffee, Riley
HB 1442 - GCCA
HB 1465 - Morgan, Smith, Horner
HB 1530 - Gumm, Horner, Aldridge
HB 1562 - Snyder, Wilkerson, Hobson, Rozell, Smith
HB 1577 - GCCA
HB 1580 - Fisher, Rabon, Williamson
HB 1587 - Lawler, Cain, Williams, Smith, Riley
HB 1611 - Coffee, Hobson, Morgan
HB 1635 - Gumm, Smith, Laster
HB 1646 - Wilcoxson, Williams, Rozell
HB 1647 - Corn, Fisher, Morgan, Williamson
HB 1724 - GCCA
HB 1767 - GCCA
HB 1814 - GCCA
HJR 1011 - Robinson, Hobson, Taylor, Nichols, Fair

Conferees named

Advising naming Senate conferees as follows:

SB 6 - Williams, Pruitt, Leftwich, Horner, Wilcoxson
SB 240 - Leftwich, Horner, Brogdon

SB 257 - Robinson, Helton, Laughlin
SB 340 - GCCA
SB 342 - GCCA
SB 383 - Easley, Maddox, Myers
SB 412 - Corn, Fisher, Morgan, Williamson
SB 566 - Robinson, Hobson, Taylor, Nichols, Fair
SB 610 - Robinson, Cain, Aldridge
SB 621 - GCCA
SB 629 - Fisher, Smith, Laster, Morgan, Taylor, Williamson
SB 636 - Corn, Fisher, Morgan, Williamson
SJR 12 - Monson, Williams, Maddox, Crutchfield, Coffee, Laughlin
SJR 21 - Hobson, Robinson, Taylor, Nichols, Fair

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1014, 1419, 1478, 1623, 1663** and **1707** on May 1, 2003, and **HBs 1008, 1146, 1268, 1313, 1343, 1393, 1443, 1445** and **1572** on May 5, 2003.

Representative Rice moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Tuesday, May 6, 2003, which was the order.

Pursuant to the motion of Representative Rice, the House was adjourned at 2:10 p.m., to reconvene Tuesday, May 6, 2003, at 1:30 p.m.