

HOUSE JOURNAL

Second Regular Session of the Forty-ninth Legislature

of the State of Oklahoma

Thirty-eighth Legislative Day, Tuesday, April 6, 2004

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

The roll was called with 99 members present.

The following Members were excused: Easley, Stanley.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Jim Winslow, Living Word Family Church, Nowata.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 1134, 1160, 1226 and 1447 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 2106, 2294, 2308, 2327, 2417, 2419, 2506, 2550, 2608 and 2666 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1059 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HCR 1059** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Announcing that Enrolled **HBs 2106, 2294, 2308, 2327, 2417, 2419, 2506, 2550, 2608** and **2666** 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 908, 1227** and **1271**.

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

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1843, 1882, 1889** - Remove Senator Helton as principal Senate author and substitute with Senator Rabon, Coauthored by Senators Helton, Gumm and Coauthored by Representatives Covey, Kirby, **1890** - Coauthored by Senators Corn, Gumm, **2125** - Coauthored by Senator Corn, **2143** - Coauthored by Senator Corn, **2145, 2208, 2361** - Coauthored by Senator Kerr, **2421** - Coauthored by Senator Corn, **2451** - Coauthored by Senator Pruitt, **2527, 2673** and **2674**.

Senate amendments were read on the above numbered measures.

CONFEREES NAMED

The Speaker named the following conferees:

HB 2528 – Vaughn, Askins, Braddock, Toure, Davis

HB 2643 – Staggs, Ferguson, Bengé, Roberts, Brannon

COMMITTEE REPORT

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

DO PASS:

HCR 1064 – Transportation

RESOLUTIONS REFERRED

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

HCR 1068 – Higher Education

HCR 1069 – Transportation

SCR 53 – Government Operations and Agency Oversight and Administrative Rules

SCR 54 – Higher Education

RESOLUTION FOR CONSIDERATION

HCR 1067 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, **HCR 1067** was considered and adopted.

HCR 1067 was referred for engrossment.

GENERAL ORDER

SB 1525 by Shurden et al of the Senate and Wilson of the House was read and considered.

Representative Wilson moved that **SB 1525** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wilson, **SB 1525** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1525 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, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Cargill, Case, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Ellis, Erwin, Ferguson, Gilbert, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Leist, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), 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, Steele, Sullivan, Sweeden, Taylor, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--85.

Nay: Balkman, Calvey, Claunch, Ericson, Graves, Morgan (Fred), Reynolds, Tibbs, Young.--9.

Excused: Dorman, Easley, Eddins, Langmacher, Lindley, Stanley, Toure.--7.

The measure and emergency passed.

SB 1525 was referred for engrossment.

Representative Askins Presiding**RESOLUTION FOR CONSIDERATION**

HCR 1065 was called up for consideration.

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

Upon motion of Representative Pettigrew, **HCR 1065** was considered and adopted.

HCR 1065 was referred for engrossment.

HCR 1065 was ordered printed in full as follows:

HCR 1065 By Pettigrew, Eddins, Roberts, Adair, 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, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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), Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Littlefield and Snyder of the Senate

A Concurrent Resolution praising the life and career of Fern Leona Holland; extending condolences and sympathy to her family on her death; making a permanent record in the Journals of the Oklahoma House of Representatives and Oklahoma Senate; and directing distribution.

WHEREAS, on March 9, 2004, near the small town of Hillah, south of Baghdad, Fern Leona Holland, a great humanitarian and a woman of courage and honor, lost her life while working to establish human rights and democracy in Iraq; and

WHEREAS, prior to her untimely death, Fern Leona Holland, the 33-year-old native Oklahoman from Miami, said: “I love the work and if I die, know that I’m doing precisely what I want to be doing – working to organize and educate human rights activists and women’s groups (in Iraq)”;

WHEREAS, Fern Leona Holland, who was awarded the Defense of Freedom Medal in recognition of the ultimate sacrifice made, assisted in writing the women’s rights provisions for Iraq’s interim constitution; and

WHEREAS, Fern Leona Holland was the first civilian American woman working with the Coalition Provisional Authority in Iraq to be brutally killed under fire; and

WHEREAS, it was stated by family members of Fern Leona Holland: “She was a lover of democracy. She was a humanitarian. She believed our greatest chance for democracy (in Iraq) was through people who were most oppressed”;

WHEREAS, Fern Leona Holland will be remembered by her family, friends and colleagues as a gifted, spirited and courageous woman whose many accomplishments included: Salutatorian at Miami High School; 1992 graduate of the University of Oklahoma in psychology; member of the Delta Gamma sorority at the University of Oklahoma; 1996 graduate of the University of Tulsa College of Law, ultimately working with two prestigious law firms in Tulsa, Oklahoma and Washington, D.C.; member of the Cherokee Nation and honored in a recent resolution which stated she “died as a warrior”; Peace Corps volunteer in Namibia, West Africa; American Refugee Committee worker in Guinea, Liberia, and Sierra Leone, investigating sexual exploitation of women and children; and U.S. Agency for International Development official working alongside the Coalition Provisional Authority in Iraq; and

WHEREAS, Fern Leona Holland was quietly laid to rest at the Bluejacket Cemetery near the graves of her parents with family members, friends and colleagues by her graveside remembering the poignant words spoken about her by the Reverend Marlin Lavanhar at the All Souls Unitarian Church, who said: “This was an American girl from Oklahoma who transcended nationality, race, creed and class to forge a bond of faith, and a bond of possibilities with those men, women and children whose lives appear to be so different from our own”;

WHEREAS, it is fitting and proper to remember the name of Fern Leona Holland, a courageous and outstanding woman, and an Oklahoman, who gave her life for the commitment she had to human rights and democracy, two precious gifts held so dear by all Americans and Oklahomans.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 49TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature on behalf of the people of the State of Oklahoma praises the life and career of Fern Leona Holland.

THAT the Oklahoma Legislature extends heartfelt condolences and sympathy to the entire family of the brave and heroic Fern Leona Holland.

THAT a copy of this resolution be spread upon the pages of the Journals of the Oklahoma House of Representatives and the Oklahoma Senate as a permanent record of praises and condolences expressed herein.

THAT copies of this resolution be distributed to her sisters, Viola Holland and Mary Ann Dunn, Oklahoma City; to her brothers, James Holland, Overland Park, Kansas, and Joe Holland, Cleveland, Oklahoma; to nieces Courtney and Emilee Holland; and to nephews Zachary and Stephen Holland and Logan Dunn; to each member of the Oklahoma Congressional Delegation; and to Martha Burk, Chair of the National Council of Women's Organizations.

Speaker Pro Tempore Hilliard Presiding

GENERAL ORDER

SB 1335 by Corn of the Senate and Ferguson of the House was read and considered.

Coauthored by Representative(s) Nance

Representative Ferguson moved that **SB 1335** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ferguson, **SB 1335** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1335 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, 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, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner,

Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Coleman, Easley, Jones, Stanley.--4.

The measure and emergency passed.

SB 1335 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1042 was called up for consideration.

Coauthored by Representative(s) Arnes, Balkman, Blackwell, Calvey, Cargill, DeWitt, Ericson, Hiett, Hilliard, Peters, Peterson (Pam), Peterson (Ron), Reynolds, Roan, Roberts, Walker

Upon motion of Representative Deutschendorf, **HR 1042** was considered and adopted.

HR 1042 was referred for enrollment.

GENERAL ORDER

SB 7 by Capps of the Senate and Worthen of the House was read and considered.

Coauthored by Representative(s) Staggs, Tyler, Dank, Greenwood

Representative Worthen moved that **SB 7** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Worthen, **SB 7** was placed on Third Reading and Final Passage.

THIRD READING

SB 7 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Eddins, Ellis, Ericson, Erwin, Ferguson, Graves, Greenwood, Hamilton, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Liotta, Maddux, Mass, 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, Roan, Roberts, Roggow,

Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--83.

Nay: Adkins, Armes, Cargill, Dorman, Gilbert, Harrison, Hiatt, Leist, McCarter, McClain, Paulk, Pope, Reynolds, Rice, Smith, Toure.--16.

Excused: Easley, Stanley.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 7** and ordered same returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2005** was called up for consideration.

Coauthored by Representative(s) Adair, Armes, Askins, Balkman, Blackwell, Boren, Braddock, Calvey, Cox, DeWitt, Hamilton, Harrison, Hefner, Jones, Lindley, Miller (Ray), Nations, Piatt, Roan, Steele, Walker

Upon motion of Representative Bonny, the **CCR** on **HB 2005** was adopted upon roll call as follows:

Aye: Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Covey, Cox, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nations, Newport, Paulk, Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Steele, Sweeden, Taylor, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--70.

Nay: Case, Claunch, Coleman, Dank, Davis, Ferguson, Graves, Greenwood, Hastings, Hiatt, Liotta, Morgan (Fred), Nance, O'Neal, Perry, Peters, Peterson (Pam), Phillips, Reynolds, Smaligo, Sullivan, Tibbs, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--28.

Excused: Easley, Maddux, Stanley.--3.

HB 2005, as amended in conference, 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, Claunch, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Greenwood, 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, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Coleman, Graves, O'Neal, Phillips.--4.

Excused: Easley, Stanley.--2.

The measure and emergency passed.

HB 2005, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

GENERAL ORDER

SB 1122 by Rabon of the Senate and Pope of the House was read and considered.

Representative Pope moved to amend **SB 1122** by striking the enacting clause, which amendment was declared adopted.

Representative Pope moved that **SB 1122** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Pope, **SB 1122** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1122 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Easley, Stanley.--2.

The measure passed.

SB 1122 was referred for engrossment.

Speaker Adair Presiding

GENERAL ORDER

SB 1556 by Crutchfield of the Senate and Pope of the House was read and considered.

Coauthored by Representative(s) Calvey, Askins

Representative Pope moved to amend **SB 1556** by striking the enacting clause, which amendment was declared adopted.

Representative Pope moved that **SB 1556** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Pope, **SB 1556** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1556 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Steele, Sullivan, Sweeden, Taylor, Tibbs,

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

Excused: Easley, Stanley.--2.

The measure and emergency passed.

SB 1556 was referred for engrossment.

GENERAL ORDER

SB 1204 by Crutchfield of the Senate and Pope of the House was read and considered.

Representative Pope moved that **SB 1204** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Pope, **SB 1204** was placed on Third Reading and Final Passage.

THIRD READING

SB 1204 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Easley, Stanley.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1204** and ordered same returned to the Honorable Senate.

MOTION

Representative Miller (Doug) asked unanimous consent to suspend House Rule 14, Section 1(c) for the remainder of this legislative day, to which objection was heard.

Representative Miller (Doug) pressed his motion, which motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Askins, Balkman, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Claunch, Coleman, Covey, Cox, Dank, Dorman, Eddins, Ellis, Ericson, Erwin, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Fred), Nance, Nations, Paulk, Perry, Peters, Peterson (Ron), Pettigrew, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smaligo, Smith, Smithson, Staggs, Sullivan, Sweeden, Taylor, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wilt, Winchester, Wright, Mr. Speaker.--70.

Nay: Cargill, Gilbert, Hiett, Jones, Newport, O'Neal, Peterson (Pam), Piatt, Reynolds, Steele, Worthen.--11.

Excused: Bengé, Calvey, Case, Davis, Deutschendorf, DeWitt, Easley, Ferguson, Graves, Kirby, Liotta, Maddux, McClain, Morgan (Danny), Roggow, Stanley, Tibbs, Wells, Wilson, Young.--20.

GENERAL ORDER

SB 1384 by Monson of the Senate and Ferguson of the House was read and considered.

Representative Ferguson moved to amend **SB 1384** by striking the enacting clause, which amendment was declared adopted.

Representative Ferguson moved that **SB 1384** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ferguson, **SB 1384** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1384 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, Case, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Eddins, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiett,

Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, O'Neal, Paulk, Peters, Peterson (Ron), Piatt, Plunk, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Mr. Speaker.--76.

Nay: Cargill, Claunch, Coleman, Davis, Ericson, Graves, Greenwood, Liotta, Morgan (Fred), Newport, Perry, Peterson (Pam), Pettigrew, Phillips, Reynolds, Steele, Vaughn, Wright, Young.--19.

Excused: Easley, Ellis, McCarter, Pope, Stanley, Sullivan.--6.

The measure and emergency passed.

SB 1384 was referred for engrossment.

GENERAL ORDER

SB 1263 by Robinson of the Senate and Staggs et al of the House was read and considered.

Representative Staggs moved to amend **SB 1263**, Page 4, Section 1, Lines 3-4 by deleting the language “, ‘audioprosthetics’, ‘audioprosthologist’”, which amendment was declared adopted.

Representative Staggs moved that **SB 1263** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Staggs, **SB 1263** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1263 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, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock,

Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Dorman, Easley, Pope, Stanley.--4.

Constitutional Priv: Cargill.--1.

The measure and emergency passed.

SB 1263 was referred for engrossment.

GENERAL ORDER

SB 1565 by Monson of the Senate and Nations of the House was read and considered.

Representative Nations moved that **SB 1565** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nations, **SB 1565** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1565 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, Case, Claunch, Coleman, Covey, Cox, Davis, Deutschendorf, DeWitt, Dorman, Ellis, Ericson, Erwin, Ferguson, Gilbert, Greenwood, 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, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--91.

Nay: Cargill, Dank, Graves, Reynolds, Wright.--5.

Excused: Easley, Eddins, Hiatt, Pope, Stanley.--5.

The measure passed.

SB 1565 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1063 was called up for consideration.

Upon motion of Representative Covey, **HCR 1063** was considered and adopted.

HCR 1063 was referred for engrossment.

GENERAL ORDER

SB 1268 by Smith of the Senate and Braddock of the House was read and considered.

Representative Braddock moved that **SB 1268** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Braddock, **SB 1268** was placed on Third Reading and Final Passage.

THIRD READING

SB 1268 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, 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, Steele, Sullivan, Sweden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Easley, Jones, Pope, Stanley.--4.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1268** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1598 by Cain of the Senate and Winchester of the House was read and considered.

Representative Winchester moved that **SB 1598** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Winchester, **SB 1598** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1598 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Easley, Hiatt, Pope, Stanley.--4.

The measure and emergency passed.

SB 1598 was referred for engrossment.

GENERAL ORDER

SB 1480 by Wilkerson et al of the Senate and Plunk of the House was read and considered.

Coauthored by Representative(s) Nance, Turner

Representative Plunk moved that **SB 1480** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Plunk, **SB 1480** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 1480 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, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Easley, Hiatt, Pope, Stanley.--4.

The measure and emergency passed.

SB 1480 was referred for engrossment.

THIRD READING

SB 873 as read, amended and laid over on Page 1070 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Balkman, Bengé, Blackwell, Calvey, Cargill, Claunch, Dorman, Eddins, Ellis, Ferguson, Hamilton, Jones, Miller (Doug), Miller (Ray), Nance, Phillips, Piatt, Rice, Roggow, Smithson, Toure, Wright, Mr. Speaker.--24.

Nay: Armes, Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Case, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Ericson, Erwin, Gilbert, Graves, Greenwood, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Mitchell, Morgan (Danny), Morgan (Fred), Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Plunk, Reynolds, Roan, Roberts, Smaligo, Smith, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young.--74.

Excused: Easley, Pope, Stanley.--3.

The measure failed.

PENDING CONSIDERATION OF SAs

SAs to HB 2497 were called up for consideration.

Upon motion of Representative Rice, the House concurred in the **SAs to HB 2497**.

HB 2497, 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, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, 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, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Easley, Pope, Stanley.--3.

The measure and emergency passed.

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

Speaker Pro Tempore Hilliard Presiding**PENDING CONSIDERATION OF SAs**

SAs to HB 2527 were rejected upon motion of Representative Vaughn. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2663 were rejected upon motion of Speaker Adair. Conferees to be named later.

RESOLUTIONS

The following were introduced and read:

HCR 1070 – By Nations of the House and Hobson of the Senate.

A Concurrent Resolution commending Howard H. Hendrick for his leadership and excellence in public service in Oklahoma; congratulating Howard H. Hendrick for winning a prestigious 2004 National Public Service Award; making a permanent record in the Journals of the Oklahoma House of Representatives and Oklahoma Senate; and directing distribution.

HCR 1071 – By Vaughn of the House and Snyder of the Senate.

A Concurrent Resolution recognizing the importance of finding the cause and cure for multiple sclerosis; expressing appreciation to the Oklahoma Chapter of the National Multiple Sclerosis Society for its work; proclaiming April, 2004, "Multiple Sclerosis Awareness Month"; and directing distribution.

HCR 1072 – By Hefner of the House and Helton of the Senate.

A Concurrent Resolution proclaiming the second Tuesday of every April as the "Oklahoma National Guard and the 45th Infantry Division Appreciation Day"; encouraging schools across the state to show appreciation for the brave and courageous deeds exhibited by members of the Oklahoma National Guard and 45th Infantry Division; and directing distribution.

ENGROSSED AND ENROLLED MEASURES

HCRs 1065 and **1067** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Advising rejection of **HAs** to **SBs 1389** and **1461** and requesting conference thereon, the Senate conferees to be named later.

Returning engrossed measures

Announcing the passage of **HBs 1876, 2182, 2230, 2249, 2322** and **2472** - Coauthored by Senator Aldridge and **HCRs 1053** - Coauthored by all members of the Senate and **1065** – Coauthored by all members of the Senate.

The above-numbered measures were referred for enrollment.

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 2176** and **2394** on April 6, 2004.

Representative Rice moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Wednesday, April 7, 2004, which was the order.

Pursuant to the motion of Representative Rice, the House was adjourned at 4:20 p.m., to reconvene Wednesday, April 7, 2004, at 10:00 a.m.