

HOUSE JOURNAL

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

Fifth Legislative Day, Monday, February 9, 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: Hastings.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Jerry Lemley, Faith Center Church of Sulphur, Sulphur.

Upon motion of Representative Hilliard, Pastor Lemley was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

RESOLUTION

The following was introduced and read:

HCR 1048 – By Lindley of the House and Leftwich of the Senate.

A Concurrent Resolution congratulating the League of United Latin American Citizens for sponsoring their first Civil Rights Conference in this state; encouraging Oklahomans to participate in the conference; and directing distribution.

MEASURES REASSIGNED

By unanimous consent, the following were reassigned:

HB 1869 –Withdrawn from Criminal Justice and referred to Rules.

HB 2134 –Withdrawn from Judiciary and referred to Public Health.

HB 2467 –Withdrawn from Rules and referred to Commerce, Industry and Labor.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 1577** was called up for consideration.

Coauthored by Representative(s) Carey, Pope, Harrison, McClain, Lamons

Remove Senator Leftwich (Keith) as principal Senate author and substitute with Senator Leftwich (Debbe)

Upon motion of Representative Dorman, the **CCR** on **HB 1577** was adopted.

HB 1577, as amended in conference, was read at length for the fourth time and the roll was called on the measure 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, Greenwood, Hamilton, Harrison, 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, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Reynolds.--1.

Excused: Hastings, Taylor.--2.

The measure passed.

HB 1577, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

GENERAL ORDER

HB 1950 by Mitchell et al of the House and Morgan et al of the Senate was read and considered.

Representative Erwin moved to amend **HB 1950** 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 Calvey moved to amend the floor substitute, Page 1, Section 1, Line 28 by striking the language “Pass-Through Funds” and inserting in lieu thereof the language “Native American Cultural Authority”.

Representative Calvey asked unanimous consent to amend his amendment, Page 1, Section 1, Line 28 by inserting the following language:

“Native American Cultural Authority.....increase of \$1,000,000.00”
“Library Grant.....increase of \$500,000.00”,

which was the order.

Representative Erwin moved to table the Calvey amendment, as amended, which tabling motion prevailed upon roll call 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, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, 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, Greenwood, Hiatt, Ingmire, Jones, Liotta, Maddux, 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: Hastings, Taylor.--2.

Representative Wright moved to amend the floor substitute, Page 1, Section 1, Line 32 by restoring \$192,428.00 from the Department of Commerce to the Department of Public Safety.

Representative Erwin moved to table the Wright amendment, which tabling motion prevailed upon roll call 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, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--51.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, 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: Hastings, Taylor.--2.

Representative Erwin moved that **HB 1950** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Erwin, **HB 1950** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 1950 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Case, Covey, Cox, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nations, Newport, Paulk, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--60.

Nay: Adkins, Balkman, Bengé, Blackwell, Calvey, Cargill, Claunch, Coleman, Dank, Davis, Ericson, Ferguson, Graves, Greenwood, Hiatt, Jones, Liotta, Morgan (Fred), Nance, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--39.

Excused: Hastings, Taylor.--2.

The measure passed.

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

Aye: Armes, Askins, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Case, Covey, Cox, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Peters, Pettigrew, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--62.

Nay: Adkins, Balkman, Bengé, Calvey, Cargill, Claunch, Coleman, Dank, Davis, Ericson, Ferguson, Graves, Greenwood, Hiatt, Jones, Liotta, Morgan (Fred), Newport, O'Neal, Perry, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--36.

Excused: Ellis, Hastings, Taylor.--3.

The emergency failed.

Representative Erwin served notice to reconsider the vote whereby the emergency failed.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Covey, the **2nd CCR** on **SB 649** was rejected and further conference requested. Conferees to be named later.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Mitchell, the **CCR** on **SB 141** was rejected and further conference requested. Conferees to be named later.

COMMITTEE REPORTS

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

DO PASS:

HB 1844 – Public Safety and Homeland Security, Authored by Senator Myers (principal Senate author)

HB 2132 – Public Safety and Homeland Security, Authored by Senator Dunlap (principal Senate author)

HB 2185 – Public Safety and Homeland Security, Coauthored by Representative(s) Nance, and Authored by Senator Coffee (principal Senate author)

HB 2186 – Agriculture and Rural Development, Authored by Senator Gumm (principal Senate author)

HB 2219 – Agriculture and Rural Development, Coauthored by Representative(s) Pope, Covey, DeWitt, Armes, and Authored by Senator Coates (principal Senate author)

HB 2347 – Public Safety and Homeland Security, Coauthored by Representative(s) Nance, and Authored by Senator Corn (principal Senate author)

DO PASS, As Amended:

CS for HB 2336 – Public Safety and Homeland Security, Authored by Senator Crutchfield (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., Tuesday, February 10, 2004, which was the order.

Pursuant to the motion of Representative Rice, the House was adjourned at 2:25 p.m., to reconvene Tuesday, February 10, 2004, at 1:30 p.m.