

HOUSE JOURNAL

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

Fifty-third Legislative Day, Monday, May 3, 2004

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

The roll was called with 99 Members present.

The following Member was excused: McClain.—1.

Vacancy: District 78.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Terry Jones, Frontier Hospice, Mustang.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1838, 2046, 2051, 2053, 2056, 2058, 2062, 2066, 2068, 2474, 2549, 2624 and 2724 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Advising the signing of and transmitting for signature Enrolled **SCR 47**.

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

Returning enrolled measures

Announcing that Enrolled **HBs 1838, 2046, 2051, 2053, 2056, 2058, 2062, 2066, 2068, 2474, 2549, 2624 and 2724** 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.

Conferees named

Advising Senate naming GCCA as conferees ON the following: **SBs 905, 1114, 1143, 1146, 1155, 1158, 1164, 1207, 1232, 1254, 1270, 1272, 1299, 1300, 1318, 1319, 1325, 1332, 1394, 1406, 1413, 1420, 1447, 1471, 1478, 1484, 1486, 1490, 1494, 1542, 1551, 1554, 1569, 1589 and 1614.**

Advising Senate naming GCCA as conferees on the following: **HBs 2006, 2243, 2250, 2299, 2559, 2632 and 2660.**

Advising Senate naming conferees on the following:

SB 472 - Kerr, Horner, Taylor, Coates, Myers, Lerblance
SB 1090 - Gumm, Smith, Lerblance, Laster, Laughlin
SB 1112 - Corn, Fisher, Rozell, Williams, Milacek, Riley, Coates
SB 1128 - Dunlap, Williams, Rozell
SB 1134 - Corn, Fisher, Morgan, Williamson
SB 1135 - Corn, Capps, Rozell, Myers, Laughlin
SB 1142 - Corn, Fisher, Morgan, Williamson
SB 1144 - Corn, Fisher, Morgan, Williamson
SB 1145 - Corn, Fisher, Morgan, Williamson
SB 1165 - Laster, Corn, Fisher, Morgan, Williamson
SB 1203 - Helton, Corn, Fisher, Morgan, Williamson
SB 1216 - Laughlin, Price, Harrison
SB 1226 - Coffee, Corn, Fisher, Morgan, Williamson
SB 1233 - Crutchfield, Price, Laughlin, Coates, Littlefield
SB 1261 - Corn, Fisher, Morgan, Williamson
SB 1291 - Smith, Morgan, Laster, Cain, Laughlin
SB 1296 - Helton, Morgan, Laster, Pruitt, Coffee
SB 1311 - Gumm, Helton, Crutchfield, Laughlin, Myers
SB 1340 - Laster, Smith, Cain, Lerblance, Williamson
SB 1345 - Corn, Fisher, Morgan, Williamson
SB 1448 - Pruitt, Monson, Littlefield, Helton, Rabon, Crutchfield, Coffee, Aldridge
SB 1461 - Williamson, Brogdon, Smith, Laughlin, Lerblance, Helton, Leftwich, Corn, Rozell
SB 1504 - Monson, Littlefield, Helton, Rabon, Crutchfield, Coffee, Pruitt, Aldridge
HB 2101 - Helton, Horner, Leftwich, Shurden, Crutchfield

HB 2164 - Monson, Gumm, Robinson, Rabon, Laughlin, Coffee, Taylor

HB 2265 - Smith, Williamson, Brogdon, Laughlin, Lerblance, Helton, Leftwich, Corn, Rozell

HB 2291 - Gumm, Monson, Rabon, Robinson, Laughlin, Coffee, Taylor

HB 2367 - Brogdon, Williamson, Smith, Laughlin, Lerblance, Helton, Leftwich, Corn, Rozell

HB 2429 - Aldridge, Monson, Littlefield, Helton, Rabon, Crutchfield, Pruitt

HB 2637 - Laster, Williamson, Brogdon, Smith, Laughlin, Lerblance, Helton, Leftwich, Corn

HB 2674 - Leftwich, Lerblance, Branan

Returning engrossed measure

Announcing the passage of **HCR 1075** - Coauthored by all members of the Senate.

The above-numbered measure was referred for enrollment.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 877, 1136, 1140, 1168, 1357, 1402, 1466, 1547** and **1617** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** to Engrossed **SB 1162** and requesting conference thereon, the Senate conferees to be named later.

Conferees changed

Advising changing Senate conferees as follows:

SB 874 - Add Rabon

HB 2661 - Add Morgan

Conference granted

Advising conference granted and the Senate naming GCCA conferees as follows: **HBs 2026** and **2382**.

Action rescinded

Senate advises rescinding the rejection of **HAs** to **SB 1622**.

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 649 (3rd)

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

RESOLUTION

The following was introduced and read:

HCR 1083 – By Coleman.

A Concurrent Resolution urging the President of the United States and Congress to take certain steps to secure the nation's borders and adequately fund and equip certain entities; and directing distribution.

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 369 – Stanley, Greenwood, Adkins, Braddock, Cox, Eddins, Lindley, McIntyre, Morgan (Fred), Paulk, Piatt, Smithson, Staggs, Vaughn, Winchester, Wright

SB 998 – Erwin, Hutchison, Carey, Case, Covey, Davis, Ellis, Graves, Hastings, Hiatt, Maddux, Mass, Morgan (Danny), Peters, Peterson (Pam), Plunk, Smith, Sweeden, Adair, Hilliard

SB 1068 – Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

CONFEREES NAMED

The Speaker named the following conferees:

HB 2085 – Askins, Toure, Boren, Bengé, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

RESOLUTIONS REFERRED

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

HCR 1083 – Public Safety and Homeland Security

HR 1045 – Wildlife

PENDING CONSIDERATION OF SAs

SAs to **HB 2385** were called up for consideration.

Upon motion of Representative Cox, the House concurred in the SAs to **HB 2385**.

HB 2385, 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, 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, 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.--98.

Excused: McClain, Phillips.--2.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

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

Representative Roberts Presiding

PENDING CONSIDERATION OF CCR

The CCR on **HB 2552** was called up for consideration.

Upon motion of Representative Hilliard, the CCR on **HB 2552** was adopted.

HB 2552, 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, Bengé, 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, McCarter, 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, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Blackburn, Mass, McClain, Phillips, Stanley.--5.

Vacancy: Dist. 78.--1.

The measure passed.

HB 2552, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to HB 2445 were called up for consideration.

Upon motion of Representative Roan, the House concurred in the **SAs to HB 2445**.

HB 2445, 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, 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, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Toure.--1.

Excused: McClain, Phillips.--2.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2270 were called up for consideration.

Upon motion of Representative Coleman, the House concurred in the **SAs to HB 2270**.

HB 2270, 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, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, 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.--98.

Excused: McClain, Phillips.--2.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2271 were called up for consideration.

Upon motion of Representative Coleman, the House concurred in the **SAs to HB 2271**.

HB 2271, 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, 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, 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, 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: McClain, Phillips, Pope.--3.

Vacancy: Dist. 78.--1.

The measure passed.

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

PENDING CONSIDERATION OF SAs

SAs to HB 2159 were called up for consideration.

Upon motion of Representative Pettigrew, the House concurred in the **SAs to HB 2159**.

HB 2159, 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, 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, Lindley, Liotta, Maddux, Mass, McCarter, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, 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.--96.

Nay: Leist, Newport.--2.

Excused: McClain, Phillips.--2.

Vacancy: Dist. 78.--1.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

SCR 60 was called up for consideration.

Coauthored by Representative(s) Wright, Liotta

Upon motion of Representative Hutchison, **SCR 60** was considered and adopted.

SCR 60 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

HCR 1079 was called up for consideration.

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

Upon motion of Representative Gilbert, **HCR 1079** was considered and adopted.

HCR 1079 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 2303**.

HB 2303 was referred for enrollment.

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1133, 1821, 1864, 1890, 2195, 2247 and 2713** on May 3, 2004.

Representative Paulk moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Tuesday, May 4, 2004, which was the order.

Pursuant to the motion of Representative Paulk, the House was adjourned at 2:25 p.m., to reconvene Tuesday, May 4, 2004, at 1:30 p.m.