

# HOUSE JOURNAL

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

**Sixty-first Legislative Day, Monday, May 17, 2004**

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

The roll was called with 100 Members present.

Vacancy: District 78.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Rodney James, Sequoyah Hills Baptist Church, Tulsa.

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

The Journal for the last legislative day was approved.

### ENGROSSED AND ENROLLED MEASURES

**HBs 1855** and **2664** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCRs 1044, 1061** and **1079** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

### MESSAGES FROM THE SENATE

Announcing that Enrolled **HCRs 1044, 1061** and **1079** 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 **HBs 1855** and **2664** 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 the signing of and transmitting for signature Enrolled **SCR 69**.

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

Advising fourth reading of and transmitting for signature Enrolled **SB 1366**.

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

### **CONFERENCE GRANTED**

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

**SB 924** – Blackburn, McCarter, Brannon, Calvey, Deutschendorf, DeWitt, Ferguson, Ingmire, Jones, Miller (Doug), Miller (Ray), Perry, Peterson (Ron), Pope, Roberts, Staggs, Wells, Winchester, Adair, Hilliard, Nations

### **FURTHER CONFERENCE GRANTED**

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

**HB 1503** – Maddux, Gilbert, Roan, Piatt, Roberts, Carey, Case

### **CONFEREES CHANGED**

The Speaker changed conferees on **HB 2598** by adding McIntyre as 1st conferee and Ingmire. The conferees are as follows:

**HB 2598** – McIntyre, Ellis, Ferguson, Brannon, Benge, Erwin, Roberts, Staggs, Sullivan, Hilliard, Ingmire

## **CONFEREES ADDED**

The Speaker added Vaughn, Carey as conferees on **HB 2416**. The conferees are as follows:

**HB 2416** – Stanley, Hilliard, Pettigrew, Mass, Armes, Roberts, Maddux, Vaughn, Carey

## **RESOLUTIONS REFERRED**

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

**SCR 66** – Environment and Natural Resources

**SCR 70** – Higher Education

**SCR 71** – Higher Education

**SCR 72** – Transportation

## **GENERAL ORDER**

**SB 1600** by Cain of the Senate and Vaughn of the House was read and considered.

Representative Vaughn moved to amend **SB 1600** 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 Vaughn moved that **SB 1600** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Vaughn, **SB 1600** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**SB 1600** 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, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, 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), Morgan (Danny), 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.-95.

Excused: Calvey, Eddins, Mitchell, Morgan (Fred), Stanley.--5.

Vacancy: Dist. 78.--1.

The measure passed.

**SB 1600** was referred for engrossment.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2472** was called up for consideration.

Upon motion of Representative Braddock, the **CCR** on **HB 2472** was adopted.

**HB 2472**, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, 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), Morgan (Danny), 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.-96.

Excused: Eddins, Mitchell, Morgan (Fred), Stanley.--4.

Vacancy: Dist. 78.--1.

The measure passed.

**HB 2472**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2630** was called up for consideration.

Upon motion of Representative Braddock, the **CCR** on **HB 2630** was adopted.

**HB 2630**, 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, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, 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), 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: Eddins, Mitchell, Stanley.--3.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

**HB 2630**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2680** was called up for consideration.

Upon motion of Representative Carey, the **CCR** on **HB 2680** was adopted.

**HB 2680**, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sweeden, Taylor,

Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--89.

Nay: Coleman, Davis, Graves, Greenwood, Perry, Reynolds, Sullivan, Worthen.--8.

Excused: Eddins, Mitchell, Stanley.--3.

Vacancy: Dist. 78.--1.

The measure passed.

**HB 2680**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1891** was called up for consideration.

Upon motion of Representative Benge, the **CCR** on **HB 1891** was adopted.

**HB 1891**, 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, Coleman, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, 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), 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.--96.

Excused: Eddins, Mitchell, Stanley.--3.

Constitutional Priv: Davis.--1.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

**HB 1891**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 935** was called up for consideration.

Upon motion of Representative Hefner, the **CCR** on **SB 935** was adopted.

**SB 935**, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, 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), 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, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Graves, Reynolds.--2.

Excused: Eddins, Mitchell, Stanley.--3.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Case, Covey, Cox, Deutschendorf, Dorman, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Morgan (Danny), Nance, Nations, Newport, Paulk, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--56.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, Hiatt, Jones, Liotta, Maddux, Morgan (Fred), Perry, Peters, Peterson (Pam), Peterson (Ron), Reynolds, Roggow, Smaligo, Steele, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--37.

Excused: Eddins, Mitchell, O'Neal, Pettigrew, Piatt, Stanley, Sullivan.--7.

Vacancy: Dist. 78.--1.

The emergency failed.

**SB 935**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

Upon motion of Speaker Adair, the **CCR** on **HB 2663** was rejected and further conference requested. The Speaker named the same conferees:

**HB 2663** – Adair, Staggs, Vaughn, Roberts, Ferguson

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 964** was called up for consideration.

Upon motion of Representative Hefner, the **CCR** on **SB 964** was adopted.

**SB 964**, 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, 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), 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: Eddins, Mitchell, Stanley.--3.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Morgan (Danny), Nance, Nations, Paulk,

Pettigrew, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Sweeden, Taylor, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--54.

Nay: Adkins, Armes, Balkman, Benge, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, Hiatt, Jones, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--42.

Excused: Eddins, Mitchell, Stanley, Toure.--4.

Vacancy: Dist. 78.--1.

The emergency failed.

**SB 964**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2036** was called up for consideration.

Upon motion of Representative Hefner, the **CCR** on **HB 2036** was adopted.

**HB 2036**, 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, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), 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, Smith, Smithson, Staggs, Steele, Sullivan, Taylor, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Worthen, Wright, Young, Mr. Speaker.--86.

Nay: Calvey, Coleman, Davis, Graves, Greenwood, Hiatt, Reynolds, Smaligo, Tibbs, Winchester.--10.

Excused: Eddins, Mitchell, Stanley, Sweeden.--4.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Morgan (Danny), Nance, Nations, Paulk, Perry, Pettigrew, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--56.

Nay: Adkins, Armes, Balkman, Bengel, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, Hiatt, Jones, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--41.

Excused: Eddins, Mitchell, Stanley.--3.

Vacancy: Dist. 78.--1.

The emergency failed.

**HB 2036**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2010** was called up for consideration.

Upon motion of Representative Blackburn, the **CCR** on **HB 2010** was adopted.

**HB 2010**, 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, Bengel, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Ellis, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Paulk, Perry, Peters, Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--85.

Nay: Claunch, Coleman, Ericson, Graves, Greenwood, Liotta, O'Neal, Peterson (Pam), Reynolds, Smaligo, Worthen, Wright.--12.

Excused: Eddins, Hastings, Stanley.--3.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Davis, Deutschendorf, DeWitt, Dorman, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Mr. Speaker.--57.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Ericson, Ferguson, Graves, Greenwood, Hiatt, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--40.

Excused: Eddins, Hastings, Stanley.--3.

Vacancy: Dist. 78.--1.

The emergency failed.

**HB 2010**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2014** was called up for consideration.

Upon motion of Representative Blackburn, the **CCR** on **HB 2014** was adopted.

**HB 2014**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Askins, Bengé, Blackburn, Boren, Braddock, Brannon, Carey, Cargill, Claunch, Covey, Cox, Dank, Deutschendorf, Dorman, Ellis, Ericson, Erwin, Ferguson, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Paulk, Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Steele, Sweeden, Taylor, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Mr. Speaker.--70.

Nay: Adkins, Balkman, Blackwell, Calvey, Case, Coleman, Davis, DeWitt, Graves, Greenwood, Liotta, Miller (Doug), Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Reynolds, Smaligo, Sullivan, Tibbs, Trebilcock, Worthen, Wright, Young.-26.

Excused: Bonny, Eddins, Phillips, Stanley.--4.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Askins, Blackburn, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wilson, Wilt, Mr. Speaker.--54.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, Hiatt, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Winchester, Worthen, Wright, Young.--41.

Excused: Bonny, Eddins, Phillips, Stanley, Wells.--5.

Vacancy: Dist. 78.--1.

The emergency failed.

**HB 2014**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2016** was called up for consideration.

Upon motion of Representative Blackburn, the **CCR** on **HB 2016** was adopted.

**HB 2016**, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, 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, 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.

Nay: Davis.--1.

Excused: Eddins.--1.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

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

Nay: Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, Ericson, Graves, Greenwood, Hiett, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Ron), Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Winchester, Worthen, Wright, Young.--38.

Excused: Bonny, Eddins.--2.

Vacancy: Dist. 78.--1.

The emergency failed.

**HB 2016**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2018** was called up for consideration.

Upon motion of Representative Blackburn, the **CCR** on **HB 2018** was adopted.

**HB 2018**, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, 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, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Eddins.--1.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deutschendorf, Dorman, Ellis, Erwin, Gilbert, Hamilton, Harrison, Hastings, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Phillips, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Sweeden, Taylor, Toure, Turner, Tyler, Walker, Wells, Wilson, Winchester, Mr. Speaker.--57.

Nay: Adkins, Armes, Balkman, Bengé, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, Hiatt, Jones, Liotta, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Tibbs, Trebilcock, Vaughn, Wilt, Worthen, Wright, Young.--42.

Excused: Eddins.--1.

Vacancy: Dist. 78.--1.

The emergency failed.

**HB 2018**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**MOTION**

Representative Rice moved that the House stand at ease until 1:30 p.m., which was the order.

**Speaker Pro Tempore Hilliard Presiding**

**MOTION**

Representative Roberts moved that the Honorable Senate be notified by message that the House of Representatives is organized and ready to convene in Joint Session, which was the order.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2020** was called up for consideration.

Upon motion of Representative Blackburn, the **CCR** on **HB 2020** was adopted.

**Speaker Adair Presiding**

**HB 2020**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Carey, Covey, Cox, Deutschendorf, Dorman, Ellis, Gilbert, Harrison, Hastings, Hiatt, Hilliard, Ingmire, Jones, Kirby, Lamons, Langmacher, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Mitchell, Morgan (Danny), Nations, Newport, O'Neal, Paulk, Piatt, Plunk, Rice, Roan, Roberts, Smith, Stanley, Sweeden, Taylor, Toure, Tyler, Wilson, Winchester, Mr. Speaker.--47.

Nay: Adkins, Armes, Balkman, Blackwell, Brannon, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Erwin, Ferguson, Graves, Greenwood, Hutchison, Leist, Liotta, Miller (Doug), Miller (Ray), Nance, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Pope, Reynolds, Roggow, Smaligo, Smithson, Staggs, Steele, Sullivan, Tibbs, Trebilcock, Turner, Vaughn, Walker, Wilt, Wright, Young.--45.

Excused: Benge, Eddins, Hamilton, Hefner, Morgan (Fred), Phillips, Wells, Worthen.--8.

Vacancy: Dist. 78.--1.

The measure failed.

Representative Blackburn served notice to reconsider the vote whereby **HB 2020** failed.

## **JOINT SESSION**

The third Joint Session of the Second Regular Session of the Forty-ninth Legislature assembled in the House Chamber on Monday, May 17, 2004, and was called to order by Lieutenant Governor Mary Fallin.

Senator Rozell moved that the attendance roll call of the Senate be considered the roll call of the Senate in Joint Session, which was the order.

Representative Roberts moved that the attendance roll call of the House be considered the roll call of the House in Joint Session, which was the order.

Lieutenant Governor Fallin declared quorums of the Senate and House present and the Joint Session duly assembled.

Prayer was offered by Pastor Rodney James, Sequoyah Hills Baptist Church, Tulsa.

Lieutenant Governor Fallin introduced First Lady Kim Henry and Governor Brad Henry who are serving as hosts to former North Carolina Governor Jim Hunt.

Governor Henry was recognized by Lieutenant Governor Fallin for introduction of Governor Hunt.

Governor Hunt addressed the joint session.

Upon motion of Representative Roberts, the Joint Session was ordered dissolved at 2:40 p.m.

## **Speaker Pro Tempore Hilliard Presiding**

## **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2085** was called up for consideration.

Upon motion of Representative Askins, the **CCR** on **HB 2085** was adopted.

**HB 2085**, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Carey, Cargill, Case, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Newport, Paulk, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Tibbs, Toure, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--78.

Nay: Bengé, Calvey, Coleman, Ferguson, Graves, Greenwood, Lamons, O'Neal, Perry, Peters, Pettigrew, Smaligo.--12.

Excused: Claunch, Hastings, Hiett, Maddux, Morgan (Fred), Phillips, Taylor, Trebilcock, Vaughn, Worthen.--10.

Vacancy: Dist. 78.--1.

The measure passed.

The roll was called on the emergency and resulted as follows:

Aye: Armes, Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Cargill, Covey, Cox, Deutschendorf, Dorman, Eddins, Ellis, Ericson, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Langmacher, Leist, Lindley, Mass, McCarter, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Peterson (Pam), Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Tibbs, Toure, Turner, Tyler, Walker, Wells, Wilson, Wilt, Wright, Mr. Speaker.--59.

Nay: Adkins, Balkman, Bengé, Blackwell, Calvey, Case, Coleman, Dank, Davis, DeWitt, Ferguson, Graves, Greenwood, Jones, Lamons, Liotta, Miller (Doug), Newport, O'Neal, Perry, Peters, Peterson (Ron), Pettigrew, Piatt, Reynolds, Roggow, Smaligo, Sullivan, Winchester, Young.--30.

Excused: Claunch, Hastings, Hiett, Maddux, McClain, Morgan (Fred), Phillips, Taylor, Trebilcock, Vaughn, Worthen.--11.

Vacancy: Dist. 78.--1.

The emergency failed.

**HB 2085**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2074** was called up for consideration.

Upon motion of Representative Askins, the **CCR** on **HB 2074** was adopted.

**HB 2074**, 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, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Mass, McCarter, McClain, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), 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, Tibbs, Toure, Turner, Tyler, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--89.

Nay: McIntyre.--1.

Excused: Claunch, Hastings, Hiett, Maddux, Morgan (Fred), Phillips, Taylor, Trebilcock, Vaughn, Worthen.--10.

Vacancy: Dist. 78.--1.

The measure passed.

**HB 2074**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

**PENDING CONSIDERATION OF CCR**

Upon motion of Representative Peters, the **CCR** on **HB 2135** was rejected and further conference requested. The Speaker named the same conferees:

**HB 2135** – Peters, Carey, Piatt, Rice, Nations

**MESSAGES FROM THE SENATE**

Announcing the passage of **HCRs 1074** - Coauthored by all members of the Senate and **1084** – Coauthored by all members of the Senate.

The above-numbered measures were referred for enrollment.

### **Further conference requested**

Advising rejection of **2nd CCR** to **HB 1874** and **CCR** to **SB 868** and requesting further conference thereon, the Senate naming same conferees as follows:

**SB 868** - Corn, Crutchfield, Aldridge

**HB 1874** - Price, Littlefield, Horner, Coates, Myers

### **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 1405**

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

### **Further conference granted**

Advising further conference granted and the Senate naming same conferees as follows:

**HB 2663** - Corn, Crutchfield, Wilcoxson, Monson

### **Returning CCRs**

Returning **HBs 2030, 2038** and **2330** together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended.

The above-numbered measures, as amended by the conference committee reports, were referred for enrollment.

### **FURTHER CONFERENCE GRANTED**

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

**HB 1874** – Langmacher, Maddux, Hamilton, Ellis, Miller (Doug), Paulk

**SB 868** – Paulk, Hamilton, Nance, Sweeden, Dank

### **MESSAGE FROM THE GOVERNOR**

Advising of his approval of **HB 2121** on May 13, 2004.

**CCRs SUBMITTED**

The conference committee reports were read on the following measures:

**HB 1427**

**HB 1530** (3rd) , Remove Representative Lerblance as principal House author and substitute with Representative Roberts, and Remove Senator Gumm as principal Senate author and substitute with Senator Lerblance, and Coauthored by Senator(s) Gumm

**HB 2336**

**HB 2551**, Remove Representative Hilliard as principal House author and substitute with Representative Leist, and Remove Senator Crutchfield as principal Senate author and substitute with Senator Shurden

Representative Roberts moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 11:00 a.m., Tuesday, May 18, 2004, which was the order.

Pursuant to the motion of Representative Roberts, the House was adjourned at 3:20 p.m., to reconvene Tuesday, May 18, 2004, at 11:00 a.m.