

HOUSE JOURNAL

Second Regular Session of the Forty-ninth Legislature

of the State of Oklahoma

Sixty-fourth Legislative Day, Thursday, May 20, 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: Taylor.—1.

Vacancy: District: 78.—1.

The Speaker Pro Tempore declared a quorum present.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2010, 2014, 2016, 2018, 2020 and 2085 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 fourth reading of and transmitting for signature Enrolled **SBs 1299, 1400, 1556 and 1627**.

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

Returning enrolled measures

Announcing that Enrolled **HBs 2010, 2014, 2016, 2018, 2020** and **2085** 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.

Returning engrossed measure, as amended

Announcing the passage of and returning engrossed measure as amended:

HB 2205

Senate amendments were read on the above numbered measure.

Transmitting engrossed measure

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 73 – By Corn of the Senate and Rice of the House.

A Concurrent Resolution creating the Public Utility Purchased Power Study Commission; stating membership; requiring appointments by certain date; providing for termination of Commission activities; providing for travel reimbursement; defining term; providing for staff and administrative duties; requiring Commission to study certain issues; providing for reports by certain date; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HCR 1087 – By Cargill of the House and Coates of the Senate.

A Concurrent Resolution relating to the outsourcing of state services and contracts to overseas companies; making findings regarding economic trends; making a finding regarding the outsourcing of DHS contract; requesting state governmental entities to review contracts for outsourcing; encouraging Department of Central Services and agencies to contract with companies that keep jobs in the United States; and providing for distribution.

HR 1050 – By Dorman.

A Resolution supporting business development for enhancing the state's economy; encouraging state governmental entities to purchase Oklahoma goods and services; encouraging state governmental entities to be cognizant of impact of service provider location; and directing distribution.

RESOLUTION REFERRED

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

HCR 1087 – Government Operations and Agency Oversight and Administrative Rules

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2551** was called up for consideration.

Representative Leist moved that the House adopt the **CCR** on **HB 2551**, which motion failed upon a division of the question.

Upon motion of Representative Leist, the **CCR** on **HB 2551** was rejected and further conference requested. The Speaker named the same conferees:

HB 2551 – Leist, Morgan (Danny), Sullivan, Tyler, Plunk, Davis, Case

RESOLUTION FOR CONSIDERATION

HR 1049 was called up for consideration.

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

Upon motion of Speaker Adair, **HR 1049** was considered and adopted.

HR 1049 was referred for enrollment.

Upon unanimous consent request of Speaker Adair, **HR 1049** was ordered printed in full as follows:

HR 1049 – Adair, Adkins, Armes, Askins, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, 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.

A House Resolution wishing Kathy Muckala the very best in her retirement years; thanking Kathy Muckala for her years of service and superb work; making a permanent record in the Journal of the Oklahoma House of Representatives; and directing distribution.

WHEREAS, in the immortal words of Julius Caesar, “Veni, Vidi, Vici – I came, I saw, I conquered”; and

WHEREAS, Kathleen Susan Muckala, better known to us as Kathy, *came* to work as a Staff Attorney for the Oklahoma House of Representatives on July 1, 1981, bringing with her impressive educational credentials and professional work experience; and

WHEREAS, on that day, the infamous Kathleen Susan Muckala *saw* that much work was to be done and vigorously attacked each assignment and project with the utmost of diligence and confidence; and

WHEREAS, Kathy Muckala has *conquered* the hearts of many people at the Oklahoma House of Representatives and the State of Oklahoma with her big heart, wonderful sense of humor and rare gift of being able to laugh at herself; and

WHEREAS, Kathy Muckala, prior to coming to the State Capitol, graduated in 1972 from the University of Central Oklahoma with a Bachelor of Science degree in the areas of biology and chemistry; and

WHEREAS, the unsinkable Kathy Muckala received her Juris Doctorate from Oklahoma City University and was admitted to the Oklahoma Bar Association in 1980 and was admitted to practice in federal court in 1981; and

WHEREAS, since her tenure as a Staff Attorney with the Oklahoma House of Representatives, Kathy Muckala has worked in a number of specialized areas such as: Administrative Law and Procedure, Agriculture, Environment and Natural Resources, Public Health, Mental Health, and Human Services; and

WHEREAS, Kathy can lay claim to numerous significant contributions to Oklahoma law, including but not limited to her work with the Oklahoma Children’s Code, nursing home policy reform, guardianship laws, senior citizen issues, writing Title 27A of the Oklahoma Statutes for the consolidation of environmental agencies, and corporation farming standards; and

WHEREAS, throughout the years, Kathy has been a shining light to the many people she has worked with and been associated with, displaying her enthusiastic zest and love for life, her family and friends, her religion, and especially her passion for the discipline of law; and

WHEREAS, Kathy has already begun to embark on a new career in her retirement with her passion for antiques and for Scotties, many of whom have already found homes with Kathy’s friends, coworkers and acquaintances at the State Capitol; and

WHEREAS, it is with great sadness that we say farewell to Kathy Muckala as she leaves the halls of the Oklahoma State Capitol Building and retires to the “farm” in Marshfield, Missouri; and

WHEREAS, it is fitting and proper to thank Kathy Muckala for the twenty-three years of hard work at the Oklahoma House of Representatives and to say, “It won’t be the same without you!”

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

THAT the Oklahoma House of Representatives wishes Kathy Muckala the very best of life in her retirement years.

THAT the Oklahoma House of Representatives thanks Kathy Muckala for her years of service and superb work she has performed throughout her tenure with the Oklahoma House of Representatives.

THAT the Oklahoma House of Representatives and its staff extends to Kathy Muckala heartfelt congratulations and best wishes on her retirement.

THAT a copy of this resolution be spread upon the pages of the Journal of the Oklahoma House of Representatives as a permanent record of praise expressed herein "cause she's a good ole girl!"

THAT a copy of this resolution be distributed to Kathleen Susan Muckala; her husband, Steven Muckala; her sons, Eric and Caleb Muckala; and Bob Clark, Mayor of Marshfield, Missouri.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2108** was called up for consideration.

Remove Representative Leist as principal House author and substitute with Representative Case

Coauthored by Representative(s) Leist

Upon motion of Representative Leist, the **CCR** on **HB 2108** was adopted.

HB 2108, 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, 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), 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, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--96.

Excused: Mitchell, Stanley, Taylor, Worthen.--4.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2108, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2440** was called up for consideration.

Upon motion of Representative Ellis, the **CCR** on **HB 2440** was adopted.

HB 2440, 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, Balkman, Bengé, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Mr. Speaker.--87.

Nay: Adkins, Davis, Graves, Liotta, Peterson (Ron), Smaligo, Tibbs, Wright, Young.--9.

Excused: Mitchell, Stanley, Taylor, Worthen.--4.

Vacancy: Dist. 78.--1.

The measure passed.

HB 2440, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 66 was called up for consideration.

Upon motion of Representative Sweeden, **SCR 66** was considered and adopted.

SCR 66 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

SCR 53 was called up for consideration.

Coauthored by Representative(s) Braddock, Gilbert, Hutchison, Langmacher, Lindley, McCarter, Roan, Toure

Upon motion of Representative Brannon, **SCR 53** was considered and adopted.

SCR 53 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2373** was called up for consideration.

Upon motion of Representative McCarter, the **CCR** on **HB 2373** was adopted.

HB 2373, 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, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, 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, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sullivan, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-94.

Nay: Davis, Graves.--2.

Excused: Mitchell, Perry, Stanley, Taylor.--4.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2373, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 67 was called up for consideration.

Upon motion of Representative Ingmire, **SCR 67** was considered and adopted.

SCR 67 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2527** was called up for consideration.

Upon motion of Representative Vaughn, the **CCR** on **HB 2527** was adopted.

HB 2527, 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, 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), Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Steele, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.-
-95.

Excused: Mitchell, Perry, Stanley, Sullivan, Taylor.--5.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2527, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 71 was called up for consideration.

Upon motion of Representative Staggs, **SCR 71** was considered and adopted.

SCR 71 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Maddux, the **3rd CCR** on **HB 1503** was rejected and further conference requested. The Speaker named the same conferees:

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

MOTION

Representative Rice moved that the House stand at ease until 1:15 p.m., which was the order.

Speaker Pro Tempore Hilliard Presiding

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2198** was called up for consideration.

Upon motion of Representative Leist, the **CCR** on **HB 2198** was adopted.

HB 2198, 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, 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), 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, Tibbs, Toure, Trebilcock, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Benge, Mitchell, Taylor, Turner.--4.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2198, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

SPECIAL RECOGNITION OF REPRESENTATIVE M. C. LEIST

Representative Leist was honored by the Oklahoma House of Representatives for his 18 years of service.

Representative Leist addressed the House and introduced his guests: Myra Leist, Mother; Bob and Barbara Freed, Sister and Brother in Law; Donna Olinger and Benita Cassleman, Daughters; Doug Olinger, Son in Law; Mason Martin, Daniel Martin, James Cassleman, Michael Cassleman and Briton Leist, Grandsons; Jessica Cassleman and Tiffany Leist, Granddaughters; Brion Leist, Son; Melissa Leist, Daughter-in-Law; Nancy Tuck, Fiancee and Peggy Marshall, Legislative Assistant.

MOTION

Representative Turner asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2198**, which was the order.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2314** was called up for consideration.

Upon motion of Representative Lindley, the **CCR** on **HB 2314** was adopted.

Representative Roberts Presiding

HB 2314, 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, 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, Stanley, Steele, Sullivan, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Taylor.--1.

Vacancy: Dist. 78.--1.

The measure passed.

HB 2314, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

MOTION

Upon unanimous consent request of Representative Rice, House Rule 5, Section 2(e) was suspended.

Speaker Pro Tempore Hilliard Presiding

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2660** was called up for consideration.

Representative Wright raised a point of order whether the **CCR** was germane to **HB 2660**.

The Presiding Officer ruled the point not well taken and the **CCR** germane.

Representative Pope moved adoption of the **CCR** on **HB 2660**, which motion prevailed upon roll call as follows:

Aye: Askins, Blackburn, Bonny, Boren, Braddock, Brannon, Carey, Covey, Cox, Deuschendorf, Dorman, Eddins, Ellis, Erwin, Gilbert, Harrison, Hefner, Hilliard, Hutchison, Kirby, Lamons, Langmacher, Lindley, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nations, Paulk, Perry, Plunk, Pope, Rice, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Mr. Speaker.--50.

Nay: Adkins, Armes, Balkman, Bengel, Blackwell, Calvey, Cargill, Case, Claunch, Coleman, Dank, Davis, DeWitt, Ericson, Ferguson, Graves, Greenwood, Hastings, Hiatt, Ingmire, Jones, Liotta, Maddux, Miller (Doug), Morgan (Fred), Nance, Newport, O'Neal, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Reynolds, Roggow, Smaligo, Steele, Sullivan, Sweeden, Tibbs, Trebilcock, Wilt, Winchester, Worthen, Wright, Young.--47.

Excused: Hamilton, Taylor.--2.

Constitutional Priv: Leist.--1.

Vacancy: Dist. 78.--1.

HB 2660, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Covey, Cox, Dank, Deutschendorf, Eddins, Ericson, Erwin, Gilbert, Hastings, Hilliard, Hutchison, Ingmire, Lamons, Langmacher, Lindley, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Nations, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Roggow, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Tibbs, Toure, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Winchester, Worthen, Young, Mr. Speaker.--66.

Nay: Armes, Calvey, Carey, Cargill, Case, Claunch, Coleman, Davis, DeWitt, Dorman, Ellis, Ferguson, Graves, Greenwood, Hamilton, Harrison, Hefner, Hiatt, Jones, Kirby, Leist, Liotta, Morgan (Fred), Nance, Newport, Peterson (Ron), Phillips, Reynolds, Smaligo, Sweeden, Trebilcock, Wilt, Wright.--33.

Excused: Taylor.--1.

Vacancy: Dist. 78.--1.

The measure passed.

HB 2660, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 2164** was called up for consideration.

Upon motion of Representative Deutschendorf, the **2nd CCR** on **HB 2164** was adopted.

HB 2164, 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, 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, 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, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Young, Mr. Speaker.--95.

Nay: Leist, Rice, Wright.--3.

Excused: Coleman, Taylor.--2.

Vacancy: Dist. 78.--1.

The measure passed.

HB 2164, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1269** was called up for consideration.

Representative Nations Presiding

Representative Calvey moved adoption of the **CCR** on **SB 1269**, which motion was adopted upon a division of the question.

SB 1269, 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, Calvey, Carey, 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, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Rice, Roan, Roberts, Smaligo, Smith, Smithson, Stanley, Steele, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--89.

Nay: Cargill, Graves, Reynolds.--3.

Excused: Bengé, Coleman, Phillips, Roggow, Staggs, Sullivan, Taylor, Worthen.--8.

Vacancy: Dist. 78.--1.

The measure passed.

SB 1269, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 1135** was called up for consideration.

Upon motion of Representative Roberts, the **CCR** on **SB 1135** was adopted.

SB 1135, 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, Calvey, Carey, Cargill, Case, Claunch, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Greenwood, Hamilton, 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, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Roan, Roberts, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Young, Mr. Speaker.--88.

Nay: Graves, O'Neal, Reynolds, Wright.--4.

Excused: Bengé, Coleman, Harrison, Rice, Roggow, Sullivan, Taylor, Worthen.--8.

Vacancy: Dist. 78.--1.

The measure passed.

SB 1135, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2072** was called up for consideration.

Upon motion of Representative Askins, the **CCR** on **HB 2072** was adopted.

HB 2072, 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, Calvey, Carey, Cargill, Case, Claunch, 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, Piatt, Plunk, Pope, Reynolds, Roan, Roberts, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--92.

Excused: Bengé, Coleman, Phillips, Rice, Roggow, Sullivan, Taylor, Worthen.--8.

Vacancy: Dist. 78.--1.

The measure passed.

HB 2072, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2265** was called up for consideration.

Upon motion of Representative Paulk, the **CCR** on **HB 2265** was adopted.

HB 2265, 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, 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, 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, Piatt, Plunk, Pope, Reynolds, Roan, Roberts, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--91.

Excused: Bengé, Coleman, Phillips, Rice, Roggow, Sullivan, Sweeden, Taylor, Worthen.--9.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2265, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **SB 587** was called up for consideration.

Coauthored by Representative(s) Calvey

Upon motion of Representative Hamilton, the **CCR** on **SB 587** was adopted.

SB 587, 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, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Covey, Cox, Davis, Deutschendorf, Dorman, Eddins, Ellis, Ericson, Erwin, Gilbert, Hamilton, Harrison, Hefner, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McClain, McIntyre, Miller (Ray), Mitchell, Morgan (Danny), Nance, Nations, Paulk, Peterson (Pam), Piatt, Plunk, Roan, Roberts, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Young, Mr. Speaker.--63.

Nay: Adkins, Balkman, Case, Dank, DeWitt, Ferguson, Graves, Greenwood, Hastings, Liotta, Maddux, Miller (Doug), Morgan (Fred), Newport, O'Neal, Perry, Peters, Peterson (Ron), Pettigrew, Pope, Reynolds, Smaligo, Wilt, Winchester, Wright.--25.

Excused: Bengé, Bonny, Claunch, Coleman, Hiatt, Jones, Phillips, Rice, Roggow, Sullivan, Taylor, Worthen.--12.

Vacancy: Dist. 78.--1.

The measure passed.

SB 587, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2305** was called up for consideration.

Upon motion of Representative Hamilton, the **CCR** on **HB 2305** was adopted.

HB 2305, 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, Blackburn, Blackwell, Boren, Braddock, Brannon, Calvey, Carey, Case, Covey, Cox, Dank, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiatt, Hilliard, Hutchison, Ingmire, Kirby, Lamons, Langmacher, Leist, Lindley, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan

(Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Ron), Pettigrew, Piatt, Plunk, Pope, Roan, Roberts, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Winchester, Wright, Mr. Speaker.--79.

Nay: Cargill, Davis, Graves, Liotta, Maddux, Peterson (Pam), Reynolds, Tibbs, Young.--9.

Excused: Bengé, Bonny, Claunch, Coleman, Jones, Phillips, Rice, Roggow, Sullivan, Taylor, Wilt, Worthen.--12.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2305, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2306** was called up for consideration.

Upon motion of Representative Hamilton, the **CCR** on **HB 2306** was adopted.

HB 2306, 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, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, 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, Piatt, Plunk, Pope, Reynolds, Roan, Roberts, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sweeden, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Wright, Young, Mr. Speaker.--90.

Excused: Bengé, Claunch, Coleman, Jones, Phillips, Rice, Roggow, Sullivan, Taylor, Worthen.--10.

Vacancy: Dist. 78.--1.

The measure and emergency passed.

HB 2306, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 73 was called up for consideration.

Upon motion of Representative Roberts, **SCR 73** was considered and adopted.

SCR 73 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

MESSAGES FROM THE SENATE

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

HB 1427 - Wilkerson, Laster, Rozell, Smith, Nichols

HB 1503 - Rabon, Monson, Riley

HB 2551 - Shurden, Taylor, Nichols

HB 2554 - Nichols, Horner, Leftwich

Conferees named

Advising naming Senate conferees as follows:

SB 1346 - Monson, Crutchfield, Price, Dunlap, Laughlin

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SB 1600** and the passage of said measure, as amended thereby.

Further conference requested

Advising rejection of **CCR** to **SB 1539** and **3rd CCR** to **HB 1530** requesting further conference thereon, the Senate naming same conferees as follows:

SB 1539 - Helton, Wilkerson, Laster, Rozell, Smith, Nichols

HB 1530 - Lerblance, Gumm, Horner, Aldridge

Transmitting CCRs

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

SB 865

SB 868 (2nd)

SB 975

SB 1053

SB 1057
SB 1065
SB 1066
SB 1162
SB 1210

Conference committee reports were read on the above-numbered measures.

Returning CCRs

Returning **HBs 1853, 1891, 2101 (2nd), 2332, 2335, 2365, 2441, 2457, 2556** and **2557** 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.

Conferees changed

Advising changing Senate conferees as follows:

HB 2470 - Remove from GCCA and name Laster, Morgan, Smith

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:

SB 1539 – Covey, Dorman, McClain, Nance, Tibbs, Paulk, Lamons, Maddux

HB 1530 – Roberts, Cox, Peterson (Pam), Mass, Ingmire

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 911 – Deutschendorf, Mitchell, Bonny, Vaughn, Ferguson

SB 965 – Braddock, Mitchell, Bonny, Case, Ingmire

SB 972 – Leist, Nations, Adkins, Balkman, Claunch, Coleman, Cox, Hamilton, Lindley, Mitchell, Reynolds, Roggow, Smithson, Stanley, Turner, Vaughn, Worthen, Wright, Adair, Hilliard

SB 1070 – Hefner, Walker, Armes, Bonny, Harrison, Liotta, Newport, O’Neal, Phillips, Taylor, Trebilcock, Tyler, Wilson, Adair, Hilliard

SB 1087 – Askins, Toure, Boren, Benge, Blackwell, Braddock, Cargill, Dank, Dorman, Kirby, Lamons, Langmacher, Morgan (Fred), Nance, Paulk, Piatt, Rice, Roan, Smaligo, Sullivan, Tibbs, Wilt, Young, Adair, Hilliard

SB 1398 – Ellis, Roan, Smithson, Wilson, Balkman, Armes, Taylor, Case

CONFEREES NAMED

The Speaker named the following conferees:

HB 2554 – Paulk, Langmacher, Morgan (Fred), Hamilton, Ellis, Nance

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 2464, 2639** and **2643** on May 19, 2004 and **HBs 1855** and **2664** on May 20, 2004.

COMMITTEE REPORT

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

DO PASS:

HCR 1086 – Government Operations and Agency Oversight and Administrative Rules, Authored by Senator Helton (principal Senate author)

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1427 (2nd)

HB 1503 (4th)

HB 1571

HB 2054

HB 2060

HB 2064

HB 2070

HB 2187

HB 2223

HB 2274

HB 2288

HB 2416

HB 2528

HB 2536
HB 2548
HB 2600
HB 2616 (2nd)
HB 2710
HB 2714
HB 2718

Representative Hilliard moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:30 a.m., Friday, May 21, 2004, which was the order.

Pursuant to the motion of Representative Hilliard, the House was adjourned at 6:15 p.m., to reconvene Friday, May 21, 2004, at 9:30 a.m.