

# HOUSE JOURNAL

**First Regular Session of the Fiftieth Legislature**

**of the State of Oklahoma**

**First Legislative Day, Tuesday, January 4, 2005**

Pursuant to Article V, Section 26, of the Constitution of the State of Oklahoma, the First Regular Session of the House of Representatives for the Fiftieth Legislature assembled in the House Chamber at 12:00 o'clock noon.

Representative Liotta called the House to order.

Prayer was offered by Representative DePue.

## **CERTIFICATION OF HOUSE MEMBERS**

Representative Cargill moved that the Communication dated November 15, 2004, to the Speaker of the House of Representatives and furnished to the Chief Clerk of the House of Representatives by the Secretary of the State Election Board listing the persons elected to the House of Representatives for the Fiftieth Legislature be accepted as prima facie evidence of membership in the House of Representatives and that said Members be seated in the House Chamber and the above-named Communication be printed in the House Journal, which motion was declared adopted.

## **COMMUNICATION**

November 15, 2004

The Honorable Larry E. Adair  
Speaker, Oklahoma State House of Representatives  
State Capitol  
Oklahoma City, Oklahoma 73105

Sir:

Upon the face of the returns of the General Election, November 2, 2004, certified to this office by the several County Election Boards of the State, the candidates named in the list attached appear to have been regularly elected as Members of the Oklahoma State House of Representatives for the districts indicated.

Certificates of Election have been issued to them by this Board, entitling each to participate in the preliminary organization of the House of Representatives.

Respectfully submitted,

/s/ MICHAEL CLINGMAN, Secretary  
State Election Board

**DIST**

<b>NO.</b>	<b>COUNTY</b>	<b>NAME</b>	<b>POL.</b>	<b>ADDRESS</b>
1	*McCurtain	Jerry Ellis	D	Valliant
2	*Sequoyah	Glen Bud Smithson	D	Sallisaw
3	*LeFlore	Neil Brannon	D	Arkoma
4	*Cherokee	Mike Brown	D	Tahlequah
5	*Delaware, *Mayes	Doug Cox	R	Grove
6	Craig, *Mayes, *Rogers	Joe Eddins	D	Vinita
7	*Delaware, Ottawa	Larry Glenn	D	Miami
8	*Mayes, *Rogers, *Wagoner	Ben Sherrer	D	Chouteau
9	*Rogers	Tad Jones	R	Claremore
10	Nowata, *Osage, *Washington	Steve Martin	R	Bartlesville
11	*Tulsa, *Washington	Mike Wilt	R	Bartlesville
12	*Rogers, *Wagoner	Wade Rousselot	D	Wagoner
13	*Muskogee, *Wagoner	Jerry McPeak	D	Warner
14	*Cherokee, *Muskogee	Barbara Staggs	D	Muskogee
15	*Haskell, *LeFlore, *McIntosh, *Muskogee, *Sequoyah	Ray Miller	D	Whitefield
16	*Muskogee, *Okmulgee, *Wagoner	Jerry Shoemake	D	Morris
17	*Haskell, Latimer, *LeFlore, *Pittsburg	Mike Mass	D	Hartshorne
18	*McIntosh, *Pittsburg	Terry Harrison	D	McAlester
19	Choctaw, *LeFlore, *McCurtain, Pushmataha	R. C. Pruett	D	Antlers
20	Atoka, *Bryan, Coal, Johnston, *Pontotoc	Paul D. Roan	D	Tishomingo
21	*Bryan	John Carey	D	Durant
22	*Cleveland, *Garvin, *McClain, Murray, *Pontotoc	Wes Hilliard	D	Sulphur
23	*Tulsa	Sue Tibbs	R	Tulsa
24	*Creek, *Hughes, *Okfuskee, *Okmulgee	Dale Turner	D	Holdenville

25	*Hughes, *McClain,*Pontotoc, *Pottawatomie	Bob Plunk	D	Ada
26	*Pottawatomie	Kris Steele	R	Shawnee
27	*Cleveland, *Pottawatomie	Shane Jett	R	Tecumseh
28	*Lincoln, *Okfuskee, *Pottawatomie, Seminole	Ryan Kiesel	D	Seminole
29	*Creek, *Tulsa	Todd Hiett	R	Kellyville
30	*Creek, *Tulsa	Brian Bingman	R	Sapulpa
31	*Logan, *Oklahoma	Dale DePue	R	Edmond
32	*Creek, *Lincoln	Danny Morgan	D	Prague
33	*Logan, *Payne	Lee Denney	R	Cushing
34	*Payne	Terry Ingmire	R	Stillwater
35	*Noble, *Osage, Pawnee, *Payne	Rex Duncan	R	Sand Springs
36	*Osage, *Tulsa	Joe Sweeden	D	Pawhuska
37	*Kay, *Osage	Jim Newport	R	Ponca City
38	*Garfield, *Grant, *Kay, *Noble, *Osage	Dale DeWitt	R	Braman
39	*Oklahoma	Marian Cooksey	R	Edmond
40	*Garfield	Mike Jackson	R	Enid
41	*Canadian, *Garfield, *Kingfisher, *Oklahoma	Curt Roggow	R	Enid
42	*Cleveland, *Garvin, *Grady, *McClain	Lisa Billy	R	Purcell
43	*Canadian	Ray Young	R	Yukon
44	*Cleveland	Bill Nations	D	Norman
45	*Cleveland	Thad Balkman	R	Norman
46	*Cleveland, *McClain	Doug Miller	R	Norman
47	*Canadian, *Grady	Susan Winchester	R	Chickasha
48	*Carter	Greg A. Piatt	R	Ardmore
49	*Carter, Love, Marshall	Terry Hyman	D	Leon
50	*Comanche, *Cotton, *Stephens	Jari Askins	D	Duncan
51	*Cotton, *Grady, Jefferson, *McClain, *Stephens	Ray McCarter	D	Marlow
52	*Greer, Jackson, *Kiowa	David B. Braddock	D	Altus
53	*Cleveland	Randy Terrill	R	Moore
54	*Cleveland	Paul Wesselhoft	R	Moore
55	*Caddo, *Canadian, *Kiowa, Washita	Ryan McMullen	D	Burns Flat
56	*Caddo, *Canadian, *Grady	Phil Richardson	R	Minco
57	*Blaine, *Canadian, Custer	James E. Covey	D	Custer City
58	Alfalfa, *Grant, *Major, Woods, *Woodward	Jeff Hickman	R	Woodward
59	*Blaine, *Canadian, Dewey, *Kingfisher, *Major, *Woodward	Rob Johnson	R	Kingfisher

60	Beckham, *Ellis, *Greer, Harmon, Roger Mills	Purcy D. Walker	D	Elk City
61	Beaver, Cimarron, *Ellis, Harper, Texas, *Woodward	Gus Blackwell	R	Goodwell
62	*Comanche	Abe Deutschendorf	D	Lawton
63	*Comanche, Tillman	Don Armes	R	Faxon
64	*Comanche	Ann Coody	R	Lawton
65	*Caddo, *Comanche, *Grady	Joe Dorman	D	Rush Springs
66	*Tulsa	Lucky Lamons	D	Tulsa
67	*Tulsa	Pam Peterson	R	Tulsa
68	*Creek, *Tulsa	Chris Benge	R	Tulsa
69	*Tulsa	Fred R. Perry	R	Tulsa
70	*Tulsa	Ron Peters	R	Tulsa
71	*Tulsa	Daniel Sullivan	R	Tulsa
72	*Tulsa	Darrell Gilbert	D	Tulsa
73	*Osage, *Tulsa	Jabar Shumate	D	Tulsa
74	*Rogers, *Tulsa	John Smaligo	R	Owasso
75	*Tulsa	Dennis Adkins	R	Tulsa
76	*Tulsa	John A. Wright	R	Broken Arrow
77	*Rogers, *Tulsa	Mark Liotta	R	Tulsa
78	*Tulsa	Jeannie McDaniel	D	Tulsa
79	*Tulsa	Chris Hastings	R	Tulsa
80	*Tulsa	Ron Peterson	R	Broken Arrow
81	*Oklahoma	Ken Miller	R	Edmond
82	*Oklahoma	Guy Liebmann	R	Oklahoma City
83	*Oklahoma	Fred Morgan	R	Oklahoma City
84	*Oklahoma	Sally Kern	R	Oklahoma City
85	*Oklahoma	Odilia Dank	R	Oklahoma City
86	Adair, *Cherokee, *Delaware	John Auffet	D	Stilwell
87	*Oklahoma	Trebor Worthen	R	Oklahoma City
88	*Oklahoma	Debbie Blackburn	D	Oklahoma City
89	*Oklahoma	Rebecca Hamilton	D	Oklahoma City
90	*Oklahoma	John Nance	R	Bethany
91	*Cleveland, *Oklahoma	Mike Reynolds	R	Oklahoma City
92	*Oklahoma	Richard Morrissette	D	Oklahoma City
93	*Oklahoma	Al Lindley	D	Oklahoma City
94	*Oklahoma	Kevin Calvey	R	Del City
95	*Oklahoma	Bill Case	R	Midwest City
96	*Oklahoma	Lance Cargill	R	Harrah
97	*Oklahoma	Mike Shelton	D	Oklahoma City
98	*Tulsa, *Wagoner	John Trebilcock	R	Broken Arrow
99	*Oklahoma	Opio Toure	D	Oklahoma City
100	*Oklahoma	Mike Thompson	R	Oklahoma City
101	*Cleveland, *Oklahoma	Gary Banz	R	Midwest City

\*County divided into two or more State House of Representatives districts.

## **OATH OF OFFICE**

The official Oath of Office, as required by Article XV, Sections 1 and 2, Oklahoma Constitution, was administered in the House Chamber on November 9, 2004, to Representative Winchester by Supreme Court Justice James Winchester and Representative Staggs by Supreme Court Justice James Edmondson, on November 10, 2004, to Representative Nance by Supreme Court Justice James Winchester and Representatives Shelton and Toure by Supreme Court Justice Tom Colbert, on November 15, 2004, to Representatives Hastings and Mass by Notary Public Susan Hill and to the other ninety-four newly-elected Members named above on November 16, 2004, by Supreme Court Chief Justice Joseph Watt.

Representative Liotta ordered the roll called of the newly-elected Members of the House of Representatives, which resulted as follows:

Present: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hiatt, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young.--99.

Excused: Carey, Dorman.--2.

Representative Liotta declared a quorum present and the House of Representatives of the Fiftieth Legislature duly assembled.

## **QUALIFICATION OF HOUSE MEMBERSHIP**

Representative Cargill moved that whereas the Members-elect of the House of Representatives of the Fiftieth Legislature have examined the above-named Communication, election returns and qualifications of the persons named in such Communication and found that said persons have been duly elected to the House of Representatives for the Fiftieth Legislature; and therefore, the persons named in said Communication are declared duly elected and qualified Members of the House of Representatives for the Fiftieth Oklahoma Legislature, having taken their Oaths of Office and said Oaths having been filed in the Office of the Secretary of State.

The roll was ordered called on the Cargill motion and resulted as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hiatt, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young.--99.

Excused: Carey, Dorman.--2.

Representative Liotta declared the motion adopted having received a majority vote of those elected to and constituting the House of Representatives.

## **ELECTION OF HOUSE OFFICERS**

Representative Liotta announced that nominations for the Speaker of the House of Representatives are now in order.

Representative Jones nominated Representative Hiatt for Speaker of the House, which motion was seconded by Representative Dank.

Representative Ray Miller nominated Representative Askins for Speaker of the House, which motion was seconded by Representative Morgan (Danny).

Representative DeWitt moved that nominations for Speaker cease, which motion was declared adopted.

Representative Liotta put the question: "Shall Representative Hiatt or Representative Askins be elected Speaker of the House of Representatives for the Fiftieth Legislature?"

The roll was ordered called and resulted as follows:

Hiatt: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hastings, Hickman, Hiatt, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young.--57.

Askins: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Covey, Deutschendorf, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan

(Danny), Morrisette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--42.

Excused: Carey, Dorman.--2.

Representative Liotta declared Representative Hiett elected Speaker of the House of Representatives for the Fiftieth Legislature and appointed Representatives Piatt, Bingman and Tibbs to escort Speaker-elect Hiett to the rostrum where Supreme Court Chief Justice Joseph M. Watt administered the Oath of Office as Speaker.

Representative Liotta handed the gavel to Speaker Hiett and the Speaker addressed the House.

Upon unanimous consent request of Representative Cargill, the remarks of Speaker Hiett were ordered printed in full as follows:

## **REMARKS OF SPEAKER HIETT**

"Let me first say how honored and humbled I am to take the gavel today as the Speaker of the Oklahoma House of Representatives. I honestly don't know of a greater honor than to lead the people's House in my final term as a legislator.

Today does formally mark a new chapter in our institution, a time to set forth a new path for Oklahoma.

We begin this session with the greatest number of new members since 1965. We have a bright, diverse, and energetic group, and I have no doubt that this year, we can accomplish great things.

I use the word "great" for a reason. I believe it's time for Oklahoma to strive for greatness -- to end the small, incremental changes that have sometimes left Oklahoma behind other states in the critical areas like education, job creation and health care.

It's time for Oklahoma to spring forward, to make big strides, with a boldness and confidence that will capture the attention of this nation.

And it is up to us. We will either succeed or fail together, and our children and all future generations will be the collective beneficiaries of OUR actions.

Now let me say a few words about the football game tonight. There is the small possibility that some Oklahomans are thinking more about the game than they are about today's historic event. I'm not going to call names, but that may even include some of you in this chamber.

Now I proudly acknowledge that I am an OSU graduate and admit that I am the least among sports fans.

My good friend and colleague, Representative Balkman from Norman, was quoted in the newspaper as saying that: "Todd Hiett cares about football about as much as he cares about lawyers."

Well, Thad, tonight I am rooting for the Sooners. And I did just refer to you as a good friend - regardless of your profession.

Tonight, I hope all Oklahomans ARE rooting for our home-state team. Surely, we all want an Oklahoma team to have the title: NATIONAL CHAMPIONS.

Oklahomans are known for their ability to come together, and that also is my desire for the upcoming session of the Legislature. Let us come together to make Oklahoma first in education, first in job creation, and first in the quality of life that we provide for our families.

Speaker George Schwabe said in 1923 when he addressed this House: “Let the watchword of this session between the Speaker and each and every member of this House, and among the members themselves, be first, last and all the time, co-operation for the good of the people of Oklahoma.”

Now I recognize that cooperation is a two-way street and my pledge to you today as speaker of this House is to listen.

I will listen to the ideas each of you bring to develop positive solutions and visionary plans to spring Oklahoma forward.

I learned to be a listener early in life in my first major political battle. The year was 1984 and I had been elected junior class president.

My primary responsibility was raising funds and to host the junior/senior prom honoring the graduating seniors.

By March, fund-raising efforts were ahead of goals and it was time to plan the event.

The prom for years had been staged at the Doubletree Hotel in downtown Tulsa with fine dining and all the fancy trimmings.

I had a different plan that would surely win approval of my classmates.

The local fairbarn/livestock arena was only one mile from Kellyville and could be rented for pennies on the dollar compared to the Doubletree.

My 4-H leader was a good cook and experienced at feeding large groups.

I rented the fairbarn, hired my 4-H leader to cater barbecue, and hired a guy with a fog machine and a loud stereo to act as a disc jockey.

I thought no one could argue against a plan with such strong merits.

#1 Student safety improved with less travel distance to the prom.

#2 Lower cost for students.

#3. We would keep the event and therefore our dollars local.

Who could argue against such a plan?

Well, actually there were quite a few.

Starting at 8 a.m. the morning after the plan was announced, 12 angry senior girls – who had already made arrangements for ball gowns and limousine transport to Tulsa met me at the front gate of the school yard.

Now Representative Gilbert, you and I have had some differences in ideas lately, but you couldn't hold a light to these ladies and the attack they unleashed upon me.

Students were outraged.

There was talk of my impeachment.

And the school newspaper editorialized against me.

I learned a great lesson in politics that year as junior class president.

I had a great plan.

I had worked very hard to execute the plan.

But, it wasn't the plan that the people wanted.

I had failed to listen to the people.

I learned my lesson and assure that I will listen to each of you as representatives of your respective districts.

In return, I ask you to listen to the people, listen to your colleagues in the House and be an Oklahoman first. Whether Republican or Democrat, urban or rural, we are all leaders of one state.

And by the way, I survived the fairbarn fiasco and was re-elected for another term as senior class president.

In the coming weeks, we will set forth our goals, but today as we begin work as the Fiftieth legislature I want to ask you to abide by a set of values.

1. I ask you to operate with integrity and with civility to your fellow colleagues. One example of civility sits here to my right. She is my distinguished counterpart, Minority Leader Jari Askins. Madam Leader, you said recently that the two of us have never had a cross word, and that is true. I honestly do not know of a member who does not hold you in highest regard. Thank you for your leadership.

2. Let this House be, not about politics, but about principled leadership—principles for which Oklahomans strongly believe, such as limited government, lower taxes, economic freedom, personal responsibility, the sanctity of life and strong families.

Finally, let our faith be our guide --- both in the words that we use and in our actions. Seemingly difficult decisions become much more clear when we hold ourselves accountable to our Creator.

If there is any advice that I could impart to the many freshmen is that I hope you will cherish every moment and use every opportunity to make our state as great as it can be.

As you serve, remember that you work for your constituents, and for no one else. This is the people's House and the people are counting on you to be their voice.

I believe most of us have the same goals for Oklahoma--great schools, safe communities, better jobs, stronger families and the rights and freedoms for which we, as Americans expect.

As a legislature we must work diligently to accomplish these goals. We must lay a solid foundation for future generations to build upon.

We must create an atmosphere that ignites the same spirit of optimism, excellence, and entrepreneurialism that made America great.

These are worthwhile values. And I pray that you will join me to help improve the lives of all Oklahomans. Let us lead together. Thank you once again for placing your trust in me.”

### **Speaker Hiatt Presiding**

Speaker Hiatt announced the nominations for Speaker Pro Tempore are now in order.

Representative Steele nominated Representative Winchester for Speaker Pro Tempore of the House, which motion was seconded by Representative Nance.

Representative Braddock nominated Representative Nations for Speaker Pro Tempore of the House, which motion was seconded by Representative Kiesel.

Representative DeWitt moved that nominations for Speaker Pro Tempore cease, which motion was declared adopted.

Speaker Hiett put the question: “Shall Representative Winchester or Representative Nations be elected Speaker Pro Tempore of the House of Representatives for the Fiftieth Legislature?”

The roll was ordered called and resulted as follows:

Winchester: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hastings, Hickman, Hiett, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young.--57.

Nations: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Covey, Deutschendorf, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrissette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--42.

Excused: Carey, Dorman.--2.

Speaker Hiett declared Representative Winchester Speaker Pro Tempore of the House of Representatives for the Fiftieth Legislature and appointed Representatives Denney, Trebilcock and Newport to escort Speaker Pro Tempore-elect Winchester to the rostrum where she was administered the Oath of Office by Supreme Court Justice James Winchester and accompanied by their son, Davis Winchester.

Speaker Pro Tempore Winchester addressed the House.

Upon unanimous consent of Representative Cargill, the remarks of Speaker Pro Tempore Winchester were ordered printed in full as follows:

## **REMARKS OF SPEAKER PRO TEMPORE WINCHESTER**

“Thank you for this opportunity. In my wildest dreams, I never in my lifetime thought I would be standing before you today, receiving this honor.

Thank you each and every one for your faith and belief in me. I will do my best to uphold your trust and to help lead this body in a positive manner.

Thank you too, to the two most wonderful men in my life: my husband Jim and my son Davis. Without their support, encouragement and indulgence, I would not be here today. They have put up with a lot over the last six years. But with challenge also comes opportunity. Jim has expanded his culinary expertise from chips and Pepsi to include frozen chicken nuggets and is a master at macaroni and cheese.

Thank you to my other family members as well. My mother, Mary Spurlin, my aunt, Jo Slater and my nieces Rosslyn, Blayne and Chelsea Spencer. Ross is currently at an OVA

meeting in Florida and could not be here. Please welcome them to the House of Representatives.

This past year Representative Askins and I were asked to speak at a variety of different meetings throughout the state. Invariably, we were asked to outline what we saw as the major obstacles for the upcoming session. I am sure the answer was expected to be something political and controversial. However, we both recognized and agreed that the biggest challenge to the Fiftieth Legislative Session would be remembering all of the new names and putting them (correctly) with all of the new faces.

Today, as I look at this Chamber, I am totally overwhelmed and excited about the body I see before me. We have 39 new members representing every aspect of Oklahoma. We have doctors, lawyers, teachers, bankers. We have moms and dads, grandmothers and grandfathers. We have members ranging in age from 24 to 74. I have told several people the only professions not represented by the new members were a butcher, a baker and a candlestick maker and we would work on those for 2006!

I admire you. I respect the diversity and depth you bring to the table. You bring change and excitement and a new day to Oklahoma.

During the next two years, there will be challenges that none of us today can even anticipate. The leadership and direction you provide our state will set the course for years to come. With that in mind I would like to make a few suggestions:

**Maintain your self-respect.** As Jesus stated in Matthew, (Matthew 16:26) “What profit is it to a man if he gains the whole world, and loses his soul?”

As a member of the House, have a deep sense of responsibility for your thoughts and actions. Keep your word and be faithful to yourself, your family, the District you represent.

Try to live each day as if your actions are going to be front page news—because they probably are. Be sure the news you create is something you would like your mother to read!

**Have a Sense of Priorities.** In other words—don’t sweat the small stuff. I know we all want digital pictures, hard drives that run faster and immediate legislative results. We want problems solved immediately if not sooner and instant success.

The legislative process simply doesn’t move that fast! Slow down; establish your goals and your direction. Acknowledge your strengths and weaknesses and remember that you have to get your ideas through this body of 100 other people plus the Senate and then the Governor. Keep in mind that the member working against you on one issue could well be your strongest ally on the next.

You have more than one opportunity to succeed.

**Enjoy Creativity and Risk Taking—Think Outside the Box.** A third grade teacher was instructing her art class. “Class, take out your pencils and paper and draw a picture of anything you can think of.” The students began to work drawing trees, circles, cars. The teacher became confused as she watched over the drawing of one little girl. “What are you drawing, Sally?” she asked. “A picture of God,” Sally smiled. “But no one knows what God looks like,” the teacher patiently replied. “Well,” said Sally, “they will when I am finished with this picture!”

The most significant breakthroughs in this state have been when people saw all of the complexities ahead of them but still believed in themselves and their purpose.

Remember, you never change things by fighting the existing reality. To change something, build a new model that makes the existing model obsolete.

**Become Involved in Something Bigger Than Yourself**, Which is why you are here today. You accepted an overwhelming challenge when you decided to run for office. You were successful and because of that, you are here today.

I have had the opportunity, because of this job and because of past work experience, to be asked to speak on leadership—what it is and what it isn't. I have a wonderful library of 'leadership' books dealing with everything from leadership versus management; situational leadership, to leadership challenges. I have spoken about them; cited them all; used their suggestions.

However, I suggest to you that the best advice of all for leadership comes from the book of Mark, Chapter 10:45. 'For even the Son of Man did not come to be served, but to serve, and to give his life as a ransom for many.'

As you go through the next two years, I challenge you to rise to the occasion. I challenge you to be the leaders that will move this great state forward and to always remember to serve your fellow man.

Thank you again for this historic opportunity and most of all, God Bless."

## **SPECIAL PRESENTATION**

Speaker Pro Tempore Winchester welcomed and introduced the following dignitaries from Oklahoma State University who came to the podium for presentation of a ceremonial gavel to Speaker Todd Hiatt, alumni of Oklahoma State University:

Dr. Marlene Strathe – Provost and Sr. Vice President

Dr. Joe Alexander – Director of External Relations

Joe St. John – President of Student Government Association

Lauren Detten – Vice President of Student Government Association

The gavel was presented to Speaker Hiatt on behalf of the student body of Oklahoma State University.

Also in attendance were Robert White and Jason Ramsey, OSU Board of Regents.

## **MOTION**

Representative Cargill moved that the Honorable Senate be notified by message that the House of Representatives is organized and ready to convene in Joint Session.

## **JOINT SESSION**

The First Joint Session of the First Regular Session of the Fiftieth Legislature assembled in the House Chamber on Tuesday, January 4, 2005, and was called to order by President of the Senate, Lieutenant Governor Mary Fallin.

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

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

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

Invocation was given by Representative DePue.

### **Speaker Hiett Presiding**

Pursuant to Article VI, Section 5, Oklahoma Constitution, Speaker Hiett announced the canvassing of the returns of the General Election held on November 2, 2004, as certified to the House of Representatives by Secretary of the State Election Board Michael Clingman and transmitted by Secretary of State Susan Savage.

Senator Fisher moved to dispense with the reading of the election returns and ordered same printed in the Journals of the House and Senate respectively, which motion was declared adopted.

The Speaker declared elected to the respective offices listed below the candidates whose names are shown in boldface type:

### **COMMUNICATION**

November 18, 2004

The Honorable Todd Hiett, Speaker  
Oklahoma State House of Representatives  
State Capitol  
Oklahoma City, Oklahoma 73105

Dear Mr. Speaker:

I hereby certify that the attached compilation is a complete list of the names of all candidates voted for at the General Election held November 2, 2004, for the offices indicated, and that the figures set by the names represent the sum of the total votes cast for each as certified to this office by the County Election Boards of the State. Candidates who were unopposed in the General Election also are listed.

Respectfully submitted,

/s/MICHAEL CLINGMAN, Secretary  
State Election Board

# State of Oklahoma

## Official Returns

### General Election — November 2, 2004

#### PRESIDENTIAL ELECTOR

<b>DEMOCRATIC</b> (JOHN F. KERRY for President, JOHN EDWARDS for Vice President)	503,966
GEORGE KRUMME	
EDWYNNE KRUMME	
MAXINE HORNER	
JIM HAMILTON	
BERNICE MITCHELL	
BETTY McELDERRY	
BOB LEMON	

<b>REPUBLICAN</b> (GEORGE W. BUSH for President, DICK CHENEY for Vice President)	959,792
GEORGE W. WILAND, III	
PAUL R. HOLLRAH	
M. COLBY SCHWARTZ	
DIANA GUNTHER	
KEN BARTLETT	
DONALD G. BURDICK	
BOB HUDSPETH	

#### UNITED STATES SENATOR

BRAD CARSON	Democrat	Claremore	596,750
<b>TOM COBURN</b>	<b>Republican</b>	<b>Muskogee</b>	<b>763,433</b>
SHEILA BILYEY	Independent	Oak Hall, VA	86,663

#### UNITED STATES REPRESENTATIVE

<b>District 1</b>			
DOUG DODD	Democrat	Tulsa	116,731
<b>JOHN SULLIVAN</b>	<b>Republican</b>	<b>Tulsa</b>	<b>187,145</b>
JOHN KRYMSKI	Independent	Tulsa	7,058

<b>District 2</b>			
DAN BOREN	Democrat	Paden	179,579
WAYLAND SMALLEY	Republican	Chelsea	92,963

<b>District 3</b>			
FRANK D. LUCAS	Republican	Cheyenne	215,510
GREGORY M. WILSON	Independent	Perkins	46,621

<b>District 4</b>			
TOM COLE	Republican	Moore	198,985
CHARLENE K. BRADSHAW	Independent	Norman	56,869

<b>District 5</b>			
BERT SMITH	Democrat	Oklahoma City	92,719
<b>ERNEST ISTOOK</b>	<b>Republican</b>	<b>Warr Acres</b>	<b>180,430</b>

#### CORPORATION COMMISSIONER

JOHN WYLIE	Democrat	Oologah	489,759
<b>DENISE BODE</b>	<b>Republican</b>	<b>Geary</b>	<b>857,387</b>

#### STATE SENATOR

<b>District 1</b>			
CHARLES WYRICK	Democrat	Fairland	17,256
PAT JURGENSMEYER	Republican	Miami	11,078

<b>District 3</b>			
<b>JIM WILSON</b>	<b>Democrat</b>	<b>Tahlequah</b>	<b>Unopposed</b>
<b>District 5</b>			
<b>JEFF RABON</b>	<b>Democrat</b>	<b>Hugo</b>	<b>Unopposed</b>
<b>District 7</b>			
<b>RICHARD C. LERBLANCE</b>	<b>Democrat</b>	<b>Hartshorne</b>	<b>Unopposed</b>
<b>District 9</b>			
<b>EARL GARRISON</b>	<b>Democrat</b>	<b>Muskogee</b>	<b>18,608</b>
<b>PENNY KAMPF</b>	<b>Republican</b>	<b>Muskogee</b>	<b>10,066</b>
<b>District 11</b>			
<b>JUDY EASON McINTYRE</b>	<b>Democrat</b>	<b>Tulsa</b>	<b>16,981</b>
<b>LAWRENCE KIRKPATRICK</b>	<b>Independent</b>	<b>Tulsa</b>	<b>2,488</b>
<b>District 13</b>			
<b>SUSAN PADDACK</b>	<b>Democrat</b>	<b>Ada</b>	<b>17,743</b>
<b>KARROLL G. RHOADS</b>	<b>Republican</b>	<b>Ada</b>	<b>10,564</b>
<b>District 15</b>			
<b>LISA PRYOR</b>	<b>Democrat</b>	<b>Norman</b>	<b>15,228</b>
<b>JONATHAN NICHOLS</b>	<b>Republican</b>	<b>Norman</b>	<b>20,526</b>
<b>District 17</b>			
<b>CHARLIE LASTER</b>	<b>Democrat</b>	<b>Shawnee</b>	<b>Unopposed</b>
<b>District 19</b>			
<b>JIM STATES</b>	<b>Democrat</b>	<b>Dover</b>	<b>9,244</b>
<b>PATRICK ANDERSON</b>	<b>Republican</b>	<b>Enid</b>	<b>19,426</b>
<b>District 21</b>			
<b>MIKE MORGAN</b>	<b>Democrat</b>	<b>Stillwater</b>	<b>18,439</b>
<b>CHUCK BREWER</b>	<b>Republican</b>	<b>Stillwater</b>	<b>12,120</b>
<b>District 23</b>			
<b>MARILYN FEAVER</b>	<b>Democrat</b>	<b>Chickasha</b>	<b>11,072</b>
<b>RON JUSTICE</b>	<b>Republican</b>	<b>Chickasha</b>	<b>17,729</b>
<b>District 25</b>			
<b>MIKE MAZZEI</b>	<b>Republican</b>	<b>Bixby</b>	<b>Unopposed</b>
<b>District 27</b>			
<b>H. KATHY MOORE</b>	<b>Democrat</b>	<b>Woodward</b>	<b>5,775</b>
<b>OWEN LAUGHLIN</b>	<b>Republican</b>	<b>Woodward</b>	<b>22,522</b>
<b>District 29</b>			
<b>ALAN GENTGES</b>	<b>Democrat</b>	<b>Bartlesville</b>	<b>11,309</b>
<b>JOHN FORD</b>	<b>Republican</b>	<b>Bartlesville</b>	<b>20,849</b>
<b>District 31</b>			
<b>CRAIG HALE</b>	<b>Democrat</b>	<b>Sterling</b>	<b>11,310</b>
<b>DON BARRINGTON</b>	<b>Republican</b>	<b>Lawton</b>	<b>12,994</b>
<b>District 32</b>			
<b>RANDY BASS</b>	<b>Democrat</b>	<b>Lawton</b>	<b>9,854</b>
<b>KENNETH E. EASTON</b>	<b>Republican</b>	<b>Lawton</b>	<b>9,803</b>
<b>District 33</b>			
<b>TOM ADELSON</b>	<b>Democrat</b>	<b>Tulsa</b>	<b>15,836</b>
<b>DEWEY F. BARTLETT, JR.</b>	<b>Republican</b>	<b>Tulsa</b>	<b>14,926</b>
<b>District 35</b>			
<b>JAMES A. WILLIAMSON</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 37</b>			
<b>DAN GIDDENS</b>	<b>Democrat</b>	<b>Jenks</b>	<b>11,847</b>
<b>NANCY RILEY</b>	<b>Republican</b>	<b>Tulsa</b>	<b>22,327</b>

<b>District 39</b>			
<b>BRIAN A. CRAIN</b>	<b>Republican</b>	<b>Tulsa</b>	<b>20,565</b>
MICHAEL A. SHIFLET	Independent	Tulsa	6,856
<b>District 41</b>			
JAMES H. BUXTON	Democrat	Edmond	11,778
<b>CLARK JOLLEY</b>	<b>Republican</b>	<b>Edmond</b>	<b>26,517</b>
<b>District 43</b>			
SCOTT INMAN	Democrat	Del City	11,644
<b>JIM REYNOLDS</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>15,275</b>
<b>District 45</b>			
<b>KATHLEEN WILCOXSON</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>Unopposed</b>
<b>District 47</b>			
ADAM E. MILLER	Democrat	Edmond	10,403
<b>TODD LAMB</b>	<b>Republican</b>	<b>Edmond</b>	<b>25,918</b>
<b>STATE REPRESENTATIVE</b>			
<b>District 1</b>			
<b>JERRY ELLIS</b>	<b>Democrat</b>	<b>Valliant</b>	<b>Unopposed</b>
<b>District 2</b>			
<b>GLEN BUD SMITHSON</b>	<b>Democrat</b>	<b>Sallisaw</b>	<b>Unopposed</b>
<b>District 3</b>			
<b>NEIL BRANNON</b>	<b>Democrat</b>	<b>Arkoma</b>	<b>Unopposed</b>
<b>District 4</b>			
<b>MIKE BROWN</b>	<b>Democrat</b>	<b>Fort Gibson</b>	<b>Unopposed</b>
<b>District 5</b>			
LeROY HENDREN	Democrat	Jay	6,445
<b>DOUG COX</b>	<b>Republican</b>	<b>Grove</b>	<b>8,334</b>
<b>District 6</b>			
<b>JOE EDDINS</b>	<b>Democrat</b>	<b>Vinita</b>	<b>Unopposed</b>
<b>District 7</b>			
<b>LARRY GLENN</b>	<b>Democrat</b>	<b>Miami</b>	<b>Unopposed</b>
<b>District 8</b>			
<b>BEN SHERRER</b>	<b>Democrat</b>	<b>Chouteau</b>	<b>9,167</b>
BILL KENDRICK	Republican	Pryor	5,635
<b>District 9</b>			
HARVEY A. SWIFT	Democrat	Oologah	7,194
<b>TAD M. JONES</b>	<b>Republican</b>	<b>Claremore</b>	<b>10,653</b>
<b>District 10</b>			
JUDY TAYLOR	Democrat	Dewey	6,645
<b>STEVE MARTIN</b>	<b>Republican</b>	<b>Bartlesville</b>	<b>7,307</b>
<b>District 11</b>			
WILLIAM F. BIXLER	Democrat	Bartlesville	4,869
<b>MIKE WILT</b>	<b>Republican</b>	<b>Bartlesville</b>	<b>12,665</b>
<b>District 12</b>			
<b>WADE ROUSSELOT</b>	<b>Democrat</b>	<b>Wagoner</b>	<b>7,647</b>
MARK WOFFORD	Republican	Wagoner	7,408
<b>District 13</b>			
<b>JERRY McPEAK</b>	<b>Democrat</b>	<b>Warner</b>	<b>6,959</b>
STUART ERICSON	Republican	Muskogee	6,513
<b>District 14</b>			
<b>BARBARA STAGGS</b>	<b>Democrat</b>	<b>Muskogee</b>	<b>10,349</b>
FROSTON BACK	Republican	Fort Gibson	3,468

<b>District 15</b>			
<b>RAY MILLER</b>	<b>Democrat</b>	<b>Quinton</b>	<b>8,759</b>
JEFF PHILLIPS	Republican	Checotah	5,100
<b>District 16</b>			
<b>JERRY SHOEMAKE</b>	<b>Democrat</b>	<b>Morris</b>	<b>9,386</b>
GARLAND FOSTER	Republican	Morris	3,541
<b>District 17</b>			
<b>MIKE MASS</b>	<b>Democrat</b>	<b>Hartshorne</b>	<b>9,092</b>
MARK HALYARD	Republican	McAlester	5,365
<b>District 18</b>			
<b>TERRY M. HARRISON</b>	<b>Democrat</b>	<b>McAlester</b>	<b>9,865</b>
ALLEN HARSHAW	Republican	McAlester	4,034
<b>District 19</b>			
<b>R. C. PRUETT</b>	<b>Democrat</b>	<b>Antlers</b>	<b>10,176</b>
PATRICK K. MILLER	Republican	Snow	2,644
<b>District 20</b>			
<b>PAUL D. ROAN</b>	<b>Democrat</b>	<b>Tishomingo</b>	<b>8,501</b>
TOM STEPHENS	Republican	Caney	4,556
<b>District 21</b>			
<b>JOHN W. CAREY</b>	<b>Democrat</b>	<b>Durant</b>	<b>Unopposed</b>
<b>District 22</b>			
<b>WES HILLIARD</b>	<b>Democrat</b>	<b>Sulphur</b>	<b>7,332</b>
PRESTON EDGAR	Republican	Sulphur	5,555
<b>District 23</b>			
MITCHELL GARRETT	Democrat	Tulsa	4,728
<b>SUE TIBBS</b>	<b>Republican</b>	<b>Tulsa</b>	<b>7,658</b>
<b>District 24</b>			
<b>DALE TURNER</b>	<b>Democrat</b>	<b>Holdenville</b>	<b>Unopposed</b>
<b>District 25</b>			
<b>BOB PLUNK</b>	<b>Democrat</b>	<b>Ada</b>	<b>10,033</b>
KEN BLACK	Republican	Ada	3,805
<b>District 26</b>			
PAT BATEMAN	Democrat	Shawnee	3,920
<b>KRIS STEELE</b>	<b>Republican</b>	<b>Shawnee</b>	<b>8,608</b>
<b>District 27</b>			
KEVIN ROLAND	Democrat	Shawnee	5,480
<b>SHANE JETT</b>	<b>Republican</b>	<b>Tecumseh</b>	<b>7,046</b>
PETE PENDLEY	Independent	McCloud	392
<b>District 28</b>			
<b>RYAN D. KIESEL</b>	<b>Democrat</b>	<b>Seminole</b>	<b>7,133</b>
BILLY CHOATE	Republican	Seminole	5,458
<b>District 29</b>			
JIM THOMPSON	Democrat	Bristow	5,148
<b>TODD HIETT</b>	<b>Republican</b>	<b>Kellyville</b>	<b>9,006</b>
<b>District 30</b>			
JOHN MARK YOUNG	Democrat	Sapulpa	6,284
<b>BRIAN BINGMAN</b>	<b>Republican</b>	<b>Sapulpa</b>	<b>8,104</b>
<b>District 31</b>			
THOMAS R. COOK	Democrat	Edmond	4,153
<b>DALE DePUE</b>	<b>Republican</b>	<b>Edmond</b>	<b>11,177</b>
HARVEY DERRICK	Independent	Edmond	1,155

<b>District 32</b>			
DANNY MORGAN	Democrat	Prague	9,766
JOE SINKO	Republican	Meeker	4,823
<b>District 33</b>			
SUSAN H. CUSTER	Democrat	Cushing	5,381
LEE DENNEY	Republican	Cushing	8,385
<b>District 34</b>			
TERRY INGMIRE	Republican	Stillwater	Unopposed
<b>District 35</b>			
GARY VANCE	Democrat	Pawnee	6,328
REX DUNCAN	Republican	Sand Springs	8,786
<b>District 36</b>			
JOE LOYD SWEEDEN	Democrat	Pawhuska	Unopposed
<b>District 37</b>			
JIM NEWPORT	Republican	Ponca City	Unopposed
<b>District 38</b>			
DALE DeWITT	Republican	Braman	Unopposed
<b>District 39</b>			
MARIAN COOKSEY	Republican	Edmond	14,514
RICHARD SKI PRAWDZIENSKI	Independent	Edmond	3,138
<b>District 40</b>			
MIKE FRICKENSCHMIDT	Democrat	Enid	5,411
MIKE JACKSON	Republican	Enid	6,915
<b>District 41</b>			
CURT ROGGOW	Republican	Enid	Unopposed
<b>District 42</b>			
PATRICK GRIMMETT	Democrat	Pauls Valley	6,423
LISA J. BILLY	Republican	Purcell	8,443
<b>District 43</b>			
RAY D. YOUNG	Republican	Yukon	Unopposed
<b>District 44</b>			
BILL NATIONS	Democrat	Norman	8,680
RICHARD STAWICKI	Republican	Norman	5,352
E. Z. MILLION	Independent	Norman	634
<b>District 45</b>			
M. ESTELLE CASH	Democrat	Norman	7,028
THAD BALKMAN	Republican	Norman	9,132
<b>District 46</b>			
DOTTIE CALDWELL	Democrat	Norman	7,192
DOUG MILLER	Republican	Norman	11,118
<b>District 47</b>			
ANGIE JEFFRIES	Democrat	Amber	4,950
SUSAN WINCHESTER	Republican	Chickasha	10,360
<b>District 48</b>			
DARON HENRY	Democrat	Ardmore	5,432
GREG A. PIATT	Republican	Ardmore	7,721
<b>District 49</b>			
TERRY HYMAN	Democrat	Leon	8,204
WANDA CRUSON	Republican	Kingston	5,462
<b>District 50</b>			
JARI ASKINS	Democrat	Duncan	Unopposed

<b>District 51</b>			
<b>RAYMOND GENE McCARTER</b>	<b>Democrat</b>	<b>Marlow</b>	<b>8,041</b>
COREY HOLLAND	Republican	Marlow	6,155
<b>District 52</b>			
<b>DAVID B. BRADDOCK</b>	<b>Democrat</b>	<b>Altus</b>	<b>6,089</b>
GARY DAVIS	Republican	Blair	4,963
<b>District 53</b>			
TROY GREEN	Democrat	Oklahoma City	5,076
<b>RANDY TERRILL</b>	<b>Republican</b>	<b>Moore</b>	<b>11,380</b>
<b>District 54</b>			
KEVIN MOORE	Democrat	Moore	6,336
<b>PAUL WESSELHOFT</b>	<b>Republican</b>	<b>Moore</b>	<b>8,686</b>
<b>District 55</b>			
<b>RYAN McMULLEN</b>	<b>Democrat</b>	<b>Burns Flat</b>	<b>6,470</b>
JOHN ENGLISH	Republican	Cordell	6,308
<b>District 56</b>			
JASON GLIDEWELL	Democrat	Anadarko	5,471
<b>PHIL RICHARDSON</b>	<b>Republican</b>	<b>Minco</b>	<b>7,566</b>
<b>District 57</b>			
<b>JAMES E. COVEY</b>	<b>Democrat</b>	<b>Custer City</b>	<b>7,746</b>
JEANIE BRINKLEY	Republican	Clinton	6,127
<b>District 58</b>			
JIM SLATER	Democrat	Fairview	5,192
<b>JEFF HICKMAN</b>	<b>Republican</b>	<b>Woodward</b>	<b>9,504</b>
<b>District 59</b>			
PAUL LAUBACH	Democrat	Leedey	6,826
<b>ROB JOHNSON</b>	<b>Republican</b>	<b>Kingfisher</b>	<b>7,742</b>
<b>District 60</b>			
<b>PURCY D. WALKER</b>	<b>Democrat</b>	<b>Elk City</b>	<b>Unopposed</b>
<b>District 61</b>			
ERIC BEGLEY	Democrat	Goodwell	3,806
<b>GUS BLACKWELL</b>	<b>Republican</b>	<b>Goodwell</b>	<b>8,440</b>
<b>District 62</b>			
<b>ABE DEUTSCHENDORF</b>	<b>Democrat</b>	<b>Lawton</b>	<b>Unopposed</b>
<b>District 63</b>			
<b>DON ARMES</b>	<b>Republican</b>	<b>Faxon</b>	<b>Unopposed</b>
<b>District 64</b>			
ROY B. BUTCH HOOPER	Democrat	Lawton	4,786
<b>ANN COODY</b>	<b>Republican</b>	<b>Lawton</b>	<b>5,047</b>
<b>District 65</b>			
<b>JOE DORMAN</b>	<b>Democrat</b>	<b>Rush Springs</b>	<b>5,685</b>
DEBBIE THOMPSON	Republican	Cyril	3,560
<b>District 66</b>			
<b>LUCKY LAMONS</b>	<b>Democrat</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 67</b>			
<b>PAM PETERSON</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 68</b>			
<b>CHRIS BENGE</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 69</b>			
<b>FRED PERRY</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 70</b>			
<b>RON PETERS</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>

<b>District 71</b>			
ROY McCLAIN	Democrat	Tulsa	6,212
<b>DANIEL S. SULLIVAN</b>	<b>Republican</b>	<b>Tulsa</b>	<b>8,769</b>
<b>District 72</b>			
<b>DARRELL GILBERT</b>	<b>Democrat</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 73</b>			
<b>JABAR SHUMATE</b>	<b>Democrat</b>	<b>Tulsa</b>	<b>10,202</b>
SHARLA WALKER	Republican	Tulsa	1,522
<b>District 74</b>			
CARL WESTON	Democrat	Catoosa	4,971
<b>JOHN SMALIGO</b>	<b>Republican</b>	<b>Owasso</b>	<b>13,772</b>
<b>District 75</b>			
<b>DENNIS ADKINS</b>	<b>Republican</b>	<b>Broken Arrow</b>	<b>Unopposed</b>
<b>District 76</b>			
<b>JOHN A. WRIGHT</b>	<b>Republican</b>	<b>Broken Arrow</b>	<b>Unopposed</b>
<b>District 77</b>			
<b>MARK LIOTTA</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 78</b>			
<b>JEANNIE McDANIEL</b>	<b>Democrat</b>	<b>Tulsa</b>	<b>7,931</b>
DAVID J. SCHAFFER	Republican	Tulsa	7,907
<b>District 79</b>			
<b>CHRIS HASTINGS</b>	<b>Republican</b>	<b>Tulsa</b>	<b>Unopposed</b>
<b>District 80</b>			
<b>RON PETERSON</b>	<b>Republican</b>	<b>Broken Arrow</b>	<b>Unopposed</b>
<b>District 81</b>			
BRYAN D. CARLILE	Democrat	Edmond	4,444
<b>KEN MILLER</b>	<b>Republican</b>	<b>Edmond</b>	<b>12,708</b>
<b>District 82</b>			
JAMES STOVALL	Democrat	Oklahoma City	5,852
<b>GUY LIEBMANN</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>13,766</b>
<b>District 83</b>			
<b>FRED MORGAN</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>Unopposed</b>
<b>District 84</b>			
RONALD E. WASSON	Democrat	Oklahoma City	4,215
<b>SALLY KERN</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>8,815</b>
<b>District 85</b>			
JENNIFER SEAL	Democrat	Oklahoma City	7,122
<b>ODILIA DANK</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>10,424</b>
<b>District 86</b>			
<b>JOHN AUFFET</b>	<b>Democrat</b>	<b>Stilwell</b>	<b>7,237</b>
RUSSELL DON TURNER	Republican	Stilwell	4,510
<b>District 87</b>			
JOHN P. MORGAN	Democrat	Oklahoma City	6,435
<b>TREBOR WORTHEN</b>	<b>Republican</b>	<b>Oklahoma City</b>	<b>7,428</b>
<b>District 88</b>			
<b>DEBBIE BLACKBURN</b>	<b>Democrat</b>	<b>Oklahoma City</b>	<b>5,806</b>
DAVID LEWIS	Republican	Oklahoma City	2,720
<b>District 89</b>			
<b>REBECCA HAMILTON</b>	<b>Democrat</b>	<b>Oklahoma City</b>	<b>Unopposed</b>
<b>District 90</b>			
<b>JOHN NANCE</b>	<b>Republican</b>	<b>Bethany</b>	<b>Unopposed</b>



**District 4, Office 2****LARRY E. JOPLIN****Yes: 838,223**

No: 370,648

**District 6, Office 1****E. BAY MITCHELL, III****Yes: 851,118**

No: 361,485

**President Fallin Presiding**

Upon motion of Representative Cargill, the Joint Session was ordered dissolved at 1:55 p.m.

**Speaker Hiatt Presiding****HOUSE OFFICERS AND LEADERSHIP**

Speaker Hiatt introduced the House Officers and Leadership for the Fiftieth Legislature as follows:

Todd Hiatt.....	Speaker
Susan Winchester .....	Speaker Pro Tempore
Lance Cargill .....	Majority Floor Leader
Tad Jones .....	Assistant Majority Floor Leader
Mark Liotta .....	Assistant Majority Floor Leader
Jim Newport .....	Assistant Majority Floor Leader
Curt Roggow.....	Assistant Majority Floor Leader
John Smaligo .....	Assistant Majority Floor Leader
John Trebilcock .....	Assistant Majority Floor Leader
Don Armes.....	Majority Whip
Gus Blackwell.....	Majority Whip
Dale DeWitt.....	Majority Whip
Pam Peterson .....	Majority Whip
Thad Balkman.....	Majority Caucus Chairman
Fred Perry .....	Majority Caucus Vice-Chairman
Ron Peterson.....	Majority Caucus Secretary
Jari Askins .....	Democratic/Minority Floor Leader
Opio Toure.....	Democratic Floor Leader
David Braddock.....	Deputy Minority Floor Leader
Dale Turner.....	Deputy Minority Floor Leader
James Covey .....	Assistant Minority Floor Leader
Joe Dorman.....	Assistant Minority Floor Leader
Darrell Gilbert.....	Assistant Minority Floor Leader
Terry Harrison .....	Assistant Minority Floor Leader

Wes Hilliard..... Assistant Minority Floor Leader  
 Ray Miller..... Assistant Minority Floor Leader  
 Ben Sherrer ..... Assistant Minority Floor Leader  
 Joe Sweeden ..... Democratic Whip  
 Danny Morgan..... Democratic Caucus Chair  
 Terry Harrison ..... Democratic Caucus Vice-Chair  
 Neil Brannon..... Democratic Caucus Secretary

**STANDING COMMITTEES**

The Speaker and the Speaker Pro Tempore are ex officio voting members of all standing and special committees.

Speaker Hiatt named the following standing committees and their membership:

**AEROSPACE AND TECHNOLOGY**

Hastings, Chair  
Shumate, Vice-Chair

Case	McMullen
Deutschendorf	Wesselhoft
Jackson	

**AGRICULTURE AND RURAL DEVELOPMENT**

DeWitt, Chair  
Richardson, Vice-Chair

Armes	McMullen
Billy	McPeak
Covey	Roggow
Hickman	Rousselot
Hyman	Sweeden
Johnson	

**APPROPRIATIONS AND BUDGET**

Benge, Chair  
Newport, Vice-Chair

Balkman	McCarter
Blackburn	Nations
Braddock	Peters
Carey	Roggow
Cargill	Smaligo
Eddins	Toure
Jones	Trebilcock
Liotta	Walker

**APPROPRIATIONS AND BUDGET SUBCOMMITTEES****Education Subcommittee**

Jones, Chair  
Kern, Vice-Chair

**General Government and Transportation Subcommittee**

Liotta, Chair  
Jett, Vice-Chair

**Health and Social Services Subcommittee**

Balkman, Chair  
Cooksey, Vice-Chair

**Human Services Subcommittee**

Peters, Chair  
Billy, Vice-Chair

**Natural Resources and Regulatory Services Subcommittee**

Roggow, Chair  
Duncan, Vice-Chair

**Public Safety and Judiciary Subcommittee**

Trebilcock, Chair  
Johnson, Vice-Chair

**Select Agencies Subcommittee**

Smaligo, Chair  
Martin, Vice-Chair

**BANKING AND FINANCE**

Piatt, Chair  
Denney, Vice-Chair

Benge	Peterson (Ron)
Blackburn	Pruett
Brown	Richardson
Carey	Smaligo
Kiesel	Terrill
Martin	Thompson
McCarter	Walker
Nations	Young

**BUSINESS AND ECONOMIC DEVELOPMENT**

Young, Chair  
Auffet, Vice-Chair

DePue	Pruett
Kern	Richardson
Liebmann	Turner
McMullen	

**CAREER AND TECHNOLOGY EDUCATION**

Peterson (Pam), Chair

DePue, Vice-Chair

Askins	McPeak
Denney	Miller (Ray)
DeWitt	Morgan (Danny)
Hilliard	Richardson
Ingmire	

**COMMERCE, INDUSTRY AND LABOR**

Wilt, Chair

Worthen, Vice-Chair

Cooksey	Shumate
Hamilton	Thompson
Morrisette	Toure
Peterson (Ron)	

**COMMON EDUCATION**

Dank, Chair

Coody, Vice-Chair

Benge	McDaniel
Blackwell	Miller (Ray)
Deutschendorf	Shelton
Harrison	Staggs
Jones	Sullivan
Kern	Wright

**CORRECTIONS AND CRIMINAL JUSTICE**

Blackwell, Chair

Turner, Vice-Chair

Askins	Nance
Case	Perry
Ingmire	Roan
Kiesel	

**COUNTY AND MUNICIPAL GOVERNMENT**

Case, Chair

Liebmann, Vice-Chair

Armes	Glenn
Blackburn	Martin
Cooksey	Walker
Gilbert	

**ENERGY AND UTILITY REGULATION**

Adkins, Chair

Bingman, Vice-Chair

Braddock	Miller (Ken)
Calvey	Miller (Ray)

Case	Morgan (Danny)
Covey	Morgan (Fred)
DePue	Peters
Dorman	Piatt
Glenn	Reynolds
Jett	Sherrer
Johnson	Sweeden
Kiesel	Tibbs
Lamons	Turner
Liebmann	Wilt
McCarter	Worthen

### **ENVIRONMENT AND NATURAL RESOURCES**

Armes, Chair

Covey, Vice-Chair

Auffet	Roan
DeWitt	Shoemake
Peters	Wilt
Piatt	

### **GOVERNMENT REFORM, AGENCY OVERSIGHT AND ADMINISTRATIVE RULES**

Wright, Chair

Wesselhoft, Vice-Chair

Eddins	Miller (Doug)
Harrison	Reynolds
Johnson	Sweeden
McPeak	

### **HEALTH AND HUMAN SERVICES**

Steele, Chair

Cox, Vice-Chair

Balkman	Lindley
Billy	McDaniel
Brown	Miller (Doug)
Coody	Miller (Ken)
Eddins	Peterson (Pam)
Gilbert	Shelton
Glenn	Sherrer
Hamilton	Staggs
Hickman	Sullivan
Jackson	Wright
Kern	

**HIGHER EDUCATION**

Ingmire, Chair

Miller (Ken), Vice-Chair

Balkman	Hickman
Banz	Hyman
Blackburn	Nations
Braddock	Perry
Cox	Peters
Denney	Shumate
Deutschendorf	Steele
Hamilton	Toure

**INSURANCE**

Peterson (Ron), Chair

Terrill, Vice-Chair

Carey	Rousselot
Hastings	Shelton
Lamons	Tibbs
Morgan (Danny)	Worthen
Newport	

**JUDICIARY**

Morgan (Fred), Chair

Sullivan, Vice-Chair

Askins	Miller (Doug)
Braddock	Morrisette
Calvey	Sherrer
Cargill	Toure
Duncan	Trebilcock
Harrison	

**PUBLIC SAFETY AND HOMELAND SECURITY**

Nance, Chair

Lamons, Vice-Chair

Balkman	Peterson (Pam)
Banz	Roan
Brannon	Smithson
Duncan	Sullivan
McDaniel	

**RETIREMENT LAWS**

Reynolds, Chair

Brannon, Vice-Chair

Auffet	Wright
Benge	Young
Staggs	

**REVENUE AND TAXATION**

Calvey, Chair

Rousselot, Vice-Chair

Adkins	Morrisette
Dank	Nance
Dorman	Terrill
Lindley	

**RULES**

Tibbs, Chair

Hickman, Vice-Chair

Adkins	Gilbert
Cargill	Lindley
Dank	Mass
DeWitt	Perry
Eddins	Plunk
Ellis	

**TOURISM AND RECREATION**

Miller (Doug), Chair

Brown, Vice-Chair

Brannon	Martin
Cooksey	Shoemake
Cox	Smithson
Hyman	Wesselhoft
Jett	

**TRANSPORTATION**

Perry, Chair

Thompson, Vice-Chair

Billy	Mass
Bingman	McCarter
Blackwell	Nations
Hilliard	Plunk
Jett	Pruett
Liotta	

**VETERANS AND MILITARY AFFAIRS**

Carey, Chair

Banz, Vice-Chair

Armes	Hilliard
Coody	Plunk
Dorman	Steele
Duncan	Wesselhoft
Ellis	

**WILDLIFE**

Walker, Chair

Jackson, Vice-Chair

Bingman	Morgan (Fred)
Cargill	Shoemake
Ellis	Smithson
Hastings	Thompson
Mass	

**HOUSE CHAPLAIN**

Representative Miller (Doug) moved that when the House reconvenes on Monday, February 7, 2005, a minister be selected to serve as House Chaplain by rotation on a week-to-week basis, which motion was declared adopted.

**OFFICE SUPPLIES AND POSTAGE**

Representative Cargill moved that each Member be given 500 37-cent postage stamps to be used for official communications and that each Member be authorized to purchase stationery and/or office supplies in the amount of \$350.00 to be paid by the House and that the Speaker be authorized to purchase from time to time necessary postage, supplies and equipment to conduct the affairs of the House during the First Regular Session of the Fiftieth Legislature, which motion was declared adopted.

**MILEAGE REPORT**

Pursuant to the federal mileage allowable, effective January 1, 2005, Representative Cargill moved the adoption of the Report on Mileage Allowance prepared by the Office of the Chief Clerk and for said Report to be printed in the House Journal, which motion was declared adopted.

Name	Mileage Round Trip	Amount Due
Dennis Adkins, Tulsa and return	242	98.01
Don Armes, Faxon and return	223	90.32
Jari Askins, Duncan and return	166	67.23
John Auffett, Stilwell and return	404	163.62
Thad Balkman, Norman and return	46	18.63
Gary Banz, Midwest City and return	26	10.53
Chris Benge, Tulsa and return	208	84.24
Lisa Billy, Purcell and return	90	36.45
Brian Bingman, Sapulpa and return	190	76.95
Debbie Blackburn, Oklahoma City and return	0	0
Gus Blackwell, Goodwell and return	552	223.56

David B. Braddock, Altus and return	290	117.45
Neil Brannon, Arkoma and return	370	149.85
Mike Brown, Fort Gibson and return	314	127.17
Kevin Calvey, Del City and return	0	0
John Carey, Durant and return	297	120.29
Lance Cargill, Harrah and return	54	21.87
Bill Case, Midwest City and return	0	0
Ann Coody, Lawton and return	174	70.47
Marian Cooksey, Edmond and return	24	9.72
James Covey, Custer City and return	216	87.48
Doug Cox, Grove and return	446	180.63
Odilia Dank, Oklahoma City and return	0	0
Lee Denney, Cushing and return	134	54.27
Dale DePue, Edmond and return	36	14.58
Abe Deutschendorf, Lawton and return	190	76.95
Dale DeWitt, Braman and return	234	94.77
Joe Dorman, Rush Springs and return	132	53.46
Rex Duncan, Sand Springs and return	214	86.67
Joe Eddins, Vinita and return	356	144.18
Jerry Ellis, Valliant and return	448	181.44
Darrell Gilbert, Tulsa and return	220	89.10
Larry Glenn, Miami and return	392	158.76
Rebecca Hamilton, Oklahoma City and return	17	6.89
Terry Harrison, McAlester and return	326	132.03
Chris Hastings, Tulsa and return	219	88.70
Jeff Hickman, Woodward and return	280	113.40
Todd Hiatt, Kellyville and return	186	75.33
Wes Hilliard, Sulphur and return	180	72.90
Terry Hyman, Leon and return	276	111.78
Terry Ingmire, Stillwater and return	140	56.70
Mike Jackson, Enid and return	204	82.62
Shane Jett, Tecumseh and return	84	34.02
Rob Johnson, Kingfisher and return	106	42.93
Tad Jones, Claremore and return	250	101.25
Sally Kern, Oklahoma City and return	20	8.10
Ryan Kiesel, Seminole and return	112	45.36
Lucky Lamons, Tulsa and return	206	83.43
Guy Liebmann, Oklahoma City and return	30	12.15
Al Lindley, Oklahoma City and return	26	10.53
Mark Liotta, Tulsa and return	216	87.48
Steve Martin, Bartlesville and return	316	127.98
Mike Mass, Hartshorne and return	308	124.74
Raymond McCarter, Marlow and return	158	63.99
Jeannie McDaniel, Tulsa and return	206	83.43
Ryan McMullen, Burns Flat and return	214	86.67
Jerry McPeak, Warner and return	270	109.35

Doug Miller, Norman and return	54	21.87
Ken Miller, Edmond and return	24	9.72
Ray Miller, Quinton and return	324	131.22
Danny Morgan, Prague and return	110	44.55
Fred Morgan, Oklahoma City and return	0	0
Richard Morrissette, Oklahoma City and return	20	8.10
John Nance, Bethany and return	0	0
Bill Nations, Norman and return	46	18.63
Jim Newport, Ponca City and return	216	87.48
Fred Perry, Tulsa and return	216	87.48
Ron Peters, Tulsa and return	210	85.05
Pam Peterson, Tulsa and return	204	82.62
Ron Peterson, Broken Arrow and return	240	97.20
Greg Piatt, Ardmore and return	192	77.76
Bob Plunk, Ada and return	184	74.52
R. C. Pruett, Antlers and return	300	121.50
Mike Reynolds, Oklahoma City and return	34	13.77
Phil Richardson, Minco and return	120	48.60
Paul Roan, Tishomingo and return	236	95.58
Curt Roggow, Hillsdale and return	240	97.20
Wade Rousselot, Wagoner and return	314	127.17
Mike Shelton, Oklahoma City and return	0	0
Ben Sherrer, Chouteau and return	276	111.78
Jerry Shoemake, Morris and return	232	93.96
Jabar Shumate, Tulsa and return	218	88.29
John Smaligo, Owasso and return	240	97.20
Glen "Bud" Smithson, Sallisaw and return	320	129.60
Barbara Staggs, Muskogee and return	290	117.45
Kris Steele, Shawnee and return	72	29.16
Daniel Sullivan, Tulsa and return	200	81.00
Joe Sweeden, Pawhuska and return	284	115.02
Randy Terrill, Moore and return	28	11.34
Mike Thompson, Oklahoma City and return	22	8.91
Sue Tibbs, Tulsa and return	224	90.72
Opio Toure, Oklahoma City and return	0	0
John Trebilcock, Broken Arrow and return	224	90.72
Dale Turner, Holdenville and return	162	65.61
Purcy Walker, Elk City and return	238	96.39
Paul Wesselhoft, Moore and return	24	9.72
Mike Wilt, Bartlesville and return	322	130.41
Susan Winchester, Chickasha and return	106	42.93
Trebor Worthen, Oklahoma City and return	0	0
John Wright, Broken Arrow and return	208	84.24
Ray Young, Yukon and return	26	10.53

**HOUSE RULES**

Representative Cargill moved adoption of the temporary House Rules for the 50th Oklahoma Legislature that were distributed to each Member at noon on January 3, 2005, to which objection was heard.

Representative Toure moved to postpone consideration of the proposed House Rules until the session reconvenes in February.

Representative Cargill moved to table the Toure motion, which tabling motion prevailed upon a division of the question.

Representative Toure moved to amend the proposed House Rules by striking the entire provision and adopting a substitute motion that the rules in effect during the First and Second Session of the 49th Legislature be adopted as the rules of the 50th Legislature.

Representative Miller (Doug) moved to table the Toure amendment, which tabling motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--56.

Nay: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Covey, Deutschendorf, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrisette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--41.

Excused: Carey, Dorman, Hastings, Mass.--4.

Representative Covey moved to amend the proposed House Rules for the 50th Oklahoma Legislature, Page 1, Section 1.2(b) by inserting the word "meeting" after the word "or" and before the word "rooms".

Representative Steele moved to table the Covey amendment.

Representative Piatt moved the Previous Question.

Representative Gilbert raised a point of order stating that since the House is proceeding without Rules in effect, Representative Piatt's motion of the Previous Question was not in order.

The Presiding Officer ruled the point not well taken and that the House was proceeding under precedence.

Representative Piatt pressed adoption of his motion to move the Previous Question, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--56.

Nay: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Covey, Deutschendorf, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrisette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--41.

Excused: Carey, Dorman, Hastings, Mass.--4.

Representative Cargill pressed his motion to adopt the temporary House Rules for the 50th Oklahoma Legislature, which motion was declared adopted upon a division of the question.

## **RULES OF THE HOUSE OF REPRESENTATIVES OF THE 50<sup>TH</sup> OKLAHOMA LEGISLATURE**

### **STATEMENT OF AUTHORIZATION**

Pursuant to and under the authority of Article V, Section 30 of the Oklahoma Constitution, the Oklahoma House of Representatives adopts the following rules to govern its operations and procedures. The provisions of these rules shall be deemed the only requirements binding upon the House of Representatives under Article V, Section 30 of the Oklahoma Constitution, notwithstanding any other requirements expressed in statute.

### **RULE ONE**

#### **DUTIES AND RIGHTS OF THE SPEAKER**

##### **CHAPTER A. DUTIES AS PRESIDING OFFICER**

##### **1.1 - Convening**

The Speaker of the House, as Presiding Officer, shall take the Chair each day at the hour to which the House has adjourned, call the House to order and, except in the absence of a quorum, proceed under these Rules; provided, however, the Speaker may designate any other member of the House as Presiding Officer, but such designation shall not last beyond that day's adjournment.

**1.2 - Preservation of Order and Decorum**

(a) The Speaker shall preserve order and decorum. In case of any disturbance or disorderly conduct in the House Chamber, halls or rooms belonging to the House, the Speaker shall have the power to order the same to be cleared or direct any other action necessary to preserve order and decorum.

(b) No signs, placards or other objects of a similar nature shall be permitted in the House Chamber, halls or rooms belonging to the House.

(c) While in the Chamber, the Speaker shall prevent personal reflections or the impugning of the motive of any member, and shall confine members in debate to the question under discussion.

(d) No member rising to debate, to give notice, to make a motion, or to present a paper of any kind shall proceed until the member has addressed the Speaker and has been recognized by the Speaker as entitled to the floor.

(e) When two (2) or more members seek recognition at the same time, the Speaker shall name the one entitled to the floor. The Speaker shall not recognize any member who has risen or remains standing while another member is speaking. No member shall be entitled to be recognized to speak unless the member seeks recognition from the member's own seat.

(f) On all questions relative to the transgression of these Rules, the Speaker shall call the members to order. In such case the member so called to order shall sit down and shall not rise except to explain said member's actions or to proceed in order.

(g) Any member may rise to a point of order against any other member when, in the member's opinion, such member is proceeding out of order. Such point of order shall be decided by the Speaker without debate.

(h) Any decision by the Speaker on a point of order is subject to an appeal to the House made in a timely manner by any Member should the Member or the House be aggrieved by such decision. Such appeal must be seconded by a minimum of (15) fifteen members. Members desiring to second an appeal shall so signify by rising.

(i) The question of an appeal shall be put in the following form: "The question is, shall the decision of the Speaker be the decision of the House? All those in favor signify by voting 'Aye;' those opposed 'Nay.' The vote is now in progress."

(j) All appeals shall be decided by a recorded vote and without debate, except that the member taking said appeal shall have (5) five minutes within which to state the reasons for the member's appeal and the Chair may state the reasons for the Chair's decision.

(k) When a point of order is called, no member shall approach the Speaker or the Parliamentarian until after the Speaker has ruled.

(l) Members of the House shall conduct themselves at all times as befits a member of the Oklahoma House of Representatives.

**1.3 - Enforcement of Rules**

The Speaker shall enforce, apply and interpret the Rules of the House in all deliberations.

**1.4 - Referral of Proposed Legislation to Committee**

All proposed legislation shall be referred by the Speaker to an appropriate standing or special committee with jurisdiction. A bill or resolution may not be referred simultaneously to more than one committee.

### **1.5 - Speaker to Sign Bills, Resolutions and Papers**

(a) The Speaker or a member of the House designated by the Speaker shall sign all bills and joint resolutions passed by the Legislature as required by Article V, Section 35, of the Oklahoma Constitution. Such certifications shall be made while the House is in session and shall be made a matter of record in the House Journal.

(b) The Speaker shall sign all subpoenas, warrants, writs, vouchers for expenditures chargeable to the House, contracts binding upon the House or other papers issued by the House. The Speaker may delegate the authority to sign papers authorizing payments and other papers of an administrative nature.

### **1.6 - Speaker May Authorize Counsel in Suits Affecting the House**

The Speaker may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the House, a committee of the House, a member of the House in his or her legal capacity as a member, a former member of the House or an officer, employee or agent of the House when the Speaker determines that such suit is of significant interest to the House and that the interest of the House would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the Speaker.

### **1.7 - Appointment of Liaisons; Authorization of Communications**

(a) The Speaker may at any time designate a Member or Members to serve as liaison on behalf of the Speaker.

(b) The Speaker shall be vested with discretionary power to send communications to the Senate or the Governor on all such subjects the Speaker deems necessary or expedient.

### **1.8 - Voting Rights of the Presiding Officer**

The Speaker shall have the same right as other members to vote. On all questions on which ayes and nays are taken, the Speaker shall vote under the title "Speaker."

## **CHAPTER B. ADMINISTRATIVE DUTIES**

### **1.9 - Control of the House**

(a) The Speaker shall have general control of the Chamber of the House and that part of the Capitol Building assigned to the House.

(b) The Speaker shall assign committee rooms to the various standing and special committees.

(c) The Speaker may reserve a portion of the gallery for former members of the House, former members of the Senate and the families of members of the House and their guests.

### **1.10 - Committees**

(a) The Speaker shall appoint all committees, subcommittees, chairs, vice-chairs and members of the various committees to report on the subjects named and such other matters as may be referred to them.

(b) The Speaker shall appoint all special committees and conference committees as the Speaker determines to be necessary.

(c) The Speaker shall be an ex-officio voting member of all standing and special committees.

(d) Upon receipt of the committee designation, the committee may conduct hearings, consider amendments and study the proposed measure in order to prepare it for consideration by the entire House of Representatives. Final committee action shall not take place until after the bill or resolution has been read for the second time.

(e) The Speaker shall have the sole authority to prescribe rules for the operation of all committees, subcommittees, special committees and conference committees.

### **1.11 - Standing Committees and Subcommittees**

(a) Standing committees and subcommittees of the House are hereby created as follows:

- (1) Aerospace and Technology
- (2) Agriculture and Rural Development
- (3) Appropriations and Budget
  - Appropriations and Budget Subcommittees:
  - Education
  - General Government and Transportation
  - Health and Social Services
  - Human Services
  - Natural Resources and Regulatory Services
  - Public Safety and Judiciary
  - Select Agencies
- (4) Banking and Finance
- (5) Business and Economic Development
- (6) Career and Technology Education
- (7) Commerce, Industry and Labor
- (8) Common Education
- (9) Corrections and Criminal Justice
- (10) County and Municipal Government
- (11) Energy and Utility Regulation
- (12) Environment and Natural Resources
- (13) Government Reform, Agency Oversight and Administrative Rules
- (14) Health and Human Services
- (15) Higher Education
- (16) Insurance
- (17) Judiciary
- (18) Public Safety and Homeland Security
- (19) Retirement Laws
- (20) Revenue and Taxation
- (21) Rules
- (22) Tourism and Recreation
- (23) Transportation
- (24) Veterans and Military Affairs
- (25) Wildlife

### **1.12 - House Employees**

All House employees work for and serve at the pleasure of the Speaker. The Speaker shall determine their qualifications, hours of work and compensation, including perquisites and other benefits. The Speaker has the right at any time to transfer employees to another department or discharge any employee of the House without cause.

## **RULE TWO**

### **DUTIES OF THE SPEAKER PRO TEMPORE**

#### **2.1 - Convening**

In the absence of the Speaker, the Speaker Pro Tempore, as Presiding Officer, shall take the Chair each day at the hour to which the House has adjourned, call the House to order and,

except in the absence of a quorum, proceed under these Rules; provided, however, the Speaker Pro Tempore may, in the absence of the Speaker, designate any other member of the House as Presiding Officer, but such designation shall not last beyond that day's adjournment.

## **2.2 - Duties**

(a) The Speaker Pro Tempore shall perform the duties of Speaker in the absence of the Speaker.

(b) If at any time the office of Speaker becomes vacant because of removal from office, death, resignation or other disability of the person holding that office, the Speaker Pro Tempore shall become acting Speaker until the disability is removed or a new Speaker is elected.

(c) The Speaker Pro Tempore shall not be considered the Speaker within the meaning of Article VI, Section 15 of the Oklahoma Constitution providing for succession to the Governorship.

The Speaker Pro Tempore shall be an ex-officio voting member of all standing and special committees.

## **RULE THREE**

### **INTRODUCTION OF BILLS AND RESOLUTIONS**

#### **3.1 – Definition of the Term “Bill”**

The term “bill,” as used in these Rules, shall mean proposed legislation which in order to become law must pass through the Legislature according to the guidelines established by the Oklahoma Constitution, including consideration by the Governor. Specifically, the meaning of the term shall include proposed laws of a general nature and proposed special or local laws. The procedures delineated in these rules as applicable to the introduction and passage of bills shall also apply to the introduction and passage of joint resolutions.

#### **3.2 - Filing Deadlines**

The filing deadlines for introduction of bills and joint resolutions shall be established by agreement between the House and Senate.

#### **3.3 - Numbering**

(a) Bills and joint resolutions introduced in the Second Regular Session of the Legislature shall be numbered consecutively with the last bill and joint resolution, respectively, introduced in the First Regular Session of the same Legislature.

(b) Simple and concurrent resolutions introduced in the Second Regular Session of a Legislature shall be numbered consecutively with the last simple and concurrent resolution, respectively, introduced in the First Regular Session of the same Legislature.

#### **3.4 - Introduction**

(a) All bills and resolutions shall be accompanied by the name or names of the member or members introducing the bill or resolution, shall have a title stating the subject matter contained therein and shall include the request number assigned to the bill or resolution by the staff of the House.

(b) Except as provided in paragraph (c) of this subsection, no member of the House of Representatives shall be the principal author of more than eight (8) bills or joint resolutions during a session of the Legislature.

(c) The provisions of paragraph (b) of this subsection shall not apply to:

1. bills containing appropriation matters of which the principal author is the Chair of the Appropriations and Budget Committee of the House,
2. reapportionment bills,

3. bills introduced for the purpose specified in Section 23.1 of Title 75 of the Oklahoma Statutes,
4. bills introduced for the purpose of disapproving or approving agency rules pursuant to the Administrative Procedures Act,
5. bills introduced for the purpose of implementing the Oklahoma Sunset Law,
6. bills that only repeal or delete, without substantive replacement, provisions of the Oklahoma Statutes,
7. simple or concurrent resolutions, and
8. any other measure authorized by the Speaker.

### **3.5 - Co-authors**

Co-authors of bills and resolutions added after introduction shall be indicated on a separate page to be attached to the bill or resolution.

### **3.6 - Principal Senate Author of a House Bill or Resolution**

While a house bill, joint resolution or concurrent resolution is within the physical control of the House, the principal author of the bill or resolution shall have full and complete discretion in determining who the principal Senate author of the bill or resolution shall be.

## **RULE FOUR DEBATE AND VOTING**

### **4.1 - Procedure**

(a) When the ayes and nays are ordered, the Presiding Officer shall put the question in the following form: "All those in favor signify by voting 'Aye;' those opposed 'Nay.'" The vote is now in progress."

(b) The House shall not consider in either session of the current Legislature, any bill or resolution, whether the same shall have originated in the House or in the Senate, if said bill or resolution has been amended by the insertion of matter not germane to the purpose of the original bill or resolution. It shall be the duty of the Presiding Officer to enforce this Rule, regardless of whether or not a point of order is raised by a member.

### **4.2 - Debate**

(a) Except as otherwise specifically provided in these Rules, when a debatable question is before the House, such debate shall be limited to fifteen (15) minutes, equally divided between the proponents and opponents of the question. Under no circumstances shall a member debate twice on the same question, nor shall any member speak longer than ten (10) minutes on the same question.

(b) When a debatable question is before the House, any member may move that the time for debate on such question be extended. For adoption, such motion need only receive a majority of those voting, a quorum being present.

(c) No member debating any question shall be interrupted by questions until said member has finished the member's remarks, and all time taken in asking and answering questions shall be deducted from the time allotted to said member.

### **4.3 - Voting and Division**

(a) The electronic voting machine shall be used to record the vote whenever the ayes and nays are required or ordered. The machine shall also be used to determine the presence of a quorum, or to determine the numerical count where a division is requested. In the event the machine is not operating properly, all votes and determinations of quorums may be taken by calling the roll. If a member's voting device is out of order, the member shall rise and so announce to the Presiding Officer and cast said member's vote orally prior to the declaration of the result of the vote. Every member shall vote providing the member is in the Chamber at the time the vote is in progress.

(b) The electronic voting machine shall be under the control of the Presiding Officer and shall be operated by such Clerk as the Presiding Officer so designates. At a reasonable time prior to any vote being taken, the Presiding Officer shall announce that a vote is about to be taken. When any member other than the Speaker is presiding, the member shall direct another member to activate the roll call switch at said member's desk in the manner requested by that member. When the Speaker is not presiding, the Speaker may direct another member to activate the Speaker's roll call switch in the manner requested by the Speaker. Any member who is present in the Chamber or is within the view of the Presiding Officer while a vote is in progress may direct another member to activate said member's roll call switch in the manner requested by that member.

(c) Each recorded vote for final passage will be held open for at least two (2) minutes or a shorter time if the Presiding Officer determines that all members recorded as being present have voted.

(d) When sufficient time has elapsed for each member to vote, the Presiding Officer shall ask if any members present desire to vote or change their vote. Following such inquiry and before the electronic voting machine is locked, any member may be excused from voting, pursuant to the provisions of Article V, Section 24, of the Oklahoma Constitution.

(e) The Presiding Officer shall then lock the machine and instruct the Clerk to record the vote. The Clerk shall immediately activate the recording equipment and when the vote is completely recorded, shall advise the Presiding Officer of the result, and the Presiding Officer shall announce the result to the House. No vote may be changed after it has been recorded.

(f) No member may vote for another member, nor may any person cast a vote for a member, except as otherwise provided in this rule. A member who votes for another member, except as herein provided, may be punished in a manner the House determines. A person voting for a member, when not authorized by this Rule, shall be barred from the Chamber and may be further punished as the House considers proper.

(g) When a division is requested and ordered, those in the affirmative or the negative, as the case may be, shall cast their votes accordingly and the Clerk shall activate the electronic voting machine so as to reflect the individual ayes and nays and the numerical count, but no permanent record thereof shall be made. When the vote is completed, the Clerk shall advise the Presiding Officer of the result, and the Presiding Officer shall announce the result to the House. In the event the machine is not operating properly, those in the affirmative shall arise from their seats and stand until they are counted aloud by the Clerk, then those voting in the negative shall arise and stand until they are counted, and the Presiding Officer shall announce the result.

(h) After the question has been put, but before the vote commences, any member may call for a statement of the question.

#### **4.4 - Conduct During Voting**

(a) While a vote is in progress and until the completion of a vote, and the announcement of the result, no member shall be recognized and no other business shall be transacted.

(b) No explanation of any vote shall be permitted while a vote is in progress or after a vote has been cast, except pursuant to Article V, Section 24, of the Oklahoma Constitution. No member, House employee or other person shall visit or remain by the Clerk's desk while a vote is in progress.

**4.5 - Previous Question**

When a debatable question is before the House, any member may move the Previous Question. It shall be put in the following form: "The Previous Question has been moved. The Question is, shall the main Question now be put?" If the motion for the Previous Question passes, the main question shall be put immediately and no member shall be heard to debate it further or seek to amend it.

**4.6 - Quorum**

(a) If, at any time during the daily sessions of the House, a question shall be raised by any member as to the presence of a quorum, the Presiding Officer shall, without debate, forthwith direct that the electronic voting machine be activated to determine the presence or absence of a quorum, and shall announce the result.

(b) Whenever it shall be ascertained that a quorum is not present, the members present may, by motion adopted by a majority of those voting, direct the Chief Sergeant at Arms to request and, if necessary, to compel the presence of absent members, which motion shall be considered without debate. Pending its execution and until a quorum shall be present, no motion or debate, except to adjourn to a day and time certain, shall be in order.

**RULE FIVE****GENERAL PROVISIONS****5.1 - Designated smoking areas**

No person shall smoke within those parts of the Capitol Building assigned to the House. Members, employees or visitors wishing to smoke shall use designated smoking areas outside the Capitol building.

**5.2 - Members of the Press**

(a) No persons shall be admitted to the House press gallery except members and staff of the House, members of the press bearing permits signed by the Speaker and the Chairs of the Capitol Press organizations, and guests with the written permission of the Speaker and the Chairs of the Capitol Press organizations.

(b) No member of the press shall appear before any standing or special committee in advocacy of or in opposition to any subject under discussion before such committee. A violation of this Rule shall be sufficient cause for the removal of said member of the press by the committee chairperson or the Speaker.

**5.3 - Convening Restriction**

No legislative day shall begin between the hours of 12:00 midnight and 8:00 a.m. on any calendar day.

**RULE SIX****RULES****6.1 – Suspension, Amendment, or Repeal of Rules**

(a) These Rules may be amended or repealed by a majority vote of those elected to and constituting the House. All motions to amend or repeal these Rules must be submitted to the Presiding Officer in writing. All such motions may, upon the motion of any member, be tabled by a simple majority vote without debate.

(b) Two-thirds (2/3) of the members elected to and constituting the House may suspend the Rules, or a portion thereof, but a motion for that purpose shall be decided without debate.

**6.2 - Parliamentary Authorities**

In all parliamentary questions not provided for by the Oklahoma Constitution, the Rules of the House, or the Joint Rules of the Senate and House, the Speaker shall issue a ruling and shall publish all substantive rulings in a volume of precedents.

**6.3 - Rules Effective**

These Rules shall be in full force and effect during both the First and Second Regular Sessions of the Legislature, unless amended or repealed as provided herein.

Pursuant to Article V, Section 26 of the Oklahoma Constitution, Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 12:00 noon, Monday, February 7, 2005, which was the order.

Pursuant to the motion of Representative Cargill , the House was adjourned at 3:10 p.m., to reconvene Monday, February 7, 2005, at 12:00 noon.