

# HOUSE JOURNAL

## First Regular Session of the Fiftieth Legislature of the State of Oklahoma

### Fifty-second Legislative Day, Monday, May 2, 2005

The House was called to order by Speaker Hiett.

The roll was called with 99 Members present.

The following Members were excused: Harrison, Toure.—2.

The Speaker declared a quorum present.

Prayer was offered by Rabbi Barry Cohen, B'Nai Israel Temple, Oklahoma City. Rabbi Cohen is sponsored this week by Representative Toure.

Upon motion of Representative Miller (Doug), Rabbi Cohen was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

#### ENGROSSED AND ENROLLED MEASURES

**HCR 1024** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HAs to SBs 7, 8, 25, 29, 53, 309, 365, 419, 430, 473, 507, 516, 518, 547, 618, 627, 636, 651, 691, 692, 703, 722, 726, 727, 738, 745, 758, 789, 801, 819, 846, 852, 880, 923, 929, 958, 977 and 987** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HRs 1033, 1035 and 1036** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

**MESSAGES FROM THE SENATE**

Announcing that Enrolled **HBs 1238, 2028** and **2035** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

**Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 245, 283, 368, 413, 522, 580** and **587**.

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

**Returning engrossed measures, as amended**

Announcing the passage of and returning engrossed measures as amended: **HBs 1265, 1360, 1502, 1506** - Coauthored by Senators Corn, Gumm, **1539, 1550** - Coauthored by Representative Wesselhoft, **1554** - Remove Senator Lawler as principal Senate author and substitute with Senator Laster, and Coauthored by Senator Lawler, **1621, 1670, 1715** - Remove Senator Paddack as principal Senate author and substitute with Senator Branam, and Coauthored by Senators Paddack, Mazzei, Lamb, **1908** and **2047**.

Senate amendments were read on the above numbered measures.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1845** were called up for consideration.

Upon motion of Representative Worthen, the House concurred in the **SAs to HB 1845**.

**HB 1845**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengel, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hastings, Hickman, 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, Shoemaker, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Hamilton, Harrison, Toure.--3.

The measure and emergency passed.

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

### **Speaker Pro Tempore Winchester Presiding**

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 1811** were called up for consideration.

Upon motion of Representative Armes, the House concurred in the **SAs to HB 1811**.

**HB 1811**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Morgan (Danny), Morgan (Fred), Morrissette, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Brannon, Harrison, Miller (Ray), Nance, Smithson, Toure.--6.

The measure passed.

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

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 1116** were called up for consideration.

Upon motion of Representative Roggow, the House concurred in the **SAs to HB 1116**.

**HB 1116**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Morgan (Danny), Morgan (Fred), Morrisette, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Brannon, Harrison, Miller (Ray), Nance, Smithson, Toure.--6.

The measure and emergency passed.

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

#### **RESOLUTION FOR CONSIDERATION**

**HR 1010** was called up for consideration.

Coauthored by Representative(s) Blackburn

Upon motion of Representative Nations, **HR 1010** was considered and adopted.

**HR 1010** was referred for enrollment.

#### **RESOLUTION FOR CONSIDERATION**

**SCR 17** was called up for consideration.

Upon unanimous consent request of Representative Roan, all Members were added as coauthors.

Upon motion of Representative Roan, **SCR 17** was considered and adopted.

**SCR 17** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1971** were rejected upon motion of Representative Perry. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1384, 1385 and 1688** were rejected upon motion of Representative Smaligo. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1588, 1589 and 1590** were rejected upon motion of Representative Adkins. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1378** were rejected upon motion of Representative Liebmann. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1875** were rejected upon motion of Representative Hickman. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1760** were rejected upon motion of Representative Denney. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1286 and 1500** were rejected upon motion of Representative Balkman. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1810 and 1814 and HJR 1019** were rejected upon motion of Representative Armes. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1293** were rejected upon motion of Representative Benge. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1848** and **1853** were rejected upon motion of Representative Steele. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1218** were rejected upon motion of Representative Newport. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1227** were rejected upon motion of Representative Nance. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1862** were rejected upon motion of Representative Blackwell. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1362** were rejected upon motion of Representative Case. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1964** were rejected upon motion of Representative Blackburn. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1316** were rejected upon motion of Representative Carey. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 1858** were rejected upon motion of Representative Morgan (Fred). Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1180, 1182, 1183, 1184, 1186, 1187, 1189, 1190, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205 and 1206** were rejected upon motion of Representative Bengé. The Speaker named GCCA as conferees.

**MOTION**

Representative Smithson asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HBs 1116 and 1811**, which was the order.

**MOTION**

Representative Nance asked that the Journal reflect that had he been present in the Chamber, he would have voted nay on **HB 1116** and aye on **HB 1811**, which was the order.

**MOTION**

Representative Brannon asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HBs 1116 and 1811**, which was the order.

**RESOLUTIONS**

The following were introduced and read:

**HCR 1028** – By Turner.

A Concurrent Resolution requesting the United State Fish and Wildlife Service and the United States Congress to take certain action relating to critical habitat designation for threatened species; and directing distribution.

**HR 1037** – By Winchester.

A Resolution recognizing Lieutenant Governor Mary Fallin's support of the aerospace industry in the state; recognizing the work of the Governor's Aerospace Task Force; supporting the recommendations of the Governor's Aerospace Task Force; and directing distribution.

**MESSAGES FROM THE GOVERNOR**

Advising of his approval of **HBs 1241, 1346 and 1450** on April 29, 2005, and **HBs 1457, 1507, 1535, 1545, 1581, 1622 and 1725** on May 2, 2005.

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Tuesday, May 3, 2005, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 2:30 p.m., to reconvene Tuesday, May 3, 2005, at 1:30 p.m.