

HOUSE JOURNAL

First Regular Session of the Fiftieth Legislature

of the State of Oklahoma

Fifty-eighth Legislative Day, Wednesday, May 11, 2005

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Doug Brewer, Southgate Baptist Church, Moore.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1611, 1837 and 1926 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1026 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HCR 1026** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Announcing that Enrolled **HBs 1611, 1837 and 1926** 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 304** and **631**.

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

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 296, 314, 553, 651** and **659** and **SJR 5** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** to **SBs 342, 660, 661, 698, 726, 759, 823, 880, 896** and **982** and requesting conference thereon, the Senate naming conferees later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1395** were called up for consideration.

Upon motion of Representative Ellis, the House concurred in the **SAs** to **HB 1395**.

HB 1395, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Armes, Askins, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, 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, Mr. Speaker.--96.

Excused: Auffet, Blackburn, Harrison, Hastings, Mass.--5.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

HCR 1029 was called up for consideration.

Coauthored by Representative(s) Armes, Askins, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Coody, Cooksey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Ellis, Gilbert, Glenn, Hamilton, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Martin, McCarter, McMullen, Miller (Doug), Miller (Ray), Morgan (Danny), Morgan (Fred), Perry, Peterson (Pam), Plunk, Pruett, Richardson, Roan, Rousselot, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wilt, Winchester, Worthen, Wright

Upon motion of Representative Wesselhoft, **HCR 1029** was considered and adopted.

HCR 1029 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to HB 1502 were called up for consideration.

Upon motion of Representative Roan, the House concurred in the **SAs to HB 1502**.

HB 1502, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Adkins, Armes, Askins, Balkman, Banz, Bengé, 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, Hamilton, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), 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, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Auffet, Harrison, Hastings, Mass, Morgan (Fred), Wilt.--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 1503 were called up for consideration.

Upon motion of Representative Roan, the House concurred in the **SAs to HB 1503**.

HB 1503, 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, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, 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, Mr. Speaker.--98.

Excused: Harrison, Hastings, Mass.--3.

The measure passed.

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

MOTION

Representative Nance asked that the Journal reflect that had he been present in the Chamber on Monday, May 9, 2005, he would have voted aye on **HR 1039**, which was the order.

CONFEREES NAMED

The Speaker named the following conferees:

- HB 1218** – Newport, Liotta, Jett, Bengé, Roan, Turner, Dorman, Perry
- HB 1227** – Nance, Lamons, Roan, Ingmire, Smithson, Blackwell, Sullivan, Jett
- HB 1233** – Hastings, Calvey, Rousselot, Dank, Adkins, Nance, Lamons, Terrill
- HB 1235** – DeWitt, Dank, Coody, Jones, Deutschendorf, Brannon, Dorman, Blackwell
- HB 1240** – Bengé, Smaligo, Martin, Auffet, Kiesel, Piatt, Staggs, Young
- HB 1267** – Ingmire, Blackwell, Turner, Trebilcock, Perry, Roan
- HB 1286** – Balkman, Nance, Lamons, Banz, Reynolds, Young, Perry, Ellis

- HB 1316** – Carey, Jones, Kern, Bengé, Newport, Jett
HB 1321 – Nance, Blackwell, Turner, Young, Roan, Perry
HB 1327 – Askins, Steele, Cox, Piatt, Morrissette
HB 1337 – Covey, Steele, Cox, Young, Liotta, Ellis, Auffet
HB 1362 – Case, Smaligo, Martin, Eddins, Morgan (Danny), Young
HB 1378 – Liebmann, Tibbs, Hickman, Plunk, Case
HB 1384 – Smaligo, Calvey, Rousselot, Martin, Lamons
HB 1385 – Smaligo, Trebilcock, Johnson, Nance, Roan, Askins, Young, Smithson, Ingmire, Blackwell
HB 1461 – Sherrer, Nance, Lamons, Balkman, Steele, Peterson (Pam), Hilliard, Pruett
HB 1467 – DeWitt, Richardson, Armes, Roggow, Covey, McPeak, McMullen
HB 1500 – Balkman, Wright, Wesselhoft, Dank, Liotta, Young, Miller (Doug), Eddins, Morgan (Danny), Rousselot, Lindley
HB 1506 – Roan, Jones, Kern, Piatt, Steele, Cox, Kiesel
HB 1539 – Peterson (Ron), Terrill, Newport, Tibbs, Lamons, Carey, Rousselot
HB 1550 – Wright, Wesselhoft, Eddins, Harrison, Johnson, McPeak, Miller (Doug), Reynolds, Sweden
HB 1570 – Walker, Calvey, Rousselot, Nance, Terrill, Dank, Lindley
HB 1586 – Adkins, Bingman, Johnson, DePue, Covey, Turner
HB 1588 – Adkins, Bingman, Calvey, Peterson (Ron), Miller (Ray), Sherrer
HB 1589 – Adkins, Bingman, Peterson (Ron), Dorman, Lamons
HB 1590 – Adkins, Bingman, Miller (Ken), Piatt, Turner, Glenn
HB 1617 – Bengé, Newport, Balkman, Carey, Eddins, Jones, Liotta, Steele, Nations, Cox, Trebilcock, Walker
HB 1652 – Morgan (Danny), Armes, Covey, Dorman, DeWitt, Piatt
HB 1665 – Askins, Tibbs, Hickman, Liotta, Perry, Carey, Pruett
HB 1667 – Calvey, Rousselot, Terrill, Lindley, Dank
HB 1670 – Nations, Case, Liebmann, Gilbert, Cooksey, Armes
HB 1688 – Cox, Steele, Denney, Smaligo, Toure, Askins
HB 1698 – Hamilton, Case, Liebmann, Cooksey, Armes, Walker
HB 1715 – Calvey, Rousselot, Terrill, Dorman, Dank
HB 1716 – Winchester, Calvey, Rousselot, Miller (Doug), Adkins, Dorman
HB 1738 – Terrill, Calvey, Rousselot, Banz, Wesselhoft
HB 1760 – Denney, Dank, Coody, Winchester, Hilliard
HB 1774 – Hastings, Wilt, Worthen, Case, Ingmire, Nance, Lamons, Eddins
HB 1807 – Cargill, Calvey, Rousselot, Morgan (Fred), Sullivan, Morrissette, Toure, Trebilcock
HB 1810 – Armes, Young, Auffet, Dorman, Coody
HB 1814 – Armes, Walker, Jackson, DeWitt, Covey
HB 1848 – Steele, Smaligo, Martin, Cox, Peterson (Pam), Shelton, Eddins
HB 1853 – Steele, Tibbs, Hickman, Cox, Sherrer, Glenn
HB 1858 – Morgan (Fred), Sullivan, Reynolds, Johnson, Wilt, Young
HB 1860 – Blackwell, Tibbs, Hickman, Ellis, Plunk, Perry
HB 1862 – Blackwell, Hastings, Shumate, Jackson, Reynolds, Carey
HB 1875 – Hickman, Dank, Coody, Jones, Kern, Trebilcock, Balkman

HB 1898 – Billy, Peters, Denney, Ellis, Roan, Duncan, Hilliard

HB 1908 – Shumate, Morgan (Fred), Sullivan, Glenn, Johnson, Wilt

HB 1911 – Peters, Case, Liebmann, McDaniel, Blackburn

HB 1927 – Liotta, Jett, Bingman, Dorman, Liebmann, Plunk, Rousselot

HB 1964 – Blackburn, Calvey, Rousselot, Miller (Doug), Wilt, McDaniel, Carey,

Dank

HB 1967 – Perry, Liotta, Jett, Thompson, Mass, Plunk

HB 1970 – Perry, Ingmire, Miller (Ken), Hyman, Denney, Lamons

HB 1971 – Perry, Hastings, Shumate, Sullivan, Deutschendorf, Blackwell

HB 1985 – Ingmire, Trebilcock, Johnson, Benge, Newport, Jones, Carey, Nations,

Liotta

HB 1993 – Jackson, Nance, Lamons, Roggow, Roan

HB 2005 – Askins, Morgan (Fred), Sullivan, Duncan, Wilt, Kiesel, Sherrer

HB 2047 – Morgan (Fred), Sullivan, Braddock, Miller (Doug), Sherrer, Calvey,

Askins, Trebilcock

HB 2058 – Trebilcock, Tibbs, Hickman, Worthen, Johnson, Billy, Peterson (Pam),

Lindley, Eddins

HJR 1019 – Armes, Tibbs, Hickman, DeWitt, Auffet

CONFERENCE GRANTED

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

SB 8 – Nance, Balkman, Cooksey, Sullivan, Smithson, Roan

SB 28 – Nance, Lamons, Sullivan, Balkman, Smithson, Roan

SB 238 – Steele, Adkins, Bingman, DeWitt, Jackson, Turner, Brown, McCarter

SB 315 – Terrill, Liotta, Jett, Armes, Blackwell, DePue, Lamons, Plunk, Shoemake

SB 326 – Hilliard, Dank, Coody, Sherrer, Denney

SB 399 – Morgan (Fred), Dank, Coody, Jones, Wilt, Askins, Dorman, Smaligo

SB 407 – Young, Auffet, Liebmann, Pruett, Kern, Rousselot, DePue

SB 410 – Turner, Calvey, Rousselot, Wright, Liotta

SB 418 – Armes, Covey, Auffet, DeWitt, Peters, Piatt, Roan, Shoemake, Wilt

SB 461 – Case, Tibbs, Hickman, Miller (Doug), Turner, McDaniel, Gilbert, Smaligo

SB 466 – Sullivan, Case, Liebmann, Armes, Blackburn, Gilbert, Glenn, Martin,

Walker

SB 509 – Benge, Newport, Balkman, Blackburn, Braddock, Carey, Cargill, Eddins, Jones, Liotta, McCarter, Nations, Peters, Roggow, Smaligo, Toure, Trebilcock, Walker

SB 556 – Armes, Tibbs, Hickman, Case, Hastings, Miller (Doug), Shoemake,

Rousselot

SB 614 – Calvey, Steele, Cox, Terrill, Brown, Balkman

SB 628 – Young, Calvey, Rousselot, Nance, Terrill, Dorman, Liebmann

SB 922 – Cargill, Tibbs, Hickman, Lamons, Walker, Brannon, DePue, Liebmann,

Balkman

SB 1015 – Steele, Cox, Eddins, Lindley, Sullivan, Denney

SJR 13 – Morgan (Fred), Tibbs, Hickman, Miller (Doug), Walker, Jackson, Mass, Thompson, Roan

RESOLUTIONS

The following were introduced and read:

HCR 1030 – By Wright of the House and Corn of the Senate.

A Concurrent Resolution relating to rules of the Board of Tests for Alcohol and Drug Influence; waiving the thirty-legislative-day review period for proposed amendments to permanent rule OAC 40:25-1-3, which relates to alcoholic breath simulators; and directing distribution.

HCR 1031 – By Gilbert.

A Concurrent Resolution designating the month of May 2005 as Arthritis Awareness Month in the State of Oklahoma; and directing distribution.

HCR 1032 – By Sullivan of the House and Williamson of the Senate.

A Concurrent Resolution commending Dr. Francine Ringold for her contributions to this state; congratulating Dr. Ringold for her second appointment as State Poet Laureate; and directing distribution.

HCR 1033 – By Worthen, Roan and Smithson of the House and Branam of the Senate.

A Concurrent Resolution commending Trooper Mike Swope as 2004 Highway Users Federation Heroism Award recipient; and directing distribution.

MESSAGES FROM THE SENATE

Advising the Senate naming conferees as follows:

SB 556 - Shurden, Leftwich, Fisher, Rabon, Nichols, Coffee, Coates

Conferees changed

Advising changing Senate conferees as follows:

SB 835 – Remove Lamb and add Williamson

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1310, 1524, 1623 and 1627** on May 10, 2005 and **HB 1910** on May 11, 2005.

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1284

HB 1390

HB 1485

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 8:30 a.m., Thursday, May 12, 2005, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 2:35 p.m., to reconvene Thursday, May 12, 2005, at 8:30 a.m.