

HOUSE JOURNAL

First Regular Session of the Fiftieth Legislature

of the State of Oklahoma

Fifty-ninth Legislative Day, Thursday, May 12, 2005

The House was called to order by Representative Liotta.

The roll was called with 99 Members present.

The following Members were excused: Hastings, Mass.—2.

Representative Liotta 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 1395, 1502 and 1503 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1029 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 296, 314, 553, 651, 659 and 852** and **SJR 5**.

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

Transmitting engrossed measures

Announcing the passage of the following engrossed measures.

The measures were introduced and read.

SCR 23 – By Taylor, Ford and Brogdon of the Senate and Jones, Martin and Sherrer of the House.

A Concurrent Resolution authorizing the Board of Regents of the University of Oklahoma, acting on behalf of Rogers State University, to issue certain revenue bonds pursuant to Section 4002.1 of Title 70 of the Oklahoma Statutes; and directing distribution.

SCR 28 – By Paddack, Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick of the Senate and Hilliard and Billy of the House.

A Concurrent Resolution commending the life and career of state legislator Glen Ham; offering condolences; and directing distribution.

Returning enrolled measures

Announcing that Enrolled **HBs 1395, 1502** and **1503** 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.

PENDING CONSIDERATION OF SAs

SAs to HB 1686 were called up for consideration.

Coauthored by Representative(s) Hilliard, Sherrer, Adkins, Armes, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Hastings, Hickman, Hiatt, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, McMullen, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Smithson, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young

Representative Wright asked unanimous consent to suspend House Rule 9.3(b) as it pertains to consideration of the **SAs to HB 1686**, which motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Coody, Cooksey, Covey,

Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, 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), 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Blackburn, Case, Hastings, Mass, Toure.--5.

Representative Hamilton moved adoption of the **SAs** to **HB 1686**, which motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Hamilton, Harrison, 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), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--94.

Nay: Blackburn, Gilbert, Shelton, Toure.--4.

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

Representative Dank raised a point of order citing House Rule 9.6(a) that there were Members in the Chamber not voting.

The Presiding Officer ruled the point well taken and ordered Members in the Chamber to vote.

HB 1686, 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, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Hamilton, Harrison, 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), 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Nay: Blackburn, Gilbert, Toure.--3.

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

The measure and emergency 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 1553 were called up for consideration.

Upon motion of Representative Carey, the House concurred in the **SAs to HB 1553**.

HB 1553, 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, Blackburn, Blackwell, Brannon, Brown, Carey, Cargill, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, 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), Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Winchester, Worthen, Wright, Young, Mr. Speaker.--90.

Excused: Bingman, Braddock, Calvey, Case, Hastings, Mass, Morrissette, Smaligo, Sweeden, Wesselhoft, Wilt.--11.

The measure passed.

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

MOTION

Representative Calvey asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1553**, which was the order.

MOTION

Representative Wesselhoft asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1553**, which was the order.

MOTION

Representative Morrisette asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1553**, which was the order.

MESSAGES FROM THE SENATE

Announcing the concurrence of Senate in **HAs to SBs 29, 49, 377, 539, 561, 700 and 861** and the passage of said measures, as amended thereby.

Returning engrossed measure

Announcing the passage of **HCR 1029** - Coauthored by all members of the Senate.

The above-numbered measure was referred for enrollment.

Conference requested

Advising rejection of **HAs to SBs 569, 618, 643, 648, 668, 692, 779, 799 and 978** and requesting conference thereon, the Senate naming conferees later.

Conferees named

Advising Senate naming GCCA as conferees to the following: **SBs 7, 54, 309, 311, 315, 399, 507, 545, 547, 574, 660, 661, 705, 720, 759, 821, 896, 918, 922, 923, 927, 958 and 977** and **HBs 1265, 1360, 1612 and 1617**.

Advising naming Senate conferees as follows:

- SB 53** - Coffee, Capps, Shurden, Adelson
- SB 342** - Wilson, Shurden, Ford
- SB 349** - Corn, Lerblance, Laughlin, Adelson
- SB 356** - Wyrick, Lerblance, Ford
- SB 554** - Gumm, Laster, Morgan, Coates, Cain, Coffee, Pruitt, Corn
- SB 575** - Lerblance, Gumm, Laster, Crain
- SB 621** - Riley, Leftwich, Aldridge, Corn, Fisher
- SB 635** - Fisher, GCCA
- SB 640** - Shurden, Lawler, Nichols
- SB 673** - Gumm, Leftwich, Garrison, Coates, Crain
- SB 698** - Fisher, Taylor, Nichols
- SB 722** - Bass, Leftwich, Laster, Anderson

SB 726 - Eason McIntyre, Corn, Monson, Lerblance, Brogdon, Mazzei
SB 727 - Bass, Laster, Leftwich, Anderson
SB 777 - Barrington, Bass, Williamson, Fisher, Gumm
SB 880 - Morgan, GCCA
SB 929 - Corn, Leftwich, Capps, Myers, Coates
SB 982 - Morgan, GCCA
SJR 13 - Rabon, Laster, Shurden, Coates, Laughlin
HB 1807 - Laster, Hobson, Nichols
HB 1908 - Crain, Laster, Cain, Williamson, Lerblance

FIRST READING

The following was introduced and read for the first time:

HJR 1031 – By Morgan (Fred).

A Joint Resolution relating to permanent rules of the State Board of Examiners in Optometry; amending proposed OAC 505:10-5-17; directing distribution; suspending permanent rule; and declaring an emergency.

RESOLUTIONS

The following were introduced and read:

HCR 1034 – By Covey, Roan and Smithson of the House and Kerr of the Senate.

A Concurrent Resolution commending Trooper Dale Beaty as 2004 Highway Users Federation Humanitarian Award recipient; and directing distribution.

HR 1042 – By Rousselot.

A Resolution recognizing the importance of the McClellan-Kerr Arkansas River Navigation System; expressing support for the U.S. Army Corps of Engineers' proposed project; memorializing the United States Congress to support the U.S. Army Corps of Engineers' proposed project; and directing distribution.

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1550

HB 1584

HB 1606

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 16, 2005, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 10:45 a.m., to reconvene Monday, May 16, 2005, at 1:30 p.m.