

HOUSE JOURNAL

Second Regular Session of the Fiftieth Legislature

of the State of Oklahoma

Fifty-first Legislative Day, Wednesday, May 3, 2006

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

The roll was called with 98 Members present.

The following Members were excused: Gilbert, Hastings, Nance.—3.

The Speaker Pro Tempore declared a quorum present.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2125, 2147, 2355, 2366, 2425, 2480, 2598, 2603 and 2646 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1105, 1107 and 1109 were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 1037, 1296, 1491 and 1707**.

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 806, 1467, 1594** and **1756** and the passage of said measures, as amended thereby.

Returning enrolled measures

Announcing that Enrolled **HBs 2125, 2147, 2355, 2366, 2425, 2480, 2598, 2603** and **2646** 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 2411** were called up for consideration.

Upon motion of Representative Adkins, the House concurred in the **SAs** to **HB 2411**.

HB 2411, 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, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, 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, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Nations, Newport, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--91.

Excused: Covey, Gilbert, Hastings, Lindley, McPeak, Morrisette, Nance, Perry, Roggow, Young.--10.

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 2513 were called up for consideration.

Representative Terrill moved adoption of the **SAs to HB 2513**, which motion prevailed upon a division of the question.

HB 2513, 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: Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Dank, DePue, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Liotta, Martin, 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, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--83.

Nay: Brown, Cox, Denney, Deutschendorf, Hamilton, Harrison, Mass, Miller (Ray), Shelton, Staggs, Toure.--11.

Excused: Adkins, Gilbert, Hastings, Lindley, Nance, Roggow, Young.--7.

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 2561 were called up for consideration.

Upon motion of Representative Peters, the House concurred in the **SAs to HB 2561**.

HB 2561, 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: Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, 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, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), 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, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Adkins, Gilbert, Hastings, Lindley, Nance, Young.--6.

The measure passed.

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

Speaker Hiatt Presiding

PENDING CONSIDERATION OF SAs

SAs to HB 2592 were called up for consideration.

Upon motion of Representative Peters, the House concurred in the **SAs to HB 2592**.

HB 2592, 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: Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, 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, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), 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, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Adkins, Gilbert, Hastings, Lindley, Nance, Wilt, Young.--7.

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 2621 were called up for consideration.

Coauthored by Representative(s) Turner, Covey

Representative Wright raised a point of order whether the **SAs to HB 2621** were germane.

The Presiding Officer ruled the point not well taken and the **SAs to HB 2621** germane.

Upon motion of Representative Walker, the House concurred in the **SAs to HB 2621**.

HB 2621, 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, Case, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kiesel, Lamons, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wilt, Winchester, Mr. Speaker.--86.

Nay: Cargill, Coody, Hamilton, Kern, Miller (Ken), Reynolds, Wesselhoft, Worthen, Wright.--9.

Excused: Gilbert, Hastings, Liebmann, Nance, Roggow, Young.--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 2660 were called up for consideration.

Upon motion of Representative Roan, the House concurred in the **SAs to HB 2660**.

HB 2660, 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, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Harrison, 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, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--93.

Nay: Hamilton, Shelton, Shumate, Toure.--4.

Excused: Gilbert, Hastings, Nance, Young.--4.

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 2895 were called up for consideration.

Upon motion of Representative McMullen, the House concurred in the **SAs to HB 2895**.

HB 2895, 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, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, 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, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), 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, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--97.

Excused: Gilbert, Hastings, Nance, Young.--4.

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

SCR 46 was called up for consideration.

Upon motion of Representative Hyman, **SCR 46** was considered and adopted.

SCR 46 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF SAs

SAs to HBs 2905 and 2909 were rejected upon motion of Representative Peterson (Ron). Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2699 were rejected upon motion of Representative Johnson. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2762 were rejected upon motion of Representative Perry. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2982 were rejected upon motion of Representative Jett. Conferees to be named later.

RESOLUTIONS

The following were introduced and read:

HCR 1065 – By Hilliard of the House and Crutchfield of the Senate.
A Concurrent Resolution recognizing the Chickasaw National Recreation Area, Historic Platt National Park Centennial Celebration; and directing distribution.

HR 1111 – By Shumate.

A Resolution declaring May 2006 as Stroke Awareness Month in Oklahoma; and directing distribution.

HR 1112 – By Balkman, Hiatt, Perry, Johnson, Peterson (Pam), Martin, Coody, Miller (Doug), Case, Cooksey, Kern, Cox, DeWitt, Denney, Jones, Tibbs, Reynolds, Banz, Dank, Liebmann, Terrill, DePue, Morgan (Fred), Peters, Newport, Worthen, Miller (Ken) and Bingman.

A Resolution encouraging the singing of the National Anthem in English to promote unity for all citizens and future citizens of the United States.

MESSAGES FROM THE SENATE

Advising conference granted on **HB 2083** and the Senate naming conferees later.

Conference requested

Advising rejection of **HAs to SBs 1167, 1337, 1346, 1394, 1426, 1435, 1492, 1493, 1496, 1497, 1581, 1606, 1655, 1686, 1816, 1910 and 1942** and requesting conference thereon, the Senate naming conferees later.

Conferees named

Advising naming Senate conferees as follows:

SB 1286 - Crutchfield, Corn, Paddack, Nichols, Wilcoxson

SB 1495 - Corn, Lamb, Leftwich

SB 1793 - Justice, Corn, Leftwich, Laster, Lerblance, Cain, Taylor, Barrington, Lamb, Nichols, Reynolds

HB 1580 - Crutchfield, Laster, Crain

HB 2097 - Paddack, Crutchfield, Wilcoxson

HB 2367 - Branan, Paddack, Taylor, Crutchfield, Wilcoxson

HB 2421 - Fisher, Garrison, Laughlin

HB 2454 - Crain, Laster, Lerblance

HB 2485 - Laster, Cain, Shurden, Garrison, Justice, Coates

HB 2487 - Barrington, Wyrick, Corn, Laster, Lamb

HB 2490 - Coffee, Laster, Lerblance

HB 2517 - Fisher, Leftwich, Coates

HB 2529 - Lawler, Corn, Leftwich, Laster, Lerblance, Cain, Taylor, Barrington, Lamb, Nichols, Reynolds

HB 2559 - Crain, Laster, Cain

HB 2565 - Eason McIntyre, Lerblance, Mazzei, Aldridge, Corn, Hobson

HB 2585 - Wyrick, Corn, Shurden, Barrington, Cain, Coates

HB 2587 - Brogdon, Hobson, Taylor, Bass, Fisher, Riley

HB 2588 - Myers, Corn, Eason McIntyre, Laughlin, Jolley, Gumm, Capps

HB 2594 - Aldridge, Wyrick, Leftwich, Barrington, Gumm, Shurden
HB 2597 - Leftwich, Coates, Wilson
HB 2604 - Shurden, Lerblance, Cain, Fisher, Morgan, Hobson, Crain, Mazzei
HB 2611 - Garrison, Corn, Reynolds
HB 2612 - Branan, Garrison, Hobson, Taylor, Nichols, Crutchfield
HB 2662 - Corn, Laster, Bass, Riley, Crain, Rabon
HB 2691 - Lamb, Lerblance, Easley
HB 2749 - Coffee, Gumm, Adelson
HB 2771 - Corn, Wyrick, Barrington, Cain, Hobson, Taylor
HB 2788 - Gumm, Lerblance, Easley, Williamson
HB 2794 - Coffee, Leftwich, Coates, Taylor, Fisher, Morgan
HB 2929 - Shurden, Lawler, Wilson, Ford, Hobson, Fisher
HB 2983 - Garrison, Paddack, Taylor, Wilcoxson
HB 3009 - Crain, Leftwich, Coates, Taylor, Fisher, Morgan

Advising naming Senate conferees as follows:

HB 1268 - GCCA
HB 1539 - GCCA
HB 1558 - GCCA
HB 1967 - GCCA
HB 2165 - GCCA
HB 2516 - GCCA
HB 2552 - GCCA
HB 2554 - GCCA
HB 2589 - GCCA
HB 2653 - Fisher, GCCA
HB 2655 - GCCA
HB 2882 - GCCA
HB 2844 - GCCA
HB 2906 - GCCA
HB 2955 - GCCA
HB 2960 - GCCA
HB 2999 - GCCA
HB 3115 - GCCA
HJR 1010 - GCCA
HJR 1042 - Fisher, GCCA

Conferees changed

Changing Senate conferees as follows:

HB 2517 - Remove Coates, add Crain, Riley, Adelson

GCCA named

President Pro Tempore Morgan announced the appointment of the following Senators as conferees on the General Conference Committee on Appropriations and GCCA Subcommittees:

GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS

Crutchfield, Chair

Rabon, Vice Chair

Adelson	Jolley
Aldridge	Justice
Anderson	Lamb
Barrington	Laster
Bass	Laughlin
Branan	Lawler
Brogdon	Leftwich
Cain	Lerblance
Capps	Mazzei
Coates	Myers
Corn	Nichols
Crain	Paddack
Easley	Pruitt
Eason McIntyre	Reynolds
Ford	Riley
Garrison	Shurden
Gumm	Taylor
Harrison	Wilcoxson
Hobson	Williamson
Johnson (Constance)	Wilson
Johnson (Mike)	Wyrick

GCCA SUBCOMMITTEES

Senator Crutchfield and Senator Rabon are ex officio members of all subcommittees.

EDUCATION

Taylor, Chair

Lawler, Vice Chair

Aldridge	Hobson
Bass	Jolley
Brogdon	Paddack
Easley	Wilcoxson
Garrison	Williamson

GENERAL GOVERNMENT and TRANSPORTATION

Shurden, Chair

Gumm, Vice Chair

Capps

Laughlin

Coates

Pruitt

**HEALTH and
SOCIAL SERVICES**

Adelson, Chair

Johnson (Constance), Vice Chair

Justice

Riley

HUMAN SERVICES

Cain, Chair

Anderson, Vice Chair

Crain

Eason McIntyre

**NATURAL RESOURCES and
REGULATORY SERVICES**

Rabon, Chair

Bass, Vice Chair

Branan

Mazzei

Ford

Myers

Harrison

Wilson

Johnson (Mike)

Wyrick

PUBLIC SAFETY and JUDICIARY

Corn, Chair

Leftwich, Vice Chair

Barrington

Lerblance

Lamb

Nichols

Laster

Reynolds

The President Pro Tempore and Majority Floor Leader are ex officio and voting members of all Senate committees.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, May 4, 2006, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 2:55 p.m., to reconvene Thursday, May 4, 2006, at 9:00 a.m.