

HOUSE JOURNAL

Second Regular Session of the Fiftieth Legislature

of the State of Oklahoma

Fiftieth Legislative Day, Tuesday, May 2, 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: Billy, Lamons, 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

HR 1102 was 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 **SB 1368**.

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

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 1037, 1296, 1707** and **1491** and the passage of said measures, as amended thereby.

RESOLUTION FOR CONSIDERATION

HR 1105 was called up for consideration.

Coauthored by Representative(s) Brannon, Coody, DePue, Pruett, Smithson, Tibbs

Upon motion of Representative Kern, **HR 1105** was considered and adopted.

HR 1105 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1109 was called up for consideration.

Upon motion of Representative Balkman, **HR 1109** was considered and adopted.

HR 1109 was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to **HB 2125** were called up for consideration.

Upon motion of Representative Wright, the House concurred in the **SAs** to **HB 2125**.

HB 2125, 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, Bingman, Blackburn, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, 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, 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, Pruett, Reynolds, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Excused: Billy, Brown, Hastings, Lamons, Nance, Plunk, Roggow, Shelton.--8.

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 2598 were called up for consideration.

Upon motion of Representative Wright, the House concurred in the **SAs to HB 2598**.

HB 2598, 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, Bingman, Blackburn, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Covey, Cox, Dank, Denney, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Liebmann, Lindley, 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, Pruett, Reynolds, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--89.

Nay: Cooksey, DePue, Duncan.--3.

Excused: Billy, Brown, Hastings, Lamons, Liotta, Nance, Plunk, Roggow, Shelton.--9.

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 2147 were called up for consideration.

Upon motion of Representative Piatt, the House concurred in the **SAs to HB 2147**.

HB 2147, 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, Bingman, Blackburn, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, 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, Liebmann, Lindley, 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, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure,

Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Excused: Billy, Brown, Hastings, Lamons, Liotta, Nance, Roggow, Shelton, Steele.--9.

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 2603 were called up for consideration.

Upon motion of Representative DeWitt, the House concurred in the **SAs to HB 2603**.

HB 2603, 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, Bingman, Blackburn, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, 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, Liebmann, Lindley, 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, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Excused: Billy, Brown, Hastings, Lamons, Liotta, Nance, Roggow, Shelton, Steele.--9.

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 2646 were called up for consideration.

Upon motion of Representative DeWitt, the House concurred in the **SAs to HB 2646**.

HB 2646, 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, 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, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Liebmann, Lindley, 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, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Nay: Blackburn, Toure.--2.

Excused: Billy, Hastings, Lamons, Liotta, Nance, Roggow, Steele.--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 2355 were called up for consideration.

Upon motion of Representative Cooksey, the House concurred in the **SAs to HB 2355**.

HB 2355, 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, Bingman, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, DeWitt, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Liebmann, Martin, McCarter, McDaniel, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Fred), Nations, Newport, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Sullivan, Sweeden, Terrill, Thompson, Trebilcock, Turner, Walker, Wilt, Winchester, Worthen, Mr. Speaker.--76.

Nay: Blackburn, Deutschendorf, Duncan, Eddins, Lindley, Mass, McMullen, Morgan (Danny), Morrisette, Reynolds, Shelton, Tibbs, Toure, Wesselhoft, Wright, Young.--16.

Excused: Billy, Brown, Hastings, Lamons, Liotta, Nance, Perry, Roggow, Steele.--9.

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 2366 were called up for consideration.

Upon motion of Representative Jett, the House concurred in the **SAs to HB 2366**.

HB 2366, 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, Bingman, Blackwell, Braddock, Brannon, Carey, Cargill, Case, Coody, Cox, Denney, DePue, DeWitt, Dorman, Eddins, Ellis, Glenn, Harrison, Hickman, Hyman, Ingmire, Jackson, Jett, Johnson, Kiesel, Liebmann, Martin, Mass, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Nations, Newport, Peters, Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Sullivan, Thompson, Turner, Walker, Winchester, Wright, Mr. Speaker.--62.

Nay: Blackburn, Calvey, Cooksey, Covey, Dank, Deutschendorf, Duncan, Gilbert, Hamilton, Jones, Kern, Lindley, McPeak, Morgan (Fred), Morrissette, Peterson (Pam), Reynolds, Shelton, Smithson, Staggs, Sweeden, Terrill, Tibbs, Toure, Trebilcock, Wesselhoft, Wilt, Worthen, Young.--29.

Excused: Billy, Brown, Hastings, Hilliard, Lamons, Liotta, Nance, Perry, Roggow, Steele.--10.

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 2425 were called up for consideration.

Coauthored by Representative(s) Shoemake, Walker, Roan, Hyman, Hilliard, Staggs

Upon motion of Representative Glenn, the House concurred in the **SAs to HB 2425**.

HB 2425, 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, Banz, Bengé, Bingman, Blackburn, Blackwell, Braddock, Brannon, Carey, Cargill, Case, Coody, Cox, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Liebmann, Lindley, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ray), Morgan (Danny), Morrissette, Nations, Newport, Peters, Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wilt, Winchester, Young, Mr. Speaker.--80.

Nay: Balkman, Calvey, Cooksey, Covey, Dank, Miller (Ken), Morgan (Fred), Peterson (Pam), Reynolds, Trebilcock, Wesselhoft, Worthen, Wright.--13.

Excused: Billy, Brown, Hastings, Lamons, Liotta, Nance, Perry, Roggow.--8.

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 2480 were called up for consideration.

Upon motion of Representative Rousselot, the House concurred in the **SAs to HB 2480**.

HB 2480, 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, Bingman, Blackburn, Braddock, Brannon, Calvey, Carey, Cargill, Case, 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, Liebmann, Lindley, 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, 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.--93.

Excused: Billy, Blackwell, Brown, Hastings, Lamons, Liotta, Nance, Roggow.--8.

The measure passed.

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

MOTION

Representative Sullivan moved that the House stand at ease until 1:30 p.m., which was the order.

Speaker Hiatt Presiding

RESOLUTION FOR CONSIDERATION

HR 1107 was called up for consideration.

Upon unanimous consent request of Representative Calvey, all Members of the House were added as coauthors.

Upon motion of Representative Calvey, **HR 1107** was considered and adopted.

HR 1107 was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2453 were rejected upon motion of Representative Banz. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2068 were rejected upon motion of Representative Martin. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 1231 and 2514 were rejected upon motion of Representative Young. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HBs 2935** and **2940** and **HJR 1057** were rejected upon motion of Representative Liotta. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2609** were rejected upon motion of Representative Case. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1493** were rejected upon motion of Representative Morgan (Fred). Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2577** were rejected upon motion of Representative Jones. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2379** were rejected upon motion of Representative Wilt. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2980** were rejected upon motion of Representative Jett. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HBs 1646** and **2656** were rejected upon motion of Representative Sullivan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HBs 2412** and **2708** were rejected upon motion of Representative Jackson. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 2840 and 2842 were rejected upon motion of Representative Steele. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2083 were rejected upon motion of Representative Liebmann. Conferees to be named later.

MOTION

Upon unanimous consent request of Representative Turner, House Rule 4.4(d) was suspended for "Bob Wills Day," Wednesday, May 3, 2006.

CONFEREES NAMED

The Speaker named the following conferees:

HB 2165 – GCCA
HB 2516 – Young, GCCA
HB 2552 – DePue, GCCA
HB 2653 – Winchester, GCCA
HJR 1042 – Winchester, GCCA

CONFERENCE GRANTED

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

SB 1601 - GCCA

MESSAGES FROM THE SENATE

Advising conference granted on HBs 1231, 1493, 1646, 1672, 1757, 2068, 2072, 2077, 2121, 2157, 2357, 2373, 2379, 2412, 2453, 2470, 2514, 2538, 2577, 2578, 2608, 2609, 2619, 2628, 2649, 2656, 2704, 2708, 2755, 2810, 2812, 2813, 2819, 2840, 2842, 2845, 2867, 2935, 2940, 2958, 2980, 2986, 3011, 3012, 3037, 3079 and 3084 and HJR 1057 and the Senate conferees to be named later.

Conference requested

Advising rejection of HAs to SBs **365, 511, 558, 559, 1030, 1040, 1056, 1286, 1312, 1400, 1463, 1500, 1503, 1537, 1587, 1597, 1614, 1644, 1663, 1701, 1737, 1772, 1792, 1799, 1894, 1915, 1934, 1965** and **2019** and requesting conference thereon, the Senate naming conferees later.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, May 3, 2006, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 2:00 p.m., to reconvene Wednesday, May 3, 2006, at 1:30 p.m.