

HOUSE JOURNAL

First Regular Session of the Fifty-first Legislature

of the State of Oklahoma

Forty-sixth Legislative Day, Saturday, April 21, 2007

The House was called to order by Speaker Cargill.

The roll was called with 97 Members present.

The following Members were excused: Cox, Johnson (Dennis), Reynolds, Turner.—4.

The Speaker declared a quorum present.

Prayer was offered by Reverend Steve Lance, Noble Assembly of God Church, Noble. Reverend Lance was sponsored this legislative day by Representative Martin (Scott).

Upon motion of Representative Thompson, Reverend Lance was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 47, 410, 455, 553, 560, 620, 738, 829, 848, 896 and 909 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

MOTION

Upon motion of Representative Piatt, the House was declared at ease until 10:00 a.m.

Speaker Cargill Presiding**GENERAL ORDER**

SB 1104 by Mazzei et al of the Senate and Jones of the House was read and considered.

Coauthored by Representative(s) Dorman, Sherrer, Shumate, Kern, Terrill

Representative Jones moved that **SB 1104** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1104 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Sherrer, Shumate, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Winchester, Worthen, Wright, Mr. Speaker.--84.

Nay: Hamilton, Lindley, McAffrey.--3.

Excused: Adkins, Cox, Dank, Johnson (Dennis), Jordan, Pruett, Reynolds, Shannon, Shelton, Shoemake, Smithson, Thompson, Turner, Wesselhoft.--14.

The measure passed.

SB 1104 was referred for engrossment.

GENERAL ORDER

SB 145 by Crain of the Senate and Sullivan et al of the House was read and considered.

Coauthored by Representative(s) Smithson

Representative Sullivan moved that **SB 145** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 145 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Bengé, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiell, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruet, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--89.

Nay: Gilbert, Lindley, McAffrey, McPeak, Pittman, Shelton.--6.

Excused: Cox, Dank, Johnson (Dennis), Reynolds, Shannon, Turner.--6.

The measure passed.

SB 145 was referred for engrossment.

MOTION

Representative Jordan asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 1104**, which was the order.

MOTION

Representative Shannon asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 1104**, which was the order.

MOTION

Representative Dank asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SBs 145** and **1104**, which was the order.

GENERAL ORDER

SB 379 by Ballenger of the Senate and Rousselot of the House was read and considered.

Coauthored by Representative(s) Luttrell

Representative Rousselot moved that **SB 379** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 379 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Bengé, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Cox, Johnson (Dennis), Martin (Scott), Reynolds, Turner.--5.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 379** and ordered same returned to the Honorable Senate.

MOTION

Representative Tibbs asked that the Journal reflect that had she been present in the Chamber, she would have voted aye on **SB 1104**, which was the order.

GENERAL ORDER

SB 464 by Johnson (Constance) et al of the Senate and Key of the House was read and considered.

Coauthored by Representative(s) Gilbert, Terrill, Kern

Representative Key moved that **SB 464** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 464 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Bengé, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--97.

Excused: Cox, Johnson (Dennis), Reynolds, Turner.--4.

The measure passed.

SB 464 was referred for engrossment.

MOTION

Representative Martin (Scott) asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 379**, which was the order.

PENDING CONSIDERATION OF SAs

SAs to HBs 1412 and 1631 were rejected upon motion of Representative Joyner. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1513 were rejected upon motion of Representative DeWitt. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1485 were rejected upon motion of Representative Adkins. Conferees to be named later.

GENERAL ORDER

SB 517 by Wilson of the Senate and McNiel of the House was read and considered.

Representative McNiel moved that **SB 517** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 517 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Mr. Speaker.--95.

Nay: Wright.--1.

Excused: Bengé, Cox, Johnson (Dennis), Reynolds, Turner.--5.

The measure passed.

SB 517 was referred for engrossment.

GENERAL ORDER

SB 470 by Wilson of the Senate and Piatt et al of the House was read and considered.

Representative Piatt moved that **SB 470** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 470 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Covey, Cox, Johnson (Dennis), Reynolds, Turner.--5.

The measure and emergency passed.

SB 470 was referred for engrossment.

GENERAL ORDER

SB 674 by Nichols et al of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Harrison, Renegar

Representative Armes moved that **SB 674** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 674 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan,

Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Cox, Johnson (Dennis), Reynolds, Turner.--4.

Constitutional Priv: Lamons.--1.

The measure and emergency passed.

SB 674 was referred for engrossment.

GENERAL ORDER

SB 777 by Leftwich of the Senate and Terrill et al of the House was read and considered.

Representative Terrill moved that **SB 777** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 777 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Nay: Brown.--1.

Excused: Cox, Johnson (Dennis), Reynolds, Turner.--4.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 777** and ordered same returned to the Honorable Senate.

Speaker Pro Tempore Blackwell Presiding

GENERAL ORDER

SB 430 by Jolley of the Senate and Cargill of the House was read and considered.

Coauthored by Representative(s) Faught, McDaniel (Randy)

Representative Peterson (Ron) moved to amend **SB 430**, by deleting all language and numbers after the word “of” on Page 2, Line 4 and through the period “.” following the word “designee” on Page 2, Line 24 and inserting in lieu thereof the following language:

“fourteen (14) members, as follows:

1. Six members to be appointed by the President Pro Tempore of the Senate as follows:
 - a. Two members of the Senate,
 - b. One member to represent the Oklahoma Municipal League,
 - c. One member to represent a rural electric cooperative in Oklahoma,
 - d. One member to represent the railroad industry in Oklahoma, and
 - e. One member to represent the interstate pipeline industry in Oklahoma;
2. Six members to be appointed by the Speaker of the House of Representatives as follows:
 - a. Two members of the House of Representatives
 - b. One member who is an attorney and who represents persons who own property and reside in Oklahoma,
 - c. One member to represent the Association of County Commissioners of Oklahoma,
 - d. One member to represent a public utility, and
 - e. One member to represent persons who own agricultural or rural property in Oklahoma;
3. One member to be appointed by the Governor to represent the State Chamber of Commerce; and
4. The Director of Transportation or designee.”,

which amendment was declared adopted.

Representative Peterson (Ron) moved that **SB 430** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 430 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--94.

Nay: Carey, Sherrer.--2.

Excused: Cox, Johnson (Dennis), Reynolds, Shelton, Turner.--5.

The measure and emergency passed.

SB 430 was referred for engrossment.

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Monday, April 23, 2007, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 11:55 a.m., to reconvene Monday, April 23, 2007, at 10:00 a.m.