

# HOUSE JOURNAL

## First Regular Session of the Fifty-first Legislature of the State of Oklahoma

**Fifty-fourth Legislative Day, Monday, May 7, 2007**

The House was called to order by Representative Armes.

The roll was called with 101 Members present.

Representative Armes declared a quorum present.

Prayer was offered by Reverend David Grothe, President, Grothe Ministries, Tulsa. Reverend Grothe was sponsored this legislative week by Representative Peterson (Pam).

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

The Journal for the last legislative day was approved.

### ENGROSSED AND ENROLLED MEASURES

**HB 1090** was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HRs 1022** and **1025** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

### MESSAGES FROM THE SENATE

Announcing that Enrolled **HB 1090** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

**Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 102, 455 and 922**.

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

**MOTION**

Representative Piatt moved to suspend House Rule 4.4(h), which motion failed of adoption upon roll call as follows:

Aye: Adkins, Armes, Banz, Benge, Billy, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Duncan, Ellis, Faught, Glenn, Hamilton, Hickman, Hyman, Ingmire, Jett, Jordan, Joyner, Kern, Key, Kiesel, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McMullen, McNiell, Miller, Morrissette, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Sears, Shannon, Shelton, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Winchester, Worthen, Mr. Speaker.--62.

Nay: BigHorse, Braddock, Brown, Collins, Derby, Enns, Gilbert, Harrison, Hilliard, Hoskin, Inman, Johnson (Dennis), Johnson (Rob), Lamons, Lindley, McCarter, Murphey, Nations, Schwartz, Sherrer, Wright.--21.

Excused: Auffet, Blackwell, Brannon, Cannaday, Carey, Covey, Cox, Jackson, Jones, McDaniel (Jeannie), McPeak, Morgan, Proctor, Shumate, Steele, Turner, Walker, Wesselhoft.--18.

**PENDING CONSIDERATION OF SAs**

**SAs to HCR 1010** were called up for consideration.

Coauthored by Representative(s) Reynolds

Upon motion of Representative Peterson (Ron), the House concurred in the **SAs to HCR 1010**.

**HCR 1010**, as amended by the Honorable Senate, was considered and adopted.

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

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1686** were called up for consideration.

Coauthored by Representative(s) McAffrey, Lindley

Upon motion of Representative Nations, the House concurred in the **SAs to HB 1686**.

**HB 1686**, 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: Banz, BigHorse, Billy, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Jones, Jordan, Joyner, Kern, Kiesel, Lamons, Liebmann, Lindley, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Tibbs, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--80.

Nay: Adkins, Armes, Auffet, Braddock, Covey, Derby, Dorman, Glenn, Hickman, Johnson (Rob), Key, Luttrell, Murphey, Reynolds, Schwartz, Shannon, Thomsen, Trebilcock, Worthen.--19.

Excused: Benge, Blackwell.--2.

The measure passed.

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

**RESOLUTION FOR CONSIDERATION**

**SCR 22** was called up for consideration.

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

Upon motion of Representative Brown, **SCR 22** was considered and adopted.

**SCR 22** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**RECONSIDERATION**

Representative Adkins moved to reconsider the vote whereby the emergency failed on **HB 1960**, which motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Banz, Benge, Braddock, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Hickman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruett, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--69.

Nay: BigHorse, Brannon, Brown, Cannaday, Carey, Collins, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Kiesel, Lindley, McAffrey, McDaniel (Jeannie), McMullen, Morrissette, Pittman, Renegar, Shelton, Smithson, Turner.--24.

Excused: Auffet, Billy, Blackwell, Covey, Peters, Sherrer, Shoemake, Worthen.--8.

The roll was called on the emergency as follows:

Aye: Adkins, Armes, Banz, Benge, BigHorse, Braddock, Cannaday, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Hickman, Hoskin, Ingmire, Inman, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--72.

Nay: Brown, Carey, Collins, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Lindley, McAffrey, McMullen, Morrissette, Sherrer, Smithson, Turner.--16.

Excused: Auffet, Billy, Blackwell, Brannon, Covey, Denney, Jett, Kern, Key, Pittman, Shannon, Shelton, Worthen.--13.

The emergency passed.

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

## **MESSAGES FROM THE GOVERNOR**

Advising of his approval of **HBs 1064, 1086, 1184, 1318, 1596, 1742 and 2111** on May 4, 2007.

Advising of his approval of **HBs 1084, 1399, 1432, 1443, 1682, 1708 and 2064** on May 7, 2007.

## **RESOLUTIONS**

The following were introduced and read:

**HCR 1036** – By Liebmann of the House and Laster of the Senate.

A Concurrent Resolution designating May 8, 2007, “Water Day” at State Capitol; acknowledging 50th birthday of Oklahoma Water Resources Board; and directing distribution.

**HR 1033** – By Enns.

A Resolution commending President George W. Bush and members of Congress for efforts to derive stem cells by nondestructive means; expressing appreciation for President’s leadership; and directing distribution.

**HR 1034** – By Ellis.

A Resolution expressing confidence in the Oklahoma Attorney General; encouraging him to defend water resources; and directing distribution.

**HR 1035** – By Walker.

A Resolution commending Trooper Shawn Laughlin as the 2006 Highway Users Federation Heroism Award recipient; and directing distribution.

**HR 1036** – By Faught.

A Resolution commending Trooper Tom Taylor as the 2006 Highway Users Federation Humanitarianism Award recipient; and directing distribution.

## **MESSAGES FROM THE SENATE**

Advising Senate naming GCCA as conferees on the following: **SBs 107, 424, 623, 725, 751, 780, 820 and 853.**

### **Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 35** – By Easley, Morgan, Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (Constance), Johnson (Mike), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei,

Myers, Nichols, Paddock, Rabon, Reynolds, Rice, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick of the Senate and Rousset of the House.

A Concurrent Resolution honoring Bill Secrest; designating May 8, 2007, "Bill Secrest Day" at the Oklahoma State Capitol; and directing distribution.

### **Concurrence in HAs**

Announcing the concurrence of Senate in **HAs** to **SBs 563** and **691** and the passage of said measures, as amended thereby.

### **Conference requested**

Advising rejection of **HAs** to Engrossed **SBs 72, 371, 376, 654, 790** and **1078** and requesting conference thereon, the Senate naming conferees later.

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, May 8, 2007, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 2:30 p.m., to reconvene Tuesday, May 8, 2007, at 9:00 a.m.