

HOUSE JOURNAL

First Regular Session of the Fifty-first Legislature

of the State of Oklahoma

Fifty-seventh Legislative Day, Thursday, May 10, 2007

The House was called to order by Speaker Cargill.

The roll was called with 98 Members present.

The following Members were excused: Dank, Shumate, Wesselhoft.—3.

The Speaker declared a quorum present.

Prayer was offered by Reverend David Grothe, President, Grothe Ministries, Tulsa.

The Journal for the last legislative day was approved.

REMARKS

Upon unanimous consent request of Representative Peterson (Pam), the remarks of Reverend Grothe were ordered printed in full as follows:

“Thank you Mr. Speaker, and distinguished Members of the House of Representatives. I want to especially thank Representative Pam Peterson for extending the invitation for me to serve as chaplain this week. It’s been good to see a few friends that are serving here, and it’s been a privilege to make several new friends this week.

Several weeks ago, as I began to pray about this week here in the House, I was drawn to a passage in the Old Testament book of Micah, Chapter Six and Verse Eight. There the prophet exhorts us with these words:

“He has shown you, O man, what is good.

And what does the LORD require of you?

To act justly and to love mercy

and to walk humbly with your God.” (Micah 6:8)

God has made his wishes clear: He wants his people to be just, merciful and to walk humbly with Him.

In our efforts to follow God, we must examine these areas on a regular basis. Are we fair in our dealings with people? Do we show mercy to those we deal with? Are we learning humility?

I've found that the scripture teaches humility two ways: we either humble ourselves, or we will indeed be humbled...sometimes humiliated. I would suggest that humbling ourselves is the preferred route to humility. 2 Chronicles 7:14 tells us that "as we humble ourselves and pray and seek His face and turn from our wicked ways, God will hear from Heaven, forgive our sins and heal our land." We need forgiveness and healing now, more than ever.

As we acknowledge **HR 1037** and recognize this week as "Christian Heritage Week", we look to our Founding Fathers for some ideas and statements about character and actions as it applies to good government.

Benjamin Franklin, Signer of the *Constitution and Declaration of Independence*, was quoted as saying:

'Only a virtuous people are capable of freedom.'

(Source: Benjamin Franklin, *The Writings of Benjamin Franklin*, Jared Sparks, editor (Boston: Tappan, Whittemore and Mason, 1840), Vol. X, p. 297, April 17, 1787.)

I believe that God's Word calls us to a higher standard....we are called to be people of virtue and morality.

George Washington, called the '*Father of Our Country*' said this:

While just government protects all in their religious rights, true religion affords to government its surest support.

(Source: George Washington, *The Writings of George Washington*, John C. Fitzpatrick, editor (Washington, D.C.: U.S. Government Printing Office, 1932), Vol. XXX, p. 432 n., from his address to the Synod of the Dutch Reformed Church in North America, October 9, 1789.)

So much of the style of politics in our world today is based on image, press releases, sound bites and public persona.

The state of Oklahoma doesn't need leaders with just public image and great charisma; we need leaders with great character.

Thomas Jefferson, Signer of the *Declaration of Independence and Third President of the United States*, said this about character:

'Give up money, give up fame, give up science, give the earth itself and all it contains rather than do an immoral act. And never suppose that in any possible situation, or under any circumstances, it is best for you to do a dishonorable thing, however slightly so it may appear to you. Whenever you are to do a thing, though it can never be known but to yourself, ask yourself how you would act were all the world looking at you, and act accordingly. Encourage all your virtuous dispositions, and exercise them whenever an opportunity arises, being assured that they will gain strength by exercise, as a limb of the body does, and that exercise will make them habitual. From the practice of the purest virtue, you may be assured you will derive the most sublime comforts in every moment of life, and in the moment of death.'

(Source: Thomas Jefferson, *The Writings of Thomas Jefferson*, Albert Bergh, editor (Washington, DC: Thomas Jefferson Memorial Assoc., 1903), Vol. 5, pp. 82-83, in a letter to his nephew Peter Carr on August 19, 1785.)

John Adams, Signer of the *Declaration of Independence and Second President of the United States*, said:

‘It is religion and morality alone which can establish the principles upon which freedom can securely stand. The only foundation of a free constitution is pure virtue.’

(Source: John Adams, *The Works of John Adams, Second President of the United States*, Charles Francis Adams, editor (Boston: Little, Brown, 1854), Vol. IX, p. 401, to Zabdiel Adams on June 21, 1776.)

Our Oklahoma Constitution begins with these words: ‘Invoking the guidance of Almighty God, in order to secure and perpetuate the blessing of liberty; **to secure just and rightful government**; to promote our mutual welfare and happiness, we, the people of the State of Oklahoma, do ordain and establish this Constitution.’

So, to secure just and rightful government as our constitution mandates..., we refer back to the passage in Micah 6:8:

‘...what does the LORD require of you? To act justly and to love mercy and to walk humbly with your God.’ (Micah 6:8)

Ladies and Gentlemen, exceptional leaders of the House of Representatives, Mr. Speaker, once again I thank you for allowing me to be with you this week. May God bless you.”

ENGROSSED AND ENROLLED MEASURES

HCR 1027 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1015 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1027 and **1038** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HCR 1015** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 69, 119, 410, 485, 747, 787, 796** and **1130**.

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

SECOND READING

The following was read for the second time and referred to committee:

HJR 1046 – Direct To Calendar

RESOLUTION FOR CONSIDERATION

HR 1035 was called up for consideration.

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

Upon motion of Representative Walker, **HR 1035** was considered and adopted.

HR 1035 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1036 was called up for consideration.

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

Upon motion of Representative Faught, **HR 1036** was considered and adopted.

HR 1036 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1040 was called up for consideration.

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

Upon motion of Representative Blackwell, **HR 1040** was considered and adopted.

HR 1040 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1029 was called up for consideration.

Upon motion of Representative Morgan, **HR 1029** was considered and adopted.

HR 1029 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HCR 1033 was called up for consideration.

Upon motion of Representative Smithson, **HCR 1033** was considered and adopted.

HCR 1033 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1037 was called up for consideration.

Upon unanimous consent request of Representative Peterson (Pam), all Members of the House were added as coauthors.

Upon motion of Representative Peterson (Pam), **HR 1037** was considered and adopted.

HR 1037 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

SCR 17 was called up for consideration.

Upon motion of Representative Terrill, **SCR 17** was considered and adopted.

SCR 17 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1094 – Piatt, Terrill, Hyman, Braddock, Lindley, Benge, Miller

HB 1282 – Duncan, Sullivan, Ingmire, Kiesel, Harrison, Johnson (Rob)

HB 1601 – Hickman, Brannon, Cannaday, Carey, Coody, Jones, Sears, Thomsen,
Nations

HB 1714 – Wesselhoft, Cannaday, Murphey, McDaniel (Randy), Duncan, Nations

HB 1816 – Dank, Watson, Faught, Smithson, Duncan, Johnson (Rob), Blackwell, Braddock

HB 1819 – Martin (Scott), Liebmann, Thompson, Key, Pruett, Braddock, Ellis, Johnson (Rob)

CONFERENCE GRANTED

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

SB 136 – Hyman, Adkins, Cooksey, Nations, Ellis, Brannon, Miller, Johnson (Rob), Jackson, Watson

SB 371 – Joyner, Martin (Scott), Faught, McCullough, Luttrell, Rousselot, Duncan, Johnson (Rob)

SB 407 – Jackson, Johnson (Rob), Adkins, Ellis, Lindley

SB 486 – Schwartz, Bengé, Miller, Terrill, Shumate, Shoemake

SB 654 – Thompson, Martin (Steve), Peterson (Ron), Faught, Cooksey, Jackson, Pruett, Nations, Shoemake, Johnson (Rob), Piatt, Blackwell, Braddock, Hyman

SB 738 – Blackwell, Cox, Schwartz, Glenn, McDaniel (Jeannie)

SB 905 – Duncan, Joyner, Sullivan, Rousselot, Roan, Johnson (Rob)

SB 925 – Miller, Coody, McCarter, Nations, Bengé

SB 1032 – Adkins, Johnson (Rob), Cox, Peterson (Ron), Shumate, Gilbert, Armes

SB 1054 – Peters, Denney, Ingmire, Winchester, McDaniel (Jeannie), Nations, Blackwell

SB 1078 – Worthen, Peters, McCullough, Enns, McDaniel (Jeannie), Hilliard, Johnson (Rob), Covey, Shoemake

MESSAGES FROM THE SENATE

Announcing the concurrence of Senate in **HAs** to **SBs 533, 678, 695, 833, 990** and **1076** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** to **SBs 47** and **447** and requesting conference thereon, the Senate naming conferees later.

Conferees named

Advising naming Senate conferees as follows:

SB 45 - Coates, Brogdon, Laughlin, Rice, Leftwich, Wyrick

SB 47 - Crain, Nichols, Laughlin, Rice, Crutchfield, Lerblance

SB 86 - Myers, Branan, Laughlin, Rabon, Burrage, Ivester

SB 136 - Crutchfield, Gumm, Lerblance, Bingman, Myers, Laughlin
SB 371 - Aldridge, Sykes, Laughlin, Johnson (Constance), Corn, Lerblance
SB 486 - Lamb, Wilcoxson, Laughlin, Rice, Gumm, Adelson
SB 517 - Wilson, Wyrick, Ivester, Bingman, Branan, Laughlin
SB 553 - Sparks, Lerblance, Laster, Williamson, Crain, Laughlin
SB 610 - Barrington, Brown, Laughlin, Ballenger, Easley, Garrison
SB 612 - Coates, Sykes, Laughlin, Johnson (Constance), Eason McIntyre, Rice
SB 654 - Branan, Coates, Laughlin, Rabon, Leftwich, Ivester
SB 658 - Rice, Ivester, Sweeden, Aldridge, Bingman, Laughlin
SB 665 - Nichols, Williamson, Laughlin, Lerblance, Bass, Johnson (Constance)
SB 738 - Morgan, Rice, Wilson, Lamb, Crain, Laughlin
SB 790 - Leftwich, Lerblance, Eason McIntyre, Williamson, Anderson, Laughlin
SB 809 - Leftwich, Sweeden, Johnson (Constance), Coates, Myers, Laughlin
SB 943 - Williamson, Lamb, Laughlin, Lerblance, Laster, Burrage
SB 1021 - Bingman, Aldridge, Laughlin, Sweeden, Laster, Ballenger
SB 1032 - Easley, Leftwich, Burrage, Coates, Brogdon, Laughlin
SB 1038 - Nichols, Wilcoxson, Laughlin, Eason McIntyre, Riley, Gumm
SB 1054 - Williamson, Crain, Laughlin, Wilson, Morgan, Lerblance
SB 1069 - Gumm, Ivester, Sparks, Coates, Brogdon, Laughlin
SB 1078 - Nichols, Schulz, Laughlin, Burrage, Ivester, Sweeden

Advising Senate naming GCCA as conferees on the following: **SBs 72, 98, 115, 138, 376, 407, 447, 523, 546, 659, 710, 736, 905, 920 and 925**

Conferee changed

Advising changing Senate conferees as follows:

HB 1490 - Remove Schulz and add Ford

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 1034 - Wyrick, Gumm, Lerblance, Bingman, Williamson, Laughlin
HB 1284 - Burrage, Lerblance, Morgan, Williamson, Sykes, Laughlin
HB 1375 - Adelson, Ivester, Wilson, Crain, Schulz, Laughlin
HB 1384 - Johnson (Mike), Williamson, Laughlin, Morgan, Lerblance, Laster
HB 1391 - Crutchfield, Lerblance, Gumm, Bingman, Brogdon, Laughlin
HB 1490 - Easley, Wyrick, Lerblance, Williamson, Schulz, Laughlin
HB 1497 - Aldridge, Coates, Laughlin, Rabon, Leftwich, Bass
HB 1650 - Paddack, Corn, Ballenger, Barrington, Bingman, Laughlin
HB 1696 - Coates, Bingman, Laughlin, Gumm, Lerblance, Garrison
HB 1711 - Wilson, Eason McIntyre, Leftwich, Barrington, Jolley, Laughlin

- HB 1714** - Nichols, Sykes, Laughlin, Lerblance, Johnson (Constance), Corn
- HB 1737** - Crain, Brown, Laughlin, Sparks, Ballenger, Leftwich
- HB 1739** - Bingman, Myers, Laughlin, Gumm, Paddack, Crutchfield
- HB 1764** - Laughlin, Bingman, Myers, Gumm, Paddack, Crutchfield
- HB 1771** - Branan, Coates, Laughlin, Leftwich, Rabon, Ivester
- HB 1772** - Coffee, Williamson, Laughlin, Lerblance, Burrage, Ivester
- HB 1818** - Leftwich, Rice, Adelson, Lamb, Anderson, Laughlin
- HB 1868** - Paddack, Ballenger, Leftwich, Barrington, Bingman, Laughlin
- HB 1872** - Garrison, Bass, Morgan, Schulz, Branan, Laughlin
- HB 1895** - Ballenger, Johnson (Constance), Corn, Sykes, Nichols, Laughlin
- HB 1930** - Laster, Morgan, Lerblance, Williamson, Lamb, Laughlin
- HB 1933** - Johnson (Constance), Riley, Burrage, Schulz, Williamson, Laughlin
- HB 1941** - Ivester, Rabon, Crutchfield, Branan, Ford, Laughlin
- HB 1961** - Brown, Aldridge, Laughlin, Laster, Sparks, Morgan
- HB 1963** - Brown, Jolley, Laughlin, Laster, Sparks, Morgan
- HB 2069** - Jolley, Brown, Laughlin, Morgan, Sparks, Laster
- HB 2070** - Mazzei, Brown, Laughlin, Sparks, Corn, Riley

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 14, 2007, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 10:10 a.m., to reconvene Monday, May 14, 2007, at 1:30 p.m.