

HOUSE JOURNAL

Second Regular Session of the Fifty-first Legislature

of the State of Oklahoma

Fifty-fifth Legislative Day, Thursday, May 8, 2008

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

The roll was called with 99 Members present.

The following Members were excused: Cargill, Lamons.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by The Right Reverend Dr. Edward J. Konieczny, The Episcopal Diocese of Oklahoma. The Right Reverend Dr. Konieczny was sponsored by Representative McAffrey.

Upon motion of Representative Thompson, The Right Reverend Dr. Konieczny was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2458, 2547, 2758, 2763 and 2813 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1071 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

MESSAGES FROM THE SENATE

Advising the Senate naming conferees as follows:

SB 483 – Wilcoxson, Reynolds, Laughlin, Laster, Crutchfield, Corn
SB 502 – GCCA
SB 514 – Wilcoxson, Laughlin, Jolley, Laster, Corn, Garrison
SB 519 – Crain, Williamson, Laughlin, Crutchfield, Corn, Rabon
SB 704 – Schulz, Justice, Laughlin, Corn, Wyrick, Garrison
SB 829 – Wilcoxson, Jolley, Laughlin, Crutchfield, Rabon, Riley
SB 1038 – Nichols, Laughlin, Jolley, Morgan, Crutchfield, Paddack
SB 1398 – GCCA
SB 1403 – Anderson, Nichols, Laughlin, Lerblance, Rice, Johnson (Constance)
SB 1714 – GCCA
SB 1807 – GCCA
SB 1960 – Sykes, Laughlin, Lamb, Rice, Leftwich, Crutchfield
SB 1994 – GCCA
SB 2086 – Laughlin, Barrington, Schulz, Ballenger, Rabon, Lerblance
SB 2101 – GCCA
SB 2131 – Coates, Laughlin, Lamb, Crutchfield, Leftwich, Bass

Conference granted, GCCA

Advising conference granted on **HBs** and the Senate naming conferees as follows:

HB 2242 – GCCA
HB 2446 – GCCA
HB 2474 – GCCA
HB 2551 – GCCA
HB 2695 – GCCA
HB 2703 – GCCA
HB 2704 – GCCA
HB 2714 – GCCA
HB 2732 – GCCA
HB 2784 – GCCA
HB 2833 – GCCA
HB 2970 – GCCA
HB 3239 – GCCA
HB 3384 – GCCA
HB 3394 – GCCA

PENDING CONSIDERATION OF SAs

SAs to HB 2819 were called up for consideration.

Upon motion of Representative Sullivan, the House concurred in the **SAs to HB 2819**.

HB 2819, 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, Auffet, Banz, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--91.

Excused: Cargill, Derby, Jett, Key, Kiesel, Lamons, McMullen, McNiel, Shannon, Trebilcock.--10.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

HCR 1081 was called up for consideration.

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

Authored by Senator Bingman (principal Senate author)

Upon motion of Representative McCullough, **HCR 1081** was considered and adopted.

HCR 1081 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1082 was called up for consideration.

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

Authored by Senator Bingman (principal Senate author)

Upon motion of Representative McCullough, **HCR 1082** was considered and adopted.

HCR 1082 was referred for engrossment.

PENDING CONSIDERATION OF CCR

The **2nd CCR** on **HB 1739** was called up for consideration.

Remove as coauthor Representative(s) Shelton, Turner

Upon motion of Representative Johnson (Rob), the **2nd CCR** on **HB 1739** was adopted upon a division of the question.

HB 1739, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Auffet, BigHorse, Billy, Blackwell, Brown, Cannaday, Carey, Collins, Covey, Dank, DeWitt, Dorman, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Inman, Jackson, Jett, Johnson (Rob), Jones, Kiesel, Liebmann, Lindley, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Peters, Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Shelton, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Watson, Winchester, Worthen, Wright, Mr. Speaker.--62.

Nay: Adkins, Banz, Braddock, Brannon, Coody, Cooksey, Cox, Denney, Derby, Duncan, Glenn, Ingmire, Johnson (Dennis), Jordan, Joyner, Kern, Key, Luttrell, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Miller, Murphey, Peterson (Pam), Reynolds, Rousselot, Schwartz, Sears, Shannon, Sherrer, Tibbs, Trebilcock, Turner, Walker, Wesselhoft.--36.

Excused: Cargill, Lamons, McCullough.--3.

The measure passed.

HB 1739, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

HCR 1079 was called up for consideration.

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

Authored by Senator Eason McIntyre (principal Senate author)

Upon motion of Representative Pittman, **HCR 1079** was considered and adopted.

HCR 1079 was referred for engrossment.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 2458, 2547, 2758, 2763** and **2813** 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.

Returning engrossed measure

Announcing the passage of **HJR 1107**.

The above-numbered measure was referred for enrollment.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 906, 1404, 1421, 1451, 1601, 1631, 1640, 1656, 1699, 1881, 2001** and **2143**.

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

Conferees changed

Advising the Senate changing conferees by removing GCCA and naming conferees as follows:

SB 1994 – Nichols, Laughlin, Sykes, Lerblance, Burrage, Corn

Transmitting engrossed measure

Announcing the passage of **SCR 63**.

The above measure was introduced and read.

SCR 63 – By Rice, Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Ivester, Johnson (Constance), Johnson (Mike), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Schulz, Sparks, Sweeden, Sykes, Wilcoxson, Williamson, Wilson and Wyrick of the Senate and McAffrey of the House.

A Concurrent Resolution praising the public service of Charles Nesbitt; offering condolences; and directing distribution.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 1587, 1891, 1980** and **2122** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** to **SB 1580** and requesting conference thereon, the Senate naming conferees later.

Conference granted

Advising conference granted on **HBs** and the Senate naming conferees as follows:

HB 2469 – Garrison, Laster, Burrage, Williamson, Laughlin, Sykes

HB 2580 – Ballenger, Lerblance, Laster, Laughlin, Williamson, Lamb

HB 2587 – Lerblance, Laster, Ivester, Laughlin, Williamson, Lamb

HB 2705 – Laster, Rice, Adelson, Laughlin, Lamb, Coates

HB 2715 – Wilson, Lerblance, Laster, Laughlin, Williamson, Lamb

HB 2726 – Burrage, Lerblance, Laster, Laughlin, Williamson, Crain

Conferees changed

Advising the Senate changing conferees as follows:

SB 1069 – Remove Coffee, Add Myers

Conference granted

Advising conference granted on **HBs** and the Senate naming conferees as follows:

- HB 2215** – Johnson (Constance), Corn, Rabon, Laughlin, Ford, Brogdon
- HB 2583** – GCCA
- HB 2608** – GCCA
- HB 2941** – Sparks, Rice, Adelson, Laughlin, Lamb, Brogdon
- HB 3123** – Garrison, Sweeden, Leftwich, Laughlin, Aldridge, Coates
- HB 3268** – Rabon, Wyrick, Garrison, Ford, Laughlin, Reynolds

Conferees named

Advising the Senate naming conferees as follows:

- SB 70** – Ballenger, Wyrick, Garrison, Justice, Laughlin, Schulz
- SB 926** – Eason McIntyre, Crutchfield, Rabon, Laughlin, Williamson, Wilcoxson
- SB 1091** – Adelson, Morgan, Laster, Coffee, Mazzei, Crain
- SB 1141** – GCCA
- SB 1144** – Sparks, Sweeden, Ballenger, Laughlin, Williamson, Aldridge
- SB 1149** – GCCA
- SB 1156** – GCCA
- SB 1171** – GCCA
- SB 1383** – GCCA
- SB 1384** – Barrington, Williamson, Laughlin, Paddack, Corn, Ballenger
- SB 1396** – GCCA
- SB 1440** – Corn, Lerblance, Bass, Laughlin, Lamb, Williamson
- SB 1475** – GCCA
- SB 1507** – Gumm, Corn, Bass, Laughlin, Jolley, Lamb
- SB 1628** – GCCA
- SB 1654** – Johnson (Mike), Laughlin, Coates, Leftwich, Lerblance, Rice
- SB 1725** – Schulz, Laughlin, Barrington, Corn, Lerblance, Johnson (Constance)
- SB 1738** – Schulz, Wilcoxson, Laughlin, Laster, Burrage, Ivester
- SB 1856** – Branan, Sykes, Laughlin, Wilson, Adelson, Rice
- SB 1859** – Wyrick, Crutchfield, Wilson, Justice, Laughlin, Schulz
- SB 1869** – GCCA
- SB 1870** – GCCA
- SB 1880** – Jolley, Branan, Laughlin, Crutchfield, Riley, Corn
- SB 1950** – Crain, Jolley, Laughlin, Lerblance, Laster, Burrage
- SB 1992** – Nichols, Williamson, Laughlin, Lerblance, Laster, Burrage
- SB 2016** – GCCA
- SB 2074** – Laster, Adelson, Burrage, Coffee, Laughlin, Lamb
- SB 2106** – GCCA

CONFEREES NAMED

The Speaker named the following conferees:

- HB 1387** – Terrill, Miller, Jones, Dorman, Sears
- HB 1453** – Johnson (Rob), Adkins, Jackson, Hilliard, Dorman
- HB 2074** – Sears, Banz, Martin (Steve), Cannaday, Proctor, Jones
- HB 2587** – Braddock, Covey, Inman, Peterson (Ron), Banz, Wright
- HB 3001** – Johnson (Dennis), Walker, Luttrell, Proctor, Enns, Dank, Duncan
- HB 3003** – Johnson (Rob), Adkins, Jackson, Hilliard, Dorman
- HB 3135** – Piatt, McNiel, DeWitt, Shannon, Hickman, Denney, Rousselot, Ellis, Hyman, Turner
- HB 3229** – Key, Terrill, Banz, Cooksey, Inman, Shumate
- HB 3340** – Thompson, Liebmann, Martin (Scott), Schwartz, Johnson (Rob), Jackson, Joyner, Armes, Pruett, Glenn, Turner, Proctor, McAffrey
- HB 3352** – Terrill, Miller, Jones, Dorman, Sears
- HB 3394** – Cargill, Blackwell, Johnson (Rob), Braddock, Shumate, Liebmann, Miller, Jones
- HB 3395** – Cargill, Blackwell, Johnson (Rob), Braddock, Shumate, Miller, Jones, Cox

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 70** – Shoemake, Denney, Armes, Renegar, Richardson, Hyman, DeWitt, McNiel
- SB 746** – McNiel, Armes, Billy, Jordan, Joyner, Hyman, Shoemake, Lamons, Sullivan
- SB 1010** – Johnson (Rob), Jackson, Worthen, Cannaday, Hilliard
- SB 1038** – Terrill, Jones, Wesselhoft, Ingmire, Nations
- SB 1144** – Schwartz, Liebmann, Martin (Scott), Adkins, Roan, Glenn, Morgan
- SB 1189** – Blackwell, Liebmann, Jackson, Pruett, Turner, Murphey
- SB 1403** – Duncan, Derby, Liebmann, Terrill, Murphey, Shumate, Hamilton
- SB 1420** – Cox, Wesselhoft, Denney, Schwartz, Steele, Lamons, Hoskin, Sherrer
- SB 1511** – Terrill, Miller, Jones, Dorman, Sears, Proctor
- SB 1604** – Johnson (Rob), Adkins, Jackson, Hilliard, Dorman, Miller
- SB 1628** – Blackwell, Terrill, Sears, Morgan, Morrissette, Miller
- SB 1754** – Liebmann, Thompson, Jackson, Duncan, Rousselot, Pruett
- SB 1869** – Miller, Jones, Terrill, Liebmann, Carey, Dorman, Auffet
- SB 1880** – Jones, Thomsen, Coody, Denney, Kern, Brannon, McCarter, Shumate, Terrill, Miller
- SB 1922** – Sullivan, McCullough, Jordan, Kiesel, Inman
- SB 1956** – Terrill, Miller, Jones, Dorman, Sears, Armes, Proctor
- SB 1992** – Terrill, Duncan, Peterson (Pam), Martin (Steve), Dorman

- SB 1994** – Terrill, Duncan, Sullivan, McCullough, Dorman, Proctor
- SB 2016** – Terrill, Miller, Jones, Dorman, Sears
- SB 2034** – Terrill, Miller, Jones, Dorman, Sears, Proctor
- SB 2074** – Steele, Pittman, McDaniel (Jeannie), Thomsen, Richardson
- SB 2101** – Denney, Billy, Terrill, McNiel, Wesselhoft, Ingmire, Jordan, Jones, Shumate, Proctor, McCarter, Cannaday
- SB 2104** – Piatt, Peters, Duncan, Carey, Hyman
- SB 2106** – Terrill, Miller, Jones, Dorman, Sears, Proctor

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 12, 2008, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 11:35 a.m., to reconvene Monday, May 12, 2008, at 1:30 p.m.