

# HOUSE JOURNAL

Second Regular Session of the Fiftieth Legislature

of the State of Oklahoma

Fourteenth Legislative Day, Wednesday, March 1, 2006

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

The roll was called with 100 Members present.

The following Member was excused: Sweeden.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Jeff Mitchell, Tabitha Baptist Church, Oklahoma City. Pastor Mitchell was sponsored by Representative Shelton.

Upon motion of Representative Miller (Doug), Pastor Mitchell was confirmed as House Chaplain for Wednesday, March 1, 2006.

The Journal for the last legislative day was approved.

## ENGROSSED AND ENROLLED MEASURES

**HBs 2083, 2089, 2358, 2441, 2484, 2490, 2527, 2528, 2597, 2598, 2845, 2983, 3037** and **3043** and **HCR 1042** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## SECOND READING

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

**SB 1193** – Direct To Calendar

**SB 1263** – Direct To Calendar

**SB 1265** – Direct To Calendar

**SB 1267** – Direct To Calendar

**SB 1269** – Direct To Calendar

**SB 1270** – Direct To Calendar

### MEASURES REASSIGNED

The following measures were reassigned:

**HB 2679** –Withdrawn from Appropriations and Budget and referred to Revenue and Taxation.

**HB 2752** –Withdrawn from Judiciary and referred to Rules.

**HB 2804** –Withdrawn from Rules and referred to Environment and Natural Resources.

**HB 2838** –Withdrawn from Revenue and Taxation and referred to Rules.

**HB 2999** –Withdrawn from Rules and referred to Appropriations and Budget.

**HJR 1023** –Withdrawn from Appropriations and Budget and referred to Rules.

### GENERAL ORDER

**HB 1268** by Ingmire et al of the House and Adelson of the Senate was read and considered.

Coauthored by Representative(s) Miller (Ray)

Representative Ingmire moved to amend **HB 1268**, Section 1, Page 1, Line 10 through Page 2, Line 1 by striking the language “and shall deposit the remaining fifty-five percent (55%) in the Oklahoma Teachers’ Retirement Fund”, which amendment was declared adopted.

Representative Ingmire moved that **HB 1268** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ingmire, **HB 1268** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 1268** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Carey, Cargill, 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, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray),

Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Calvey, Case, Hastings, Sweeden.--4.

The measure passed.

**HB 1268** was referred for engrossment.

### GENERAL ORDER

**HB 2114** by Ingmire et al of the House and Wyrick of the Senate was read and considered.

Coauthored by Representative(s) Braddock, Terrill, Blackwell, DePue

Representative Ingmire moved that **HB 2114** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Ingmire, **HB 2114** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2114** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, 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, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Hastings, Sweeden.--2.

The measure passed.

**HB 2114** was referred for engrossment.

## MOTION

Representative Calvey asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1268**, which was the order.

## GENERAL ORDER

**HB 2073** by Smithson et al of the House and Wilson of the Senate was read and considered.

Coauthored by Representative(s) Auffet, Brannon, Brown, Cooksey, DePue, Duncan, Glenn, Hilliard, Hyman, Kiesel, Martin, Miller (Ray), Morgan (Danny), Roan, Shoemake, Walker

Representative Calvey moved to amend **HB 2073** by striking the title, which amendment was declared adopted.

Representative Smithson moved that **HB 2073** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Smithson, **HB 2073** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2073** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, 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, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--96.

Nay: Young.--1.

Excused: Hastings, Perry, Sweeden.--3.

Constitutional Priv: Sullivan.--1.

The measure passed.

**HB 2073** was referred for engrossment.

## GENERAL ORDER

**HJR 1002** by Liebmann et al of the House and Lamb of the Senate was read and considered.

Coauthored by Representative(s) Billy, Liotta, Morgan (Fred), Perry, Peters, Peterson (Ron), Terrill, Tibbs

Representative Calvey moved to amend **HJR 1002** by striking the resolving clause, which amendment was declared adopted.

Representative Liebmann moved that **HJR 1002** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Liebmann, **HJR 1002** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HJR 1002** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Calvey, Cargill, Case, Coody, Cooksey, Covey, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Hamilton, Harrison, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Miller (Doug), Miller (Ken), Morgan (Fred), Morrisette, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Pruett, Reynolds, Richardson, Roggow, Shumate, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--68.

Nay: Auffet, Blackburn, Brannon, Brown, Carey, Eddins, Glenn, Hilliard, Hyman, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Piatt, Plunk, Roan, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Staggs, Toure, Turner.--28.

Excused: Cox, Gilbert, Hastings, Nance, Sweeden.--5.

The measure passed.

**HJR 1002** was referred for engrossment.

## **GENERAL ORDER**

**HB 2159** by Adkins et al of the House and Corn of the Senate was read and considered.

Coauthored by Representative(s) Miller (Ray), Smithson, Brannon, Walker, Brown

Representative Calvey moved to amend **HB 2159** by striking the title, which amendment was declared adopted.

Representative Adkins moved that **HB 2159** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Adkins, **HB 2159** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 2159** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Covey, Dank, Denney, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kiesel, Lamons, Liebmann, Lindley, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ray), Morgan (Danny), Morrisette, Nance, Nations, Newport, Perry, Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Toure, Trebilcock, Turner, Walker, Wilt, Winchester, Mr. Speaker.--78.

Nay: Balkman, Cooksey, DePue, Duncan, Hamilton, Kern, Liotta, Miller (Ken), Morgan (Fred), Peters, Peterson (Pam), Reynolds, Sullivan, Terrill, Thompson, Tibbs, Wesselhoft, Worthen, Wright, Young.--20.

Excused: Cox, Hastings, Sweeden.--3.

The measure and emergency passed.

**HB 2159** was referred for engrossment.

## GENERAL ORDER

**HB 2397** by Sherrer et al of the House and Easley of the Senate was read and considered.

Coauthored by Representative(s) Askins, Brannon, Denney, Hilliard, McCarter, Peterson (Pam), Smithson, Sullivan

Representative Calvey moved to amend **HB 2397** by striking the title, which amendment was declared adopted.

Representative Sherrer moved that **HB 2397** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Sherrer, **HB 2397** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2397** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, 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, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Hastings, Sweeden, Toure.--3.

The measure and emergency passed.

**HB 2397** was referred for engrossment.

**GENERAL ORDER**

**HB 2462** by Coody et al of the House and Bass of the Senate was read and considered.

Coauthored by Representative(s) Balkman, Banz, Bengé, Bingman, Braddock, Brannon, DePue, Duncan, Jackson, Jett, Kern, Liebmann, Liotta, Miller (Ken), Peters, Reynolds, Smithson, Terrill, Thompson, Tibbs, Walker, Winchester

Representative Calvey moved to amend **HB 2462** by striking the title, which amendment was declared adopted.

Representative Reynolds moved to amend **HB 2462**, Page 27, Section 1, Line 14 by deleting the words and figure “seventy-five percent (75%)” and by inserting in lieu thereof the words and figure “one hundred percent (100%)” and Line 15 by deleting the words and figure “Ten Thousand Dollars (\$10,000.00)” and by adding the words and figure “Twenty-five Thousand Dollars (\$25,000.00)”, which amendment was declared adopted.

Representative Coody moved that **HB 2462** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Coody, **HB 2462** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2462** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Hastings, Sweeden, Toure.--3.

Constitutional Priv: Duncan, Wesselhoft.--2.

The measure passed.

**HB 2462** was referred for engrossment.

## GENERAL ORDER

**HB 2466** by Adkins of the House and Paddock of the Senate was read and considered.

Coauthored by Representative(s) Miller (Ray)

Representative Adkins moved to amend **HB 2466**, Page 2, Section 1, Lines 13-14 by deleting the word “less” and inserting in lieu thereof the word “more”, which amendment was declared adopted.

Representative Adkins moved that **HB 2466** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Adkins, **HB 2466** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**HB 2466** 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, Balkman, Banz, Benge, Billy, Bingman, Blackburn, 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, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Askins, Hastings, Morgan (Fred), Sweeden, Toure.--5.

The measure and emergency passed.

**HB 2466** was referred for engrossment.

## MEASURE REREFERRED

Upon motion of Representative Peters, **HB 2561** was withdrawn from the Calendar and rereferred to the Judiciary Committee.

**GENERAL ORDER**

**HB 2563** by Jackson of the House and Wilson of the Senate was read and considered.

Coauthored by Representative(s) Walker

Representative Jackson moved that **HB 2563** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Jackson, **HB 2563** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2563** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Cooksey, Covey, Cox, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hyman, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--89.

Nay: Hamilton, McPeak, Miller (Ray).--3.

Excused: Blackwell, Coody, Denney, Hastings, Ingmire, Perry, Sweeden, Toure, Trebilcock.--9.

The measure and emergency passed.

**HB 2563** was referred for engrossment.

**GENERAL ORDER**

**HB 2565** by Young of the House and Eason McIntyre of the Senate was read and considered.

Coauthored by Representative(s) Benge

Coauthored by Senator(s) Mazzei

Representative Young moved that **HB 2565** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Young, **HB 2565** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**HB 2565** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Glenn, Harrison, Hickman, Hilliard, Hyman, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pruett, Reynolds, Richardson, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--77.

Nay: Askins, Auffet, Braddock, Duncan, Gilbert, Hamilton, Kiesel, Lindley, Mass, McPeak, Morrissette, Nations, Plunk, Roan, Shelton, Turner, Walker, Wilt.--18.

Excused: Blackwell, Hastings, Ingmire, Miller (Ken), Sweeden, Toure.--6.

The measure and emergency passed.

**HB 2565** was referred for engrossment.

### **GENERAL ORDER**

**HB 2604** by DeWitt of the House and Shurden of the Senate was read and considered.

Representative DeWitt moved that **HB 2604** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative DeWitt, **HB 2604** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**HB 2604** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Bingman, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Plunk, Pruett, Reynolds, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--90.

Nay: Blackburn, Hamilton.--2.

Excused: Billy, Blackwell, Brown, Hastings, Piatt, Richardson, Shelton, Sweeden, Toure.--9.

The measure passed.

**HB 2604** was referred for engrossment.

**MOTION**

Representative Coody asked that the Journal reflect that had she been present in the Chamber, she would have voted aye on **HB 2563**, which was the order.

**MEASURE REREFERRED**

Upon motion of Representative Ellis, **HB 2688** was withdrawn from the Calendar and rereferred to the Revenue and Taxation Committee.

**GENERAL ORDER**

**HB 2818** by Calvey of the House and Reynolds of the Senate was read and considered.

Representative Calvey moved that **HB 2818** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Calvey, **HB 2818** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2818** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Balkman, Bengé, Brown, Calvey, Coody, Cox, Dank, DePue, Dorman, Harrison, Hickman, Hyman, Jackson, Jett, Liebmann, Miller (Doug), Miller (Ken), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Ron), Pruett, Reynolds, Shoemake, Shumate, Smaligo, Sullivan, Terrill, Thompson, Tibbs, Wesselhoft, Worthen, Wright, Mr. Speaker.--40.

Nay: Askins, Auffet, Banz, Billy, Bingman, Blackburn, Braddock, Brannon, Carey, Case, Cooksey, Covey, Denney, Deutschendorf, DeWitt, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hilliard, Johnson, Jones, Kern, Kiesel, Lamons, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Peterson (Pam), Piatt, Plunk, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Smithson, Staggs, Steele, Trebilcock, Turner, Wilt, Winchester, Young.--54.

Excused: Blackwell, Cargill, Hastings, Ingmire, Sweeden, Toure, Walker.--7.

The measure failed.

Representative Calvey served notice to reconsider the vote whereby **HB 2818** failed.

### GENERAL ORDER

**HB 2903** by Adkins of the House and Bass of the Senate was read and considered.

Coauthored by Representative(s) Lindley, Harrison, McPeak, Shelton, Roan

Representative Adkins moved that **HB 2903** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Adkins, **HB 2903** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**HB 2903** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Excused: Blackwell, Eddins, Hastings, Liebmann, Miller (Doug), Peters, Shelton, Sweeden, Toure.--9.

The measure passed.

**HB 2903** was referred for engrossment.

## **GENERAL ORDER**

**HB 3121** by Hiett et al of the House and Lamb of the Senate was read and considered.

Coauthored by Representative(s) Auffet, Brannon, Coody, Covey, Harrison, Hilliard, Morrisette, Newport, Peterson (Ron), Smithson, Terrill, Tibbs, Winchester

Representative Nance moved that **HB 3121** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **HB 3121** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**HB 3121** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, 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, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele,

Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Excused: Blackwell, Brown, Hastings, Sweeden, Toure.--5.

The measure passed.

**HB 3121** was referred for engrossment.

#### **MOTION**

Representative Brown asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 3121**, which was the order.

#### **MOTION**

Representative Richardson asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2604**, which was the order.

#### **MOTION**

Representative Nance asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HJR 1002**, which was the order.

#### **MOTION**

Representative Liebmann asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2903**, which was the order.

#### **MESSAGES FROM THE SENATE**

Announcing the concurrence of Senate in **HAs** to **SBs 489** and **1022** and the passage of said measures, as amended thereby.

#### **Returning engrossed measures**

Announcing the passage of **HBs 2252** - Coauthored by Senators Bass, Garrison and Coauthored by Representative Terrill and **2288** – Coauthored by Senator Leftwich and Coauthored by Representative Terrill.

The above-numbered measures were referred for enrollment.

**Transmitting engrossed measures**

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

**SB 343** – By Cain, Johnson (Constance) and Paddock of the Senate and Cox of the House.

An Act relating to insurance; amending 36 O.S. 2001, Section 6060.8a, which relates to colorectal cancer coverage; requiring health benefit plans to provide coverage for colorectal cancer examinations to certain individuals; modifying definition; and providing an effective date.

**SB 1019** – By Gumm of the Senate and Roan of the House.

An Act relating to waters and water rights; amending 82 O.S. 2001, Section 1452, as amended by Section 2, Chapter 305, O.S.L. 2003 (82 O.S. Supp. 2005, Section 1452), which relates to scenic rivers; expanding designated scenic river areas; and providing an effective date.

**SB 1028** – By Lawler of the Senate and McMullen of the House.

[ revenue and taxation - modifying apportionment – emergency ]

**SB 1034** – By Riley of the Senate and Peters of the House.

[ public finance - state agencies - toll-free telephones - effective date ]

**SB 1056** – By Hobson, Coffee, Paddock, Adelson, Capps, Johnson (Constance), Justice, Nichols, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Garrison, Harrison, Lawler, Leftwich, Myers, Rabon, Shurden, Wilcoxson, Bass, Riley, Gumm and Branam of the Senate and Balkman and Nations of the House.

[ higher education - comprehensive diabetes center – codification – effective date]

**SB 1058** – By Hobson of the Senate and Askins of the House.

An Act relating to amusements and sports; amending 3A O.S. 2001, Section 201, as last amended by Section 1, Chapter 217, O.S.L. 2005 (3A O.S. Supp. 2005, Section 201), which relates to the Oklahoma Horse Racing Commission; removing restriction on membership; and declaring an emergency.

**SB 1063** – By Wilson of the Senate and Rousselot of the House.

[ revenue and taxation - Rural Venture Capital Formation Incentive Act - effective date]

**SB 1084** – By Gumm of the Senate and Calvey of the House.

[ revenue and taxation – income tax credit – biodiesel facility – effective date ]

**SB 1088** – By Bass, Easley, Gumm and Leftwich of the Senate and Coody of the House.

An Act relating to state employees; amending 72 O.S. 2001, Section 48, as last amended by Section 5, Chapter 212, O.S.L. 2003 (72 O.S. Supp. 2005, Section 48), which relates to leave of absence; modifying length of paid leave for certain employees; and declaring an emergency.

**SB 1089** – By Wilcoxson of the Senate and Kern of the House.

[ amusement and sports - businesses licensed - lottery retailer – emergency ]

**SB 1090** – By Adelson of the Senate and Lamons of the House.

[ revenue and taxation – agricultural sales tax exemption – effective date – emergency ]

**SB 1095** – By Coates and Leftwich of the Senate and Liebmann of the House.

An Act relating to insurance; amending 36 O.S. 2001, Section 1204, as amended by Section 10, Chapter 129, O.S.L. 2005 (36 O.S. Supp. 2005, Section 1204), which relates to unfair methods of competition and unfair or deceptive acts or practices; adding certain unfair deceptive act or practice; and providing an effective date.

**SB 1304** – By Gumm of the Senate and Calvey of the House.

[ revenue and taxation - modifying tax credit - Railroad Modernization Act - effective date ]

**SB 1305** – By Gumm of the Senate and Calvey of the House.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 1359, as last amended by Section 1, Chapter 413, O.S.L. 2005 (68 O.S. Supp. 2005, Section 1359), which relates to sales tax exemption; broadening application of exemption for specified purpose; providing an effective date; and declaring an emergency.

**SB 1311** – By Crain of the Senate and Cox of the House.

An Act relating to public health and safety; amending 63 O.S. 2001, Sections 91, 92, 93, 94, 95, 96, 97 and 98, which relate to the State Anatomical Board; extending the State Anatomical Board; modifying language; authorizing the State Anatomical Board to designate certain agents; authorizing the State Anatomical Board to appoint executive director; requiring certain expenditures by specified agents; modifying record keeping requirements; authorizing certain cremation; modifying notification requirement; permitting acceptance or denial of certain unclaimed bodies; modifying provisions for burial at public expense; authorizing certain request by the Chief Medical Examiner; requiring additional reimbursement; deleting requirement for certain permanent record; requiring certain states to return specified cremains; directing certain payment into specified account; repealing 63 O.S. 2001, Section 98.1, which relates to the Anatomical Board Fund; and providing an effective date.

**SB 1318** – By Bass of the Senate and Carey of the House.

An Act relating to soldiers and sailors; authorizing the Oklahoma Department of Veterans Affairs to provide nurse aide training to certain persons for certain purposes; providing for codification; and providing an effective date.

**SB 1336** – By Bass and Wyrick of the Senate and Coody of the House.

[ elections - compensation of election board secretaries – counting voters - effective date ]

**SB 1355** – By Anderson of the Senate and Sherrer of the House.

An Act relating to marriage and family; amending 43 O.S. 2001, Section 120.6, as amended by Section 10, Chapter 302, O.S.L. 2003 (43 O.S. Supp. 2005, Section 120.6), which relates to qualifications; modifying qualifications of parenting coordinator; and providing an effective date.

**SB 1361** – By Leftwich, Easley and Gumm of the Senate and Terrill of the House.

An Act relating to militia; amending 44 O.S. 2001, Section 209, as last amended by Section 2, Chapter 437, O.S.L. 2005 (44 O.S. Supp. 2005, Section 209), which relates to leave of absence of public officers and employees; allowing additional persons leave of absence; and providing an effective date.

**SB 1366** – By Hobson of the Senate and Roggow of the House.

[ environment and natural resources - hazardous waste - effective date – emergency ]

**SB 1375** – By Riley of the Senate and Wright of the House.

[ revenue and taxation – notice - delinquent taxes - collection agency - effective date ]

**SB 1390** – By Leftwich of the Senate and Case of the House.

[ roads, bridges and ferries - repair of county bridges - increasing amount allowed – emergency ]

**SB 1399** – By Lerblance of the Senate and Roggow of the House.

[ horse racing - Oklahoma Breeding Development Fund Special Account - emergency ]

**SB 1400** – By Gumm of the Senate and Calvey of the House.

[ Oklahoma Police Pension and Retirement System - providing funding – codification - effective date ]

**SB 1406** – By Crutchfield and Branan of the Senate and Adkins of the House.

[ revenue and taxation - extending date – expiration gross production tax exemptions - effective date – emergency ]

**SB 1409** – By Shurden of the Senate and Harrison of the House.

[ revenue and taxation - sales tax exemption – state park organization – emergency ]

**SB 1426** – By Crain, Lamb, Mazzei and Gumm of the Senate and Tibbs of the House.

[ motor vehicles - issuance of driver license and identification cards - distinctive license and cards - Sex Offenders Registration Act - effective date ]

**SB 1435** – By Crain of the Senate and Sullivan of the House.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 801, which relates to determination of state’s claim for inheritance or transfer taxes; modifying contents of certain notice; and providing an effective date.

**SB 1441** – By Crutchfield of the Senate and Hyman and Piatt of the House.

[ Oklahoma Tourism and Parks and Recreation Enhancement Act - severance package – employment opportunities - codification – emergency ]

**SB 1444** – By Wyrick of the Senate and Hyman of the House.

[ agriculture - animal identification program - effective date ]

**SB 1466** – By Bass of the Senate and Dorman of the House.

An Act relating to the Standards for Workplace Drug and Alcohol Testing Act; amending 40 O.S. 2001, Section 552, as amended by Section 5, Chapter 190, O.S.L. 2005 (40 O.S. Supp. 2005, Section 552), which relates to definitions; modifying definition; and providing an effective date.

**SB 1476** – By Bass of the Senate and Banz of the House.

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 60.4, as last amended by Section 15, Chapter 348, O.S.L. 2005 (22 O.S. Supp. 2005, Section 60.4), which relates to protective orders; modifying certain procedures; and providing an effective date.

**SB 1485** – By Wilcoxson and Jolley of the Senate and Coody of the House.

[ schools - Comprehensive Local Education Plan - professional development programs - effective date – emergency ]

**SB 1492** – By Paddock of the Senate and Dank of the House.

[ schools - substitute teachers - certain special education - effective date ]

**SB 1496** – By Jolley of the Senate and Terrill of the House.

[ public finance - modifying requirement - tax levy - effective date ]

**SB 1498** – By Anderson of the Senate and Covey of the House.

[ revenue and taxation - income tax credit - limiting credit amount – codification - effective date ]

**SB 1503** – By Coffee and Gumm of the Senate and Morgan (Fred) of the House.

[ victim impact statements - effective date ]

**SB 1529** – By Johnson (Constance) of the Senate and Newport of the House.

[ revenue and taxation - providing sales tax exemption - effective date - emergency ]

**SB 1536** – By Wilson and Johnson (Constance) of the Senate and Eddins of the House.

[ public health and safety - Oklahoma Health Care Authority - pilot program - medical services – codification - effective date ]

**SB 1537** – By Paddack and Lawler of the Senate and Hilliard of the House.

[ revenue and taxation - tax credits relating to the provision of community services – codification - effective date ]

**SB 1539** – By Leftwich of the Senate and Blackwell of the House.

[ supervision – fees - Department of Corrections – fee collection - effective date – emergency ]

**SB 1564** – By Johnson (Mike) of the Senate and Perry and Hickman of the House.

An Act relating to state government; amending 74 O.S. 2001, Section 500.53, which relates to moving expenses; providing additional payment for state employees under certain circumstances; directing promulgation of rules; and providing an effective date.

**SB 1568** – By Fisher of the Senate and Bingman of the House.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 13-111, which relates to charter amendments; modifying certain procedure to amend municipal charter; updating language; and providing an effective date.

**SB 1587** – By Paddack and Lawler of the Senate and Hilliard of the House.

[ revenue and taxation - waiving requirements – Oklahoma Quality Jobs Program Act - effective date – emergency ]

**SB 1644** – By Paddack, Taylor, Gumm and Lawler of the Senate and Jones and Askins of the House.

[ schools – mentor teacher stipend – Education Leadership Oklahoma Act – School Consolidation Assistance Fund – teacher minimum salary schedule – alternative education – support employee wages – codification – effective date – emergency]

**SB 1993** – By Morgan, Taylor, Crutchfield, Lawler and Rabon of the Senate and Ingmire of the House.

An Act relating to higher education; amending 70 O.S. 2001, Section 2605, as amended by Section 1, Chapter 134, O.S.L. 2003 (70 O.S. Supp. 2005, Section 2605), which relates to the Oklahoma Higher Learning Access Program; increasing family income eligibility level; providing an effective date; and declaring an emergency.

**COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

**HB 2117** – Corrections and Criminal Justice, Coauthored by Representative(s) Blackwell, Askins, Nance, and Authored by Senator Leftwich (principal Senate author)

**HB 2122** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Easley (principal Senate author)

**HB 2151** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Easley (principal Senate author)

**HB 2152** – Government Reform, Agency Oversight and Administrative Rules, Remove Representative Wright as principal House author and substitute with Representative Wesselhoft, and Authored by Senator Easley (principal Senate author)

**HB 2153** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Easley (principal Senate author)

**HB 2154** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Easley (principal Senate author)

**HB 2415** – Revenue and Taxation, Authored by Senator Bass (principal Senate author)

**HB 2680** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Eason McIntyre (principal Senate author)

**HB 2707** – Corrections and Criminal Justice, Coauthored by Representative(s) Duncan, Blackwell, and Authored by Senator Lawler (principal Senate author)

**HB 2798** – Revenue and Taxation, Coauthored by Representative(s) Terrill, and Authored by Senator Hobson (principal Senate author)

**HB 2949** – Revenue and Taxation, Coauthored by Representative(s) Lindley, Morrissette, and Authored by Senator Bass (principal Senate author)

DO PASS, As Amended:

**CS for HB 1757** – Tourism and Recreation, Authored by Senator Justice (principal Senate author)

**CS for HB 2081** – Revenue and Taxation, Authored by Senator Branan (principal Senate author)

**CS for HB 2130** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Easley (principal Senate author)

**CS for HB 2395** – Retirement Laws, Authored by Senator Mazzei (principal Senate author)

**CS for HB 2486** – Revenue and Taxation, Authored by Senator Wyrick (principal Senate author)

**CS for HB 2529** – Corrections and Criminal Justice, Coauthored by Representative(s) Roan, Nance, and Authored by Senator Lawler (principal Senate author)

**CS for HB 2548** – Higher Education, Coauthored by Representative(s) Trebilcock, and Authored by Senator Lamb (principal Senate author)

**CS for HB 2554** – Government Reform, Agency Oversight and Administrative Rules, Authored by Senator Coates (principal Senate author)

**CS for HB 2569** – Corrections and Criminal Justice, Coauthored by Representative(s) Askins, Roan, Nance, and Authored by Senator Leftwich (principal Senate author)

**CS for HB 2609** – Corrections and Criminal Justice, Coauthored by Representative(s) Askins, Ingmire, and Authored by Senator Laster (principal Senate author)

**CS for HB 2615** – Corrections and Criminal Justice, Coauthored by Representative(s) Ellis, Billy, Blackwell, Duncan, Case, Cooksey, Ingmire, Nance, Perry, and Authored by Senator Coates (principal Senate author)

**CS for HB 2817** – Revenue and Taxation, Authored by Senator Shurden (principal Senate author)

**CS for HB 2830** – Corrections and Criminal Justice, Coauthored by Representative(s) Blackwell, Nance, Roan, Richardson, and Authored by Senator Eason McIntyre (principal Senate author)

**CS for HB 3126** – Revenue and Taxation, Coauthored by Representative(s) Denney, Blackwell, Armes, Hickman, Pruett, Walker, DeWitt, Billy, Roggow, Ellis, Glenn, and Authored by Senator Justice (principal Senate author)

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, March 2, 2006, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 3:30 p.m., to reconvene Thursday, March 2, 2006, at 9:00 a.m.