

# HOUSE JOURNAL

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

**Forty-third Legislative Day, Wednesday, April 18, 2007**

The House was called to order by Speaker Cargill.

The roll was called with 100 Members present.

The following Member was excused: Sullivan.—1.

The Speaker declared a quorum present.

Prayer was offered by Reverend Mark Barnett, Wickline United Methodist Church, Midwest City. Reverend Barnett was sponsored this legislative day by Representative Joyner.

Upon motion of Representative Thompson, Reverend Barnett 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 98, 102, 119, 507, 580, 607, 811, 945 and 1021** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HBs 1055, 1393, 1669, 1753, 1795 and 1915** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**MESSAGES FROM THE SENATE**

Announcing that Enrolled **HBs 1055, 1393, 1669, 1753, 1795** and **1915** 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.

**Transmitting enrolled measures**

Advising the signing of and transmitting for signature Enrolled **SCR 27**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

Advising fourth reading of and transmitting for signature Enrolled **SBs 42, 60, 437, 482** and **994**.

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

**Transmitting engrossed measure**

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

**SCR 17** – By Leftwich of the Senate and Terrill of the House.

A Concurrent Resolution authorizing the Board of Regents of Oklahoma City Community College, acting on behalf of Oklahoma City Community College, to issue certain revenue bonds pursuant to Sections 4001 through 4017 of Title 70 of the Oklahoma Statutes; and directing distribution.

**GENERAL ORDER**

**SB 149** by Crain of the Senate and Peters et al of the House was read and considered.

Coauthored by Representative(s) Terrill

Representative Peters moved that **SB 149** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 149** 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, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), 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, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Braddock, Cox, Glenn, Hickman, Reynolds, Sullivan, Turner.--7.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 149** and ordered same returned to the Honorable Senate.

### Speaker Pro Tempore Blackwell Presiding

### GENERAL ORDER

**SB 107** by Leftwich of the Senate and Joyner of the House was read and considered.

Representative Joyner moved that **SB 107** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 107** 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, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), 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, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: BigHorse, Braddock, Cox, Glenn, Reynolds, Sullivan.--6.

The measure passed.

**SB 107** was referred for engrossment.

## **GENERAL ORDER**

**SB 45** by Coates of the Senate and Sears of the House was read and considered.

Representative Sears moved to suspend House Rules 8.5(d) and 8.6 for the purpose of offering a floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bengé, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Coody, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Pittman, Proctor, Pruett, Renegar, Richardson, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shumate, Smithson, Terrill, Thompson, Tibbs, Trebilcock, Watson, Worthen, Wright, Mr. Speaker.--75.

Nay: Gilbert, Lindley, McCarter, Morrissette.--4.

Excused: Adkins, Banz, BigHorse, Braddock, Cooksey, Cox, Glenn, Kern, McPeak, Miller, Piatt, Reynolds, Roan, Shelton, Shoemake, Steele, Sullivan, Thomsen, Turner, Walker, Wesselhoft, Winchester.--22.

Representative Sears moved to amend **SB 45**, Page 18, Section 9, by deleting all language beginning with the capitalized word "Electric" on Line 15 through the word "the" on Line 16 and by inserting in lieu thereof the capitalized word "The", which amendment was declared adopted.

Representative Sears moved that **SB 45** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 45** 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, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), 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, 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, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--93.

Nay: Collins, Hamilton.--2.

Excused: BigHorse, Braddock, Cox, McPeak, Reynolds, Sullivan.--6.

The measure passed.

**SB 45** was referred for engrossment.

### GENERAL ORDER

**SB 376** by Aldridge of the Senate and Piatt of the House was read and considered.

Representative Piatt moved that **SB 376** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 376** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Banz, Bengé, Billy, Blackwell, 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 (Dennis), 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, Miller, 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, Terrill,

Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--93.

Excused: Adkins, BigHorse, Braddock, Cox, McPeak, Morgan, Reynolds, Sullivan.--8.

The measure and emergency passed.

**SB 376** was referred for engrossment.

## GENERAL ORDER

**SB 483** by Wilcoxson of the Senate and Coody of the House was read and considered.

Coauthored by Representative(s) Murphey

Representative Denney moved to amend **SB 483**, Page 3, Section 1, by inserting on Line 17 after the word "student" and before the period "." the language "which shall include a written statement of the reason for enrollment in the core curriculum"; by deleting all of the new language beginning with the word "and" on Line 18 through the word "reason" on Line 19 and inserting in lieu thereof the language "who shall advise the parent or guardian of the advantages of completing the college preparatory/work ready curriculum which may include career and technology education courses approved for college credit"; and by inserting on Line 22 after the word "section" and before the period "." the language "including career and technology education courses that lead to college credit or technical careers", which amendment was declared adopted.

Representative Liebmann moved that **SB 483** be advanced from General Order, which motion failed of adoption.

Representative Coody moved that **SB 483** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 483** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Banz, Benge, Billy, Blackwell, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), McCullough, McDaniel (Randy), McNiell, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Schwartz, Sears, Shannon, Shumate, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Winchester, Worthen, Wright, Mr. Speaker.--52.

Nay: Auffet, BigHorse, Brannon, Brown, Cannaday, Carey, Collins, Covey, Dorman, Ellis, Faught, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Inman, Kiesel, Lamons, Lindley, Luttrell, Martin (Steve), McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Turner, Walker.--44.

Excused: Braddock, Cox, Reynolds, Sullivan, Wesselhoft.--5.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Adkins, Armes, Banz, Billy, Blackwell, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Schwartz, Sears, Shannon, Shumate, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Winchester, Worthen, Wright, Mr. Speaker.--53.

Nay: BigHorse, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Ellis, Gilbert, Glenn, Harrison, Hilliard, Hoskin, Hyman, Inman, Kiesel, Lamons, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Walker.--38.

Excused: Auffet, Benge, Braddock, Covey, Cox, Hamilton, Reynolds, Sullivan, Turner, Wesselhoft.--10.

The emergency failed.

**SB 483** was referred for engrossment.

## **GENERAL ORDER**

**SB 691** by Adelson of the Senate and Peterson (Ron) of the House was read and considered.

Representative Peterson (Ron) moved that **SB 691** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 691** 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, BigHorse, Billy, Blackwell, Brannon, Cannaday, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Renegar, Richardson, Roan, Schwartz, Sears, Shannon, Shelton, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--86.

Nay: Brown, Carey, Glenn, Hilliard, Hoskin, Kiesel, McMullen, Pruett, Rousselot, Sherrer.--10.

Excused: Bengé, Braddock, Cox, Reynolds, Sullivan.--5.

The measure and emergency passed.

**SB 691** was referred for engrossment.

**GENERAL ORDER**

**SB 63** by Crain of the Senate and Hickman of the House was read and considered.

Representative Hickman moved that **SB 63** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 63** 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, BigHorse, Billy, Blackwell, 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 (Dennis), 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, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson,

Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Bengé, Braddock, Cox, Reynolds, Richardson, Sullivan.--6.

The measure and emergency passed.

**SB 63** was referred for engrossment.

## GENERAL ORDER

**SB 72** by Crain of the Senate and Jordan of the House was read and considered.

Representative Jordan moved that **SB 72** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 72** 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, 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 (Dennis), 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, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Bengé, Braddock, Cox, Reynolds, Sullivan.--5.

The measure passed.

**SB 72** was referred for engrossment.

**GENERAL ORDER**

**SB 485** by Lamb of the Senate and Enns of the House was read and considered.

Representative Enns moved that **SB 485** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 485** 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, 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 (Dennis), 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, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Benge, Braddock, Cox, Reynolds, Sullivan.--5.

The measure passed.

**SB 485** was referred for engrossment.

**GENERAL ORDER**

**SB 739** by Myers of the Senate and Dank of the House was read and considered.

Representative McDaniel (Randy) moved that **SB 739** be advanced from General Order, which motion was declared adopted.

The Presiding Officer directed Representative Harrison to confine his debate to the bill under consideration.

The Presiding Officer terminated the debate time of Representative Harrison.

Representative Harrison raised a point of order that he was not being allowed to finish his debate.

The Presiding Officer ruled the point not well taken and pursuant to House Rule 9.2(a), debate was to be confined to the question under discussion.

Representative Kiesel appealed the ruling of the Presiding Officer receiving the required 15 seconds.

"The question is, shall the decision of the Presiding Officer be the decision of the House? All those in favor signify by voting 'Aye'; those opposed 'Nay'. The vote is now in progress."

The decision of the Presiding Officer was upheld upon roll call as follows:

Aye: Adkins, Armes, Banz, Benge, Billy, Blackwell, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Schwartz, Sears, Shannon, Shumate, Steele, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--54.

Nay: Auffet, BigHorse, Brannon, Brown, Cannaday, Carey, Collins, Covey, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Inman, Kiesel, Lamons, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Shelton, Sherrer, Smithson, Trebilcock, Turner, Walker.--41.

Excused: Braddock, Cox, Dorman, Reynolds, Shoemake, Sullivan.--6.

### **THIRD READING**

**SB 739** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, Billy, Blackwell, Brannon, Brown, Cannaday, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Glenn, Hamilton, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--87.

Nay: BigHorse, Carey, Collins, Gilbert, Harrison, Lindley, McDaniel (Jeannie), Morrisette, Nations, Shelton.--10.

Excused: Braddock, Cox, Reynolds, Sullivan.--4.

The measure passed.

**SB 739** was referred for engrossment.

## **MOTION**

Upon request of Representative Piatt, the House was declared at ease until 3:55 p.m.

## **Speaker Pro Tempore Blackwell Presiding**

## **GENERAL ORDER**

**SB 810** by Justice of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Covey, McMullen

Representative Armes moved that **SB 810** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**SB 810** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, 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 (Dennis), 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, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Braddock, Cox, Reynolds, Sullivan, Walker.--5.

The measure passed.

**SB 810** was referred for engrossment.

## GENERAL ORDER

**SB 868** by Reynolds et al of the Senate and Tibbs of the House was read and considered.

Coauthored by Representative(s) Reynolds

Representative Harrison moved to suspend House Rules 8.5(d) and 8.6 for the purpose of offering a floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Auffet, Banz, BigHorse, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Cooksey, Covey, Denney, DeWitt, Dorman, Ellis, Enns, Gilbert, Glenn, Hamilton, Harrison, Hoskin, Hyman, Ingmire, Inman, Jackson, Johnson (Dennis), Jones, Jordan, Joyner, Kern, Kiesel, Lamons, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Smithson, Steele, Thompson, Tibbs, Trebilcock, Turner, Watson, Worthen, Wright, Mr. Speaker.--74.

Nay: Coody, Dank, Duncan, Faught, Hickman, Johnson (Rob), Key, Liebmann, Winchester.--9.

Excused: Benge, Billy, Braddock, Cox, Derby, Hilliard, Jett, Peters, Pruett, Renegar, Reynolds, Shoemake, Shumate, Sullivan, Terrill, Thomsen, Walker, Wesselhoft.--18.

Representative Harrison moved to amend **SB 868**, Page 1, Section 2, Line 7 and Page 2, Line 3 by striking the word "murder" and replacing it with the word "deceased".

Upon request of Representative Tibbs, **SB 868** was laid over.

## GENERAL ORDER

**SB 86** by Coates of the Senate and Peterson (Ron) of the House was read and considered.

Representative Peterson (Ron) moved to amend **SB 86** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted.

Representative Peterson (Ron) moved that **SB 86** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 86** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, Billy, Blackwell, Brannon, 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 (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--87.

Nay: BigHorse, Brown, Covey, Key, McAffrey, Morrissette, Murphey, Sherrer.--8.

Excused: Braddock, Cox, Reynolds, Shoemake, Sullivan, Walker.--6.

The measure passed.

**SB 86** was referred for engrossment.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1162** were called up for consideration.

Upon motion of Representative Duncan, the House concurred in the **SAs to HB 1162**.

**HB 1162**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Adkins, Armes, Auffet, Banz, Benge, BigHorse, Billy, Blackwell, 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 (Dennis), 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, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Braddock, Cox, Reynolds, Shoemake, Sullivan, Walker.--6.

The measure and emergency passed.

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

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2118** were called up for consideration.

Upon motion of Representative Jett, the House concurred in the **SAs to HB 2118**.

**HB 2118**, 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, Bengé, Billy, Blackwell, Brannon, Carey, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruet, Renegar, Richardson, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shumate, Steele, Terrill, Thompson, Thomsen, Trebilcock, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--74.

Nay: Banz, BigHorse, Brown, Cannaday, Collins, Gilbert, Glenn, Hamilton, Hoskin, Inman, Jones, Lindley, Pittman, Roan, Shelton, Smithson, Tibbs, Turner.--18.

Excused: Braddock, Cox, Dorman, Ellis, Morrissette, Reynolds, Shoemake, Sullivan, Walker.--9.

The measure passed.

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

#### **GENERAL ORDER**

**SB 871** by Gumm of the Senate and Peterson (Ron) of the House was read and considered.

Representative Reynolds moved to amend **SB 871** by inserting a new Section 1, and renumbering subsequent sections, which amendment was declared adopted.

Representative Peterson (Ron) moved that **SB 871** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 871** 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, 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 (Dennis), 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, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Braddock, Cox, Reynolds, Shoemake, Sullivan, Walker.--6.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Bengé, BigHorse, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--91.

Nay: Gilbert, Lindley, Morrissette, Shelton.--4.

Excused: Braddock, Cox, Reynolds, Shoemake, Sullivan, Walker.--6.

The emergency passed.

**SB 871** was referred for engrossment.

## GENERAL ORDER

**SB 1026** by Bass of the Senate and Duncan of the House was read and considered.

Representative Rousselot moved that **SB 1026** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1026** 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, 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 (Dennis), 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, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Braddock, Cox, Reynolds, Shoemake, Sullivan, Walker.--6.

The measure and emergency passed.

**SB 1026** was referred for engrossment.

## MEASURE REREFERRED

Upon motion of Representative Adkins, **SB 734** was withdrawn from the Calendar and referred to the Rules Committee.

## MOTION

Representative Wesselhoft asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 483**, which was the order.

## PENDING CONSIDERATION OF SAs

**SAs** to **HB 1021** were rejected upon motion of Representative Cooksey. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

**SAs to HJR 1039** were rejected upon motion of Representative Jones. Conferees to be named later.

**CONFERENCE GRANTED**

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

**SB 224** – Benge, Miller, Auffet, Carey, Covey, Dorman, Jett, Liebmann, Terrill

**MESSAGES FROM THE SENATE**

Announcing the passage of **HB 1702**.

The above-numbered measure was referred for enrollment.

**Transmitting engrossed measures, as amended**

Announcing the passage of and returning engrossed measures as amended: **HBs 1282**, Coauthored by Senators Nichols, Leftwich, Barrington, Sykes, **1288**, Coauthored by Senator Sparks, **1383, 1387**, Coauthored by Senator Sparks, **1390, 1432, 1589, 1619, 1650**, Coauthored by Senator Johnson (Constance), **1674, 1764, 1808**, Coauthored by Senators Corn, Gumm, Sparks, Wilson, Leftwich, Reynolds, **1868**, Coauthored by Representative Shumate, **1884, 1895**, Coauthored by Senators Leftwich, Rice, **1916**, Coauthored by Senators Barrington, Schulz, **2019**, Coauthored by Senator Johnson (Constance) and Coauthored by Representatives Armes, Dank, **2070, 2082**, Coauthored by Senators Gumm, Corn, Anderson, Bass, Jolley, Adelson, Crain, Riley, Paddack, Nichols, Schulz, Lerblance, Ford, **2085**, Coauthored by Senators Leftwich, Adelson, Myers, Crain, **2087** and **2104** and **HCR 1010**.

Senate amendments were read on the above numbered measures.

**MESSAGES FROM THE GOVERNOR**

Advising of his approval of **HBs 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1285, 1346, 1374, 1510, 1556, 1612** and **1796** on April 18, 2007.

## RESOLUTIONS

The following were introduced and read:

**HCR 1032** – By Collins of the House and Sparks of the Senate.

A Concurrent Resolution requesting Governor Henry to declare a moratorium on the Crosstown Project and appoint a Special Commission; and directing distribution.

**HR 1022** – By Denney.

A Resolution observing May 3, 2007, as the National Day of Prayer.

**HR 1023** – By Richardson.

A Resolution declaring April as Autism Awareness Month; and directing distribution.

## COMMITTEE REPORTS

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

DO PASS:

**SB 609** – Energy and Technology

**SB 825** – Judiciary and Public Safety

DO PASS, As Amended:

**SB 75** – Energy and Technology

**CS for SB 115** – Appropriations and Budget

**CS for SB 136** – Energy and Technology

**CS for SB 353** – Appropriations and Budget

**CS for SB 354** – Appropriations and Budget

**CS for SB 355** – Appropriations and Budget

**CS for SB 357** – Appropriations and Budget

**CS for SB 358** – Appropriations and Budget

**CS for SB 363** – Appropriations and Budget

**CS for SB 364** – Appropriations and Budget

**CS for SB 407** – Energy and Technology

**CS for SB 447** – Appropriations and Budget

**SB 546** – Appropriations and Budget

**CS for SB 565** – Economic Development and Financial Services, Remove Representative Armes as principal House author and substitute with Representative Peterson (Ron)

**SB 622** – Energy and Technology

**SB 626** – Appropriations and Budget

**CS for SB 630** – Energy and Technology

**SB 685** – Appropriations and Budget

**CS for SB 695** – Economic Development and Financial Services

**CS for SB 725** – Appropriations and Budget, Coauthored by Representative(s) Terrill

**CS for SB 751** – Appropriations and Budget, Coauthored by Representative(s)

Braddock, Coody, Dorman

**SB 796** – Energy and Technology

**CS for SB 806** – Appropriations and Budget

**CS for SB 984** – Economic Development and Financial Services

**CS for SB 1014** – Appropriations and Budget

**CS for SB 1076** – Appropriations and Budget

## **APPOINTMENTS**

The Speaker announced the appointment of the following House Members as conferees on the General Conference Committee on Appropriations.

Speaker Cargill and Speaker Pro Tempore Blackwell are ex officio voting Members of the General Conference Committee on Appropriations.

Benge, Chair  
Morgan, Vice-Chair

Adkins	Johnson (Rob)
Auffet	Jones
Braddock	Liebmann
Brown	Miller
Cannaday	Nations
Carey	Peters
Covey	Peterson (Ron)
Cox	Piatt
DeWitt	Sherrer
Dorman	Terrill
Duncan	Wright
Jett	

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 19, 2007, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 6:05 p.m., to reconvene Thursday, April 19, 2007, at 9:00 a.m.