

HOUSE JOURNAL

Second Regular Session of the Fifty-first Legislature

of the State of Oklahoma

Eleventh Legislative Day, Wednesday, February 20, 2008

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Elwyn Rogers, First Assembly of God, Marlow.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2518 and 2731 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SB 41 were reported correctly engrossed, properly signed, in open session, and the measure, as amended, was ordered returned to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 2789 –Withdrawn from Energy and Technology and referred to Rules.

HB 3050 –Withdrawn from Rules and referred to Economic Development and Financial Services.

HB 3398 –Withdrawn from Rules and referred to General Government and Transportation.

GENERAL ORDER

HB 2239 by Schwartz et al of the House and Crain of the Senate was read and considered.

Coauthored by Representative(s) Enns, Dank, McCullough, Kiesel, Renegar, Gilbert, Pittman

Representative Schwartz moved that **HB 2239** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2239 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Inman, Jackson, 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, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Mr. Speaker.--97.

Nay: Wright.--1.

Excused: Glenn, Ingmire, Jett.--3.

The measure and emergency passed.

HB 2239 was referred for engrossment.

MOTION

Representative McMullen moved to suspend House Rule 9.6(c) as it pertains to the following shell appropriation measures **HB 2252**, **HBs 2254-2262** and **HB 2264**, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Auffet, Banz, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, 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, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Morgan, Morrissette, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Nay: Gilbert, McPeak, Shelton.--3.

Excused: Glenn, Nations, Shumate.--3.

GENERAL ORDER

HB 2254 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2254** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2254** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2254 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Auffet, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman,

Hoskin, Hyman, Ingmire, Inman, Jackson, 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, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Worthen, Wright, Mr. Speaker.--92.

Nay: Reynolds.--1.

Excused: Armes, Banz, Glenn, Hilliard, Jett, Shelton, Shumate, Wesselhoft.--8.

The measure and emergency passed.

HB 2254 was referred for engrossment.

GENERAL ORDER

HB 2255 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2255** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2255** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2255 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, 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, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Worthen, Wright, Mr. Speaker.--94.

Nay: Reynolds.--1.

Excused: Glenn, Jett, Lindley, McCarter, Shumate, Wesselhoft.--6.

The measure and emergency passed.

HB 2255 was referred for engrossment.

GENERAL ORDER

HB 2252 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative(s) Jones

Representative Miller moved to amend **HB 2252** by striking the title, which amendment was declared adopted.

Representative Wright moved to amend **HB 2252**, Page 1, Section 1, Line 15 by adding the language "Department of Transportation"; Line 17 by adding "Fifty Million Dollars (\$50,000,000.00)" and Line 19 by adding "Department of Transportation".

Representative Miller moved to table the Wright amendment, which tabling motion failed upon roll call as follows:

Aye: Adkins, Banz, Billy, Blackwell, Cooksey, Cox, Dank, Derby, DeWitt, Duncan, Enns, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Peters, Peterson (Ron), Piatt, Richardson, Schwartz, Sears, Sullivan, Terrill, Thomsen, Tibbs, Watson, Mr. Speaker.--36.

Nay: Armes, Auffet, BigHorse, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Covey, Dorman, Ellis, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Nations, Peterson (Pam), Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smithson, Trebilcock, Turner, Wesselhoft, Winchester, Wright.--55.

Excused: Cargill, Denney, Glenn, Jett, Shannon, Shelton, Steele, Thompson, Walker, Worthen.--10.

Upon request of Representative Miller, **HB 2252** was laid over.

GENERAL ORDER

HB 2256 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2256** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2256** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2256 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, Braddock, Brown, Cannaday, Carey, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Peters, Peterson (Pam), Peterson (Ron), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--85.

Excused: Brannon, Cargill, Collins, DeWitt, Glenn, Jackson, Jett, McAffrey, Nations, Piatt, Reynolds, Schwartz, Shelton, Terrill, Thompson, Worthen.--16.

The measure and emergency passed.

HB 2256 was referred for engrossment.

GENERAL ORDER

HB 2257 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2257** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2257** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2257 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, BigHorse, Billy, Blackwell, Braddock, Brown, Cannaday, Carey, Cargill, Collins, Coody, Covey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jett, Johnson (Dennis), Johnson (Rob), Jordan, Joyner, Kern, 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), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--86.

Nay: Reynolds.--1.

Excused: Banz, Brannon, Cooksey, Dorman, Glenn, Jackson, Jones, Key, Piatt, Shelton, Smithson, Steele, Thompson, Worthen.--14.

The measure and emergency passed.

HB 2257 was referred for engrossment.

GENERAL ORDER

HB 2258 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2258** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2258** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2258 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, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, 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), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--93.

Nay: Reynolds.--1.

Excused: Braddock, Glenn, Jackson, Joyner, Piatt, Shelton, Worthen.--7.

The measure and emergency passed.

HB 2258 was referred for engrossment.

GENERAL ORDER

HB 2259 by Bengé et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Bengé as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2259** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2259** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2259 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, 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, 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), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Nay: Reynolds.--1.

Excused: Glenn, Lindley, Piatt, Shelton.--4.

The measure and emergency passed.

HB 2259 was referred for engrossment.

GENERAL ORDER

HB 2260 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2260** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2260** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2260 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, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, 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, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--89.

Nay: Reynolds.--1.

Excused: Braddock, Brown, Glenn, McPeak, Morrissette, Piatt, Schwartz, Shelton, Terrill, Trebilcock, Worthen.--11.

The measure and emergency passed.

HB 2260 was referred for engrossment.

GENERAL ORDER

HB 2261 by Bengé et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Bengé as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2261** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2261** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2261 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--92.

Nay: Reynolds.--1.

Excused: Covey, Cox, Glenn, Jones, Lindley, McAffrey, Roan, Worthen.--8.

The measure and emergency passed.

HB 2261 was referred for engrossment.

GENERAL ORDER

HB 2262 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative Jones

Representative Miller moved to amend **HB 2262** by striking the title, which amendment was declared adopted.

Representative Miller moved that **HB 2262** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2262 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, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Jordan, Joyner, Kern, Key, Kiesel, Lamons, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Mr. Speaker.--86.

Nay: Reynolds, Wright.--2.

Excused: Adkins, Cargill, Covey, Cox, Glenn, Johnson (Rob), Jones, Liebmann, Lindley, Peterson (Ron), Shoemake, Wesselhoft, Worthen.--13.

The measure and emergency passed.

HB 2262 was referred for engrossment.

GENERAL ORDER

HB 2264 by Benge et al of the House and Crutchfield et al of the Senate was read and considered.

Remove Representative Benge as principal House author and substitute with Representative Miller

Coauthored by Representative(s) Jones

Representative Miller moved to amend **HB 2264** by striking the title.

Representative Wright asked a ruling of the Presiding Officer whether the Miller amendment was in order.

The Presiding Officer ruled the point not well taken and the Miller amendment in order pursuant to House Rule 8.6(g).

Representative Miller pressed adoption of the amendment, which amendment was declared adopted upon roll call as follows:

Aye: Adkins, Banz, Billy, Blackwell, Braddock, Cargill, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Duncan, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Schwartz, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Winchester, Worthen, Mr. Speaker.--50.

Nay: Auffet, BigHorse, Brannon, Brown, Cannaday, Carey, Collins, Covey, Dank, Dorman, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Inman, Kiesel, Lamons, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Turner, Walker, Wesselhoft, Wright.--49.

Excused: Armes, Glenn.--2.

Representative Miller moved that **HB 2264** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2264 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney,

Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, 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, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--95.

Nay: Lindley, Reynolds.--2.

Excused: Glenn, Hilliard, Peterson (Ron), Worthen.--4.

The measure passed.

HB 2264 was referred for engrossment.

GENERAL ORDER

HB 2447 by Shoemake of the House and Ballenger of the Senate was read and considered.

Representative Shoemake moved that **HB 2447** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2447 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, 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, 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), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Turner, Walker, Watson, Winchester, Wright, Mr. Speaker.--92.

Nay: Cox, Kern, Reynolds, Trebilcock, Wesselhoft.--5.

Excused: Glenn, Peterson (Ron), Piatt, Worthen.--4.

The measure passed.

HB 2447 was referred for engrossment.

GENERAL ORDER

HB 2470 by Rousselot of the House was read and considered.

Authored by Senator Brown (principal Senate author)

Representative Rousselot moved that **HB 2470** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2470 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, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, 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, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--94.

Nay: Carey, Hamilton.--2.

Excused: Braddock, Glenn, Miller, Peterson (Ron), Worthen.--5.

The measure passed.

HB 2470 was referred for engrossment.

GENERAL ORDER

HB 2490 by Hilliard of the House was read and considered.

Coauthored by Representative(s) Kiesel, Sherrer, Covey, Turner, McAffrey

Authored by Senator Sparks (principal Senate author)

Representative Hilliard moved to amend **HB 2490** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Terrill moved to amend the floor substitute, Page 6, Section 4, Line 13 1/2 by inserting a new subsection C to read as follows:

“C. Any final audit report with a finding of fraud or willful misrepresentation shall be referred to the district attorney having proper jurisdiction or the Attorney General for prosecution upon completion of the appeals process.”,

which amendment was declared adopted.

Representative Terrill moved to amend the floor substitute, Page 7, Section 6, Line 8 by deleting after the word “audit” the language “conducted by or on behalf of a state agency”, which amendment was declared adopted.

Representative Hilliard pressed adoption of the floor substitute, as amended, which amendment was declared adopted.

Representative Hilliard moved that **HB 2490** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2490 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, Cargill, Collins, Coody, Cooksey, Covey, Cox, 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), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--97.

Excused: Braddock, Glenn, Peterson (Ron), Worthen.--4.

The measure passed.

HB 2490 was referred for engrossment.

GENERAL ORDER

HB 2705 by Steele et al of the House and Laster of the Senate was read and considered.

Coauthored by Representative(s) Shelton, McAffrey, Johnson (Dennis), Renegar, Tibbs, Kern, Pittman

Representative Steele moved that **HB 2705** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2705 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, Cargill, Collins, Coody, Cooksey, Covey, Cox, 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, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--98.

Excused: Braddock, Glenn, Worthen.--3.

The measure and emergency passed.

HB 2705 was referred for engrossment.

GENERAL ORDER

HB 3126 by Enns et al of the House and Crain of the Senate was read and considered.

Coauthored by Representative(s) Dank, Faught, McAffrey, McDaniel (Jeannie), Renegar, Rousselot, Sears, Steele

Representative Enns moved that **HB 3126** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3126 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, Cargill, Collins, Coody, Cooksey, Covey, Cox, 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, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--99.

Excused: Braddock, Glenn.--2.

The measure passed.

HB 3126 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

SB 1442 – By Ballenger of the Senate and Shoemake and Turner of the House.

An Act relating to schools; changing the name of the Oklahoma State University Technical Branch at Okmulgee to the Oklahoma State University Institute of Technology-Okmulgee; providing for effect of name change; amending 62 O.S. 2001, Section 57.122, which relates to certain building bonds; amending 70 O.S. 2001, Section 3103, as last amended by Section 1, Chapter 400, O.S.L. 2004 (70 O.S. Supp. 2007, Section 3103), which relates to agencies of state higher education institutions; amending 70 O.S. 2001, Section 14-103, as last amended by Section 1, Chapter 319, O.S.L. 2006 (70 O.S. Supp. 2007, Section 14-103), which relates to the powers and duties of the State Board of Career and Technology Education; amending 70 O.S. 2001, Section 17-101, as last amended by Section 3, Chapter 46, 2nd Extraordinary Session, O.S.L. 2006 (70 O.S. Supp. 2007, Section 17-101), which relates to definitions for the Teachers' Retirement System of Oklahoma; amending Section 12, Chapter 2, O.S.L. 2005, as last amended by Section 7, Chapter 402, O.S.L. 2005 (70 O.S. Supp. 2007, Section 3980.12), which relates to authorized projects issued by the Oklahoma Capitol Improvement Authority; amending 72 O.S. 2001, Section 302, which relates to free tuition for children of certain veterans; amending 74 O.S. 2001, Section 130.12, which relates to technical training for alternative fuels; changing the name of Oklahoma State University Technical Branch located at

Okmulgee; providing for codification; providing an effective date; and declaring an emergency.

SB 1453 – By Ballenger of the Senate and Adkins of the House.
[junk dealers - certain beer kegs - emergency]

RESOLUTION

The following was introduced and read:

HCR 1058 – By Cox.

A Concurrent Resolution relating to patient-centered medical homes; concurring with certain principles and encouraging the study and use of patient-centered medical homes.

COMMITTEE REPORTS

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

DO PASS, As Amended:

HB 2551 – General Government and Transportation, Coauthored by Representative(s) Billy, Martin (Scott), Martin (Steve), Thompson, and Authored by Senator Corn (principal Senate author)

CS for HB 2784 – Energy and Technology, Coauthored by Representative(s) Banz, Covey, McCullough, McMullen, Pittman, Walker, and Authored by Senator Gumm (principal Senate author)

CS for HB 2813 – Energy and Technology, Coauthored by Representative(s) McMullen

CS for HB 3098 – Energy and Technology, Coauthored by Representative(s) Covey, McCullough, McNiel, Pittman, Walker, and Authored by Senator Aldridge (principal Senate author)

APPOINTMENTS

The Speaker announced the following appointments:

February 14, 2008 – Speaker Benge appointed as an ex-officio voting Member of the Contingency Review Board replacing former Speaker Cargill. (74 O.S. 3605)

February 19, 2008 – Representatives Braddock and Duncan appointed as Members and Co-Chairs and Representatives Covey, Hickman, McCullough, Reynolds, Roan and Turner as Members of the House Special Investigating Committee. (74 O.S. 456.2, **HR 1051**, 2008)

Representative Ingmire moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 21, 2008, which was the order.

Pursuant to the motion of Representative Ingmire, the House was adjourned at 3:25 p.m., to reconvene Thursday, February 21, 2008, at 9:00 a.m.