

HOUSE JOURNAL

Second Regular Session of the Fifty-first Legislature

of the State of Oklahoma

Fifteenth Legislative Day, Wednesday, February 27, 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 Gary Harber, St. James United Methodist Church, Tulsa. Pastor Harber was sponsored by Representative Peterson (Pam).

Upon motion of Representative Thompson, Pastor Harber was confirmed as House Chaplain for Wednesday, February 27, 2008 and Thursday, February 28, 2008.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2557, 2695, 2784, 3098, 3122 and **HCR 1058** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HB 2297 was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 3284 –Withdrawn from Rules and referred to Judiciary and Public Safety.

HB 3391 –Withdrawn from Rules and referred to General Government and Transportation.

MESSAGES FROM THE SENATE

Announcing the passage of the following engrossed measures.

The measures were introduced and read for the first time.

SB 1134 – By Garrison, Gumm, Sparks, Crain, Rice, Ford, Corn, Sweeden, Johnson (Constance) and Ballenger of the Senate and Rousselot of the House.

An Act relating to definitions and general provisions; stating legislative findings; designating first Monday of each month as day of remembrance for those serving in war on terror; authorizing and requesting flags be flown at half-staff; specifying duty of Director of Department of Central Services; providing for codification; and providing an effective date.

SB 1138 – By Lamb, Aldridge, Corn, Gumm, Sparks, Wilcoxson, Mazzei, Adelson, Ballenger, Bass, Burrage, Crutchfield, Easley, Eason McIntyre, Garrison, Ivester, Johnson (Constance), Laster, Leftwich, Lerblance, Morgan, Paddack, Rice, Riley, Rabon, Wilson, Sweeden and Wyrick of the Senate and McDaniel (Randy) of the House.

[motor vehicles - creating special license plate for Operation Iraqi Freedom veterans - effective date]

SB 1168 – By Laughlin and Gumm of the Senate and Hickman of the House.

[counties and county officers – liability for medical costs – emergency]

SB 1384 – By Barrington of the Senate and Billy of the House.

An Act relating to public safety; amending 47 O.S. 2001, Sections 11-702, as last amended by Section 13, Chapter 418, O.S.L. 2004, 15-112, as last amended by Section 17, Chapter 326, O.S.L. 2007, 40-102, as last amended by Section 14, Chapter 394, O.S.L. 2005, 158.2, 1602, as amended by Section 18, Chapter 62, O.S.L. 2007, and 1603, as amended by Section 19, Chapter 62, O.S.L. 2007 (47 O.S. Supp. 2007, Sections 11-702, 15-112, 40-102, 1602, and 1603), which relate to railroad crossings, physical disability placards, traffic collision reports, operation of vehicles by state departments, definitions, and the refueling service program; requiring buses to comply with certain railroad crossing provisions; removing certain fee for physical disability placards; clarifying language regarding use of certain data for commercial purposes; declaring operation of vehicles by certain state departments to be a public governmental function; limiting applicability of certain definitions; specifying statutory section which establishes certain program; amending 63 O.S. 2001, Section 2805, as amended by Section 54, Chapter 329, O.S.L. 2003 (63 O.S. Supp. 2007, Section 2805), which relates to 911 systems; updating references to certain state entities; repealing 47 O.S. 2001, Section 12-418, which relates to assessment of points to driving records; providing for recodification; and declaring an emergency.

SB 1506 – By Burrage and Sweeden of the Senate and Jones and Sherrer of the House.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 1201, which relates to public highways; prohibiting opening of public highways on certain section lines; providing certain circumstances; providing for property owners ingress and egress; and declaring an emergency.

SB 1546 – By Ballenger and Bingman of the Senate and McPeak of the House.

An Act relating to the Muscogee (Creek) Nation Housing Authority; amending Section 1, Chapter 119, O.S.L. 2006, which relates to authorization for the Muscogee (Creek) Nation to assume management and control of the state agency, Muscogee (Creek) Nation Housing Authority; adding adoption of certain cooperation and payment in lieu of tax agreements as requirement; amending 63 O.S. 2001, Section 1058, which relates to the Oklahoma Housing Authorities Act; modifying authority to set per diem and mileage reimbursement amounts for certain housing authorities; and declaring an emergency.

SB 1633 – By Crutchfield of the Senate and Hyman of the House.

An Act relating to roads, bridges and ferries; designating certain memorial bridges; providing for codification; and declaring an emergency.

SB 1675 – By Barrington of the Senate and Denney of the House.

[Oklahoma State Bureau of Investigation - disclosure - Department of Human Services-effective date]

SB 1853 – By Aldridge of the Senate and Joyner of the House.

[public health and safety – Psychiatric and Chemical Dependency Facility Certificate of Need Act – effective date]

SB 1859 – By Wyrick of the Senate and DeWitt of the House.

An Act relating to agriculture; creating the Oklahoma Dairy Promotion Act; providing short title; defining terms; creating the Oklahoma Dairy Promotion Commission; providing for membership; stating qualifications for Commission members; authorizing election of officers; stating duties of the Commission; providing for travel reimbursement; providing for vacancies; providing for codification; and providing an effective date.

Transmitting enrolled measure

Advising fourth reading of and transmitting for signature Enrolled **SB 45**.

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

RESOLUTION FOR CONSIDERATION

SCR 44 was called up for consideration.

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

Upon motion of Representative Johnson (Dennis), **SCR 44** was considered and adopted.

SCR 44 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

GENERAL ORDER

HB 2202 by Wright of the House and Aldridge of the Senate was read and considered.

Representative Brown moved that **HB 2202** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2202 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: 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, 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, Reynolds, 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.--99.

Excused: Adkins, Shelton.--2.

The measure passed.

HB 2202 was referred for engrossment.

GENERAL ORDER

HB 2203 by Wright of the House and Aldridge of the Senate was read and considered.

Representative Brown moved that **HB 2203** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2203 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, 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, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, 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.--99.

Excused: Miller, Shelton.--2.

The measure passed.

HB 2203 was referred for engrossment.

GENERAL ORDER

HB 2204 by Wright of the House and Aldridge of the Senate was read and considered.

Representative Brown moved that **HB 2204** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2204 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, 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, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, 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.--99.

Excused: Miller, Shelton.--2.

The measure passed.

HB 2204 was referred for engrossment.

GENERAL ORDER

HB 2221 by Shoemake of the House and Ballenger of the Senate was read and considered.

Representative Shoemake moved that **HB 2221** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2221 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, 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, Morgan, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, 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.--99.

Excused: Miller, Shelton.--2.

The measure passed.

HB 2221 was referred for engrossment.

GENERAL ORDER

HB 2229 by Cannaday of the House and Garrison of the Senate was read and considered.

Coauthored by Representative(s) BigHorse, Pittman

Representative Shelton moved to amend **HB 2229**, Page 3, Section 1, Line 2 by striking the word “and” and inserting in lieu thereof a comma “,” and by inserting after the word “movement” and before the period “.” the language “, and the civil rights movement and the passage of civil rights legislation”, which amendment was declared adopted.

Representative Terrill 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, BigHorse, Billy, Blackwell, Braddock, Brannon, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Denney, Derby, DeWitt, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Ingmire, Inman, Johnson (Dennis), 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, Murphey, Nations, Peters, Peterson (Pam), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--85.

Excused: Adkins, Banz, Brown, Dank, Dorman, Hickman, Jackson, Jett, Johnson (Rob), Miller, Morrissette, Peterson (Ron), Reynolds, Shelton, Thompson, Worthen.--16.

Representative Terrill moved to amend **HB 2229**, Page 2, Section 1, Lines 17-18 by striking the language “, for the appropriate grade level, the” and by inserting in lieu thereof the language “appropriate grade level”, which amendment was declared adopted.

Representative Cannaday moved that **HB 2229** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2229 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Covey, Cox, Derby, DeWitt, Dorman, Ellis, Enns, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Joyner, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Nations,

Peters, Peterson (Ron), Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Trebilcock, Turner, Walker, Mr. Speaker.--80.

Nay: Blackwell, Coody, Cooksey, Dank, Denney, Duncan, Faught, Johnson (Dennis), Kern, McDaniel (Randy), Murphey, Peterson (Pam), Reynolds, Thomsen, Tibbs, Watson, Wesselhoft, Winchester, Worthen, Wright.--20.

Excused: Piatt.--1.

The measure passed.

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

Aye: Adkins, Armes, Auffet, BigHorse, Billy, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Covey, Derby, DeWitt, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Rob), Jones, Jordan, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McDaniel (Jeannie), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Nations, Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Turner, Walker, Mr. Speaker.--72.

Nay: Banz, Blackwell, Coody, Cooksey, Cox, Dank, Denney, Duncan, Enns, Faught, Hickman, Johnson (Dennis), Joyner, Kern, McDaniel (Randy), Murphey, Peters, Peterson (Pam), Reynolds, Sullivan, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Winchester, Wright.--27.

Excused: McCullough, Worthen.--2.

The emergency passed.

HB 2229 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

SCR 54 was called up for consideration.

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

Upon motion of Representative Shelton, **SCR 54** was considered and adopted.

SCR 54 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

GENERAL ORDER

HB 2446 by Braddock of the House and Paddock of the Senate was read and considered.

Representative Braddock moved to amend **HB 2446** 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 by inserting a new Section 3 to read as follows, and renumbering subsequent section:

“SECTION 3. REPEALER Section 1, Chapter 210, O.S.L. 2003, as amended by Section 13, Chapter 112, O.S.L. 2007 (70 O.S. Supp. 2007, Section 3242) is hereby repealed.”,

which amendment failed of adoption.

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

Aye: Cargill, Cooksey, Dank, Duncan, Faught, Joyner, Kern, Key, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Murphey, Reynolds, Schwartz, Shannon, Sullivan, Terrill, Worthen, Wright.--20.

Nay: Adkins, Armes, Auffet, BigHorse, Billy, Blackwell, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Covey, DeWitt, Dorman, Ellis, Enns, Gilbert, Glenn, Hamilton, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Johnson (Rob), Jones, Jordan, Kiesel, Lamons, Liebmann, Lindley, Luttrell, McCarter, McDaniel (Jeannie), McMullen, McNiel, McPeak, Morgan, Morrisette, Nations, Peters, Peterson (Pam), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smithson, Steele, Thomsen, Trebilcock, Turner, Walker, Watson, Winchester.--64.

Excused: Banz, Coody, Cox, Denney, Derby, Harrison, Jett, Johnson (Dennis), McAffrey, Miller, Peterson (Ron), Sears, Shelton, Thompson, Tibbs, Wesselhoft, Mr. Speaker.--17.

Representative Braddock pressed adoption of the floor substitute, which amendment was declared adopted.

Representative Braddock moved that **HB 2446** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2446 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, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Covey, Denney, DeWitt, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Kiesel, Lamons, Lindley, Luttrell, Martin (Steve), McAffrey, McCarter, McDaniel (Jeannie), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Nations, Peters, Peterson (Pam), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Mr. Speaker.--74.

Nay: Banz, Cooksey, Dank, Derby, Duncan, Faught, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), McCullough, McDaniel (Randy), Murphey, Peterson (Ron), Reynolds, Schwartz, Shannon, Terrill, Thompson, Wesselhoft, Worthen, Wright.--24.

Excused: Cox, Enns, Jett.--3.

The measure and emergency passed.

HB 2446 was referred for engrossment.

GENERAL ORDER

HB 2539 by Joyner of the House and Barrington of the Senate was read and considered.

Representative Joyner moved that **HB 2539** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2539 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, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, 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, Worthen, Wright, Mr. Speaker.--98.

Excused: Cox, Jett, Johnson (Dennis).--3.

The measure passed.

HB 2539 was referred for engrossment.

Representative Armes Presiding

GENERAL ORDER

HB 2634 by Kern of the House and Reynolds of the Senate was read and considered.

Representative Kern moved to amend **HB 2634** 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 Kern moved that **HB 2634** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2634 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Banz, Billy, Blackwell, Braddock, Brannon, Cargill, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Gilbert, Hickman, Hilliard, Hyman, Ingmire, Jackson, Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Mr. Speaker.--78.

Nay: Auffet, BigHorse, Brown, Cannaday, Carey, Collins, Covey, Dorman, Ellis, Glenn, Hamilton, Harrison, Hoskin, Inman, Lindley, McAffrey, Morrissette, Proctor, Turner, Wright.--20.

Excused: Jett, Johnson (Dennis), Shelton.--3.

The measure passed.

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

Aye: Armes, Banz, Billy, Blackwell, Braddock, Brannon, Cargill, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Hilliard, Hyman, Ingmire, Johnson (Rob), Jordan, Kern, Key, Kiesel, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, Miller, Morgan, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--72.

Nay: Auffet, BigHorse, Brown, Cannaday, Carey, Collins, Covey, Gilbert, Glenn, Hamilton, Harrison, Hoskin, Inman, Lindley, McAffrey, McPeak, Morrisette, Nations, Shelton, Turner.--20.

Excused: Adkins, Hickman, Jackson, Jett, Johnson (Dennis), Jones, Joyner, McNiel, Worthen.--9.

The emergency passed.

HB 2634 was referred for engrossment.

MEASURE REREFERRED

Upon motion of Representative Cox, **HB 2763** was withdrawn from the Calendar and rereferred to the Public Health Committee.

GENERAL ORDER

HB 2641 by Peters of the House and Ford of the Senate was read and considered.

Representative Peters moved that **HB 2641** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2641 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, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, 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, Morrisette, Murphey, 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.--97.

Excused: Cox, Jett, Joyner, Nations.--4.

The measure and emergency passed.

HB 2641 was referred for engrossment.

GENERAL ORDER

HB 2958 by Tibbs et al of the House and Williamson of the Senate was read and considered.

Representative Tibbs moved that **HB 2958** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2958 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, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, 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, 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, Worthen, Wright, Mr. Speaker.--98.

Excused: Cox, Jett, Joyner.--3.

The measure passed.

HB 2958 was referred for engrossment.

GENERAL ORDER

HB 3340 by Thompson of the House and Branan of the Senate was read and considered.

Representative Thompson moved that **HB 3340** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 3340 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, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, 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), 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.--98.

Excused: Cox, Jett, Joyner.--3.

The measure passed.

HB 3340 was referred for engrossment.

GENERAL ORDER

SB 924 by Wilcoxson of the Senate and Thomsen et al of the House was read and considered.

Remove as coauthor Representative(s) Pittman

Representative Shelton moved to amend **SB 924** by adding new Sections 2 and 3 to read as follows, and renumbering subsequent section:

“SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Any person serving as the chair of the board of education as provided for in Section 5-107B of Title 70 of the Oklahoma Statutes on the effective date of this act shall continue to serve until the end of the term of the person who holds the office. At the end of the term of

office or upon the resignation of the chair or vacancy of the office, the chair of the board position shall be abolished.

SECTION 3. REPEALER 70 O.S. 2001, Section 5-107B, is hereby repealed.”

Representative Liebmann moved to table the Shelton amendment, which tabling motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Banz, Billy, Blackwell, Cargill, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Hickman, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Key, Liebmann, Lindley, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Schwartz, Sears, Shannon, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Winchester, Worthen, Wright, Mr. Speaker.--51.

Nay: Auffet, BigHorse, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Covey, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Ingmire, Inman, Kern, Kiesel, Lamons, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Turner, Walker.--45.

Excused: Jett, Joyner, Nations, Terrill, Wesselhoft.--5.

Representative Liebmann moved that **SB 924** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 924 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Banz, Billy, Cargill, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Enns, Faught, Ingmire, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Key, Liebmann, Lindley, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Murphey, Peters, Peterson (Ron), Piatt, Proctor, Pruett, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Trebilcock, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--55.

Nay: BigHorse, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Covey, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Inman, Kern, Kiesel, Lamons, Luttrell, McAffrey, McCarter, McMullen, McPeak, Morgan, Morrissette, Peterson (Pam), Pittman, Renegar, Reynolds, Shelton, Sherrer, Shoemake, Shumate, Smithson, Tibbs, Turner.--40.

Excused: Blackwell, Derby, Jett, Joyner, Nations, Walker.--6.

The measure passed.

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

Aye: Adkins, Armes, Auffet, Banz, Billy, Cargill, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Enns, Faught, Ingmire, Jackson, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Key, Liebmann, Lindley, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Murphey, Peters, Peterson (Ron), Piatt, Proctor, Pruett, Richardson, Rousselot, Schwartz, Sears, Shannon, Sherrer, Steele, Sullivan, Terrill, Thompson, Thomsen, Trebilcock, Watson, Wesselhoft, Worthen, Wright, Mr. Speaker.--54.

Nay: BigHorse, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Covey, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Inman, Kern, Kiesel, Lamons, Luttrell, McAffrey, McCarter, McMullen, McPeak, Morgan, Morrissette, Peterson (Pam), Pittman, Renegar, Reynolds, Shelton, Shoemake, Shumate, Smithson, Tibbs, Turner.--39.

Excused: Blackwell, Derby, Jett, Joyner, Nations, Roan, Walker, Winchester.--8.

The emergency failed.

Representative Worthen served notice to reconsider the vote whereby the emergency failed.

Representative Reynolds served notice to reconsider the vote whereby the bill passed.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Liebmann, the **CCR** on **SB 704** was rejected and further conference requested. Conferees to be named later.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HB 2297** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

Transmitting enrolled measure

Advising the signing of and transmitting for signature Enrolled **SCR 44**.

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

COMMITTEE REPORTS

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

DO PASS:

HB 1789 – Education, Coauthored by Representative(s) Kern

HB 2217 – Judiciary and Public Safety

HB 2525 – Education, Authored by Senator Garrison (principal Senate author)

HB 2534 – Judiciary and Public Safety

HB 2593 – Judiciary and Public Safety

HB 2638 – Judiciary and Public Safety, Authored by Senator Leftwich (principal Senate author)

HB 2760 – Public Health

HB 2780 – Education, Coauthored by Representative(s) Kern, and Authored by Senator Myers (principal Senate author)

HB 3050 – Economic Development and Financial Services, Remove Representative Peterson (Pam) as principal House author and substitute with Representative Jackson

HB 3373 – Economic Development and Financial Services, Authored by Senator Crain (principal Senate author), and Coauthored by Senator(s) Aldridge

HB 3387 – Education

HB 3396 – Appropriations and Budget, Remove Representative Cargill as principal House author and substitute with Representative Benge, Coauthored by Representative(s) Cargill, Collins, Martin (Scott), Nations, Authored by Senator Coffee (principal Senate author), and Coauthored by Senator(s) Nichols, Sparks

HB 3397 – Education, Coauthored by Representative(s) Shumate

DO PASS, As Amended:

CS for HB 2219 – Human Services, Coauthored by Representative(s) Pittman, BigHorse, and Authored by Senator Ballenger (principal Senate author)

HB 2222 – Appropriations and Budget, Coauthored by Representative(s) Dorman, and Authored by Senator Brogdon (principal Senate author)

HB 2253 – Appropriations and Budget, Remove Representative Benge as principal House author and substitute with Representative Miller, and Coauthored by Representative(s) Jones

HB 2263 – Appropriations and Budget, Remove Representative Benge as principal House author and substitute with Representative Miller, and Coauthored by Representative(s) Jones

HB 2267 – Appropriations and Budget, Remove Representative Benge as principal House author and substitute with Representative Miller, and Coauthored by Representative(s) Jones

HB 2273 – Appropriations and Budget, Remove Representative Benge as principal House author and substitute with Representative Miller, and Coauthored by Representative(s) Jones

HB 2276 – Appropriations and Budget, Remove Representative Benge as principal House author and substitute with Representative Miller, and Coauthored by Representative(s) Jones

HB 2278 – Appropriations and Budget, Remove Representative Benge as principal House author and substitute with Representative Miller, and Coauthored by Representative(s) Jones

CS for HB 2483 – General Government and Transportation

CS for HB 2502 – Energy and Technology

CS for HB 2504 – Judiciary and Public Safety, Authored by Senator Sykes (principal Senate author)

HB 2511 – Appropriations and Budget, Coauthored by Representative(s) Morrissette

CS for HB 2513 – Judiciary and Public Safety

HB 2553 – Appropriations and Budget

HB 2555 – Appropriations and Budget, Coauthored by Representative(s) Roan

CS for HB 2561 – Judiciary and Public Safety, Authored by Senator Justice (principal Senate author)

CS for HB 2568 – Human Services, Coauthored by Representative(s) BigHorse, Pittman, and Authored by Senator Anderson (principal Senate author)

HB 2574 – Education, Authored by Senator Jolley (principal Senate author)

CS for HB 2587 – Judiciary and Public Safety, Coauthored by Representative(s) Sherrer, and Authored by Senator Lerblance (principal Senate author)

CS for HB 2637 – Judiciary and Public Safety, Authored by Senator Leftwich (principal Senate author)

HB 2677 – Appropriations and Budget, Authored by Senator Crain (principal Senate author)

HB 2678 – Economic Development and Financial Services

HB 2702 – Appropriations and Budget, Authored by Senator Laster (principal Senate author)

HB 2703 – Human Services, Coauthored by Representative(s) McAffrey, Pittman

HB 2717 – Appropriations and Budget, Authored by Senator Wilson (principal Senate author)

HB 2722 – Judiciary and Public Safety, Authored by Senator Ivester (principal Senate author)

CS for HB 2809 – Human Services, Coauthored by Representative(s) BigHorse, McAffrey, Pittman, Shumate, and Authored by Senator Lamb (principal Senate author)

CS for HB 2814 – Judiciary and Public Safety, Coauthored by Representative(s) McCullough, and Authored by Senator Crain (principal Senate author)

HB 2947 – General Government and Transportation, Coauthored by Representative(s) Armes, Johnson (Dennis), Shannon, and Authored by Senator Branan (principal Senate author)

CS for HB 3007 – Judiciary and Public Safety

CS for HB 3068 – Economic Development and Financial Services

CS for HB 3070 – Economic Development and Financial Services, Coauthored by Representative(s) Joyner, Luttrell

HB 3110 – Appropriations and Budget

CS for HB 3123 – General Government and Transportation

CS for HB 3182 – General Government and Transportation

CS for HB 3193 – General Government and Transportation, Authored by Senator Justice (principal Senate author)

CS for HB 3266 – Human Services

CS for HB 3341 – Economic Development and Financial Services, Coauthored by Representative(s) Dorman, and Authored by Senator Barrington (principal Senate author)

HB 3342 – Appropriations and Budget, Coauthored by Representative(s) Liebmann, Terrill

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, February 28, 2008, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 4:35 p.m., to reconvene Thursday, February 28, 2008, at 9:00 a.m.