

# HOUSE JOURNAL

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

**Forty-second Legislative Day, Wednesday, April 16, 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 Reverend Rod Macilvaine, Grace Community Church, Bartlesville. Reverend Macilvaine was sponsored by Representatives Martin (Steve) and Sears.

Upon motion of Representative Thompson, Reverend Macilvaine was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

### SECOND READING

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

**HJR 1107** – Direct To Calendar

### ENGROSSED AND ENROLLED MEASURES

**HCRs 1045** and **1074** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HAs to SBs 70, 539, 1384, 1403, 1423, 1453, 1529, 1547, 1577, 1580, 1675, 1754, 1766, 1794, 1795, 1841, 1855, 1859, 1863, 1922, 1950, 1992, 1998, 2028, 2122, 2186** and **2194** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HBs 1820, 2778 and 2863** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCR 1065** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

### **GENERAL ORDER**

**SB 1192** by Adelson et al of the Senate and Sullivan et al of the House was read and considered.

Coauthored by Representative(s) Kern

Representative Sullivan moved that **SB 1192** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1192** 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, Cannaday, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Johnson (Dennis), Jones, Jordan, Joyner, Kern, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Schwartz, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--88.

Excused: Brown, Carey, Hamilton, Jett, Johnson (Rob), Key, McCarter, Morrissette, Rousselot, Shannon, Steele, Turner, Worthen.--13.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1192** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 1141** by Corn et al of the Senate and Liebmann et al of the House was read and considered.

Coauthored by Representative(s) Billy, Coody, Denney, Derby, Martin (Scott), Martin (Steve), Johnson (Dennis)

Representative Liebmann moved that **SB 1141** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1141** 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, Cannaday, Collins, Coody, 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), 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, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--93.

Excused: Brown, Carey, Cargill, Cooksey, Johnson (Rob), Morrisette, Steele, Worthen.--8.

The measure and emergency passed.

**SB 1141** was referred for engrossment.

## GENERAL ORDER

**SB 1148** by Anderson of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 1148** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1148** 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, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, 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, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--94.

Excused: Brown, Ellis, McCarter, Morrisette, Shoemake, Steele, Thompson.--7.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1148** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 1390** by Adelson of the Senate and Shumate et al of the House was read and considered.

Coauthored by Representative(s) Shelton, Winchester, Lindley

Representative Shumate 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, Billy, Blackwell, Braddock, Brannon, 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, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Pittman, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Winchester, Worthen, Wright, Mr. Speaker.--95.

Excused: Brown, Morrissette, Piatt, Proctor, Sherrer, Wesselhoft.--6.

Representative Shumate moved to amend **SB 1390** by restoring the title and the enacting clause, which amendment was declared adopted.

Representative Shumate moved that **SB 1390** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1390** 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, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, 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, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruet, 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: Brown, Dorman, Morrissette, Pittman.--4.

The measure passed.

**SB 1390** was referred for engrossment.

### **MOTION**

Representative Carey asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 1141**, which was the order.

### **MOTION**

Representative Cooksey asked that the Journal reflect that had she been present in the Chamber, she would have voted aye on **SB 1141**, which was the order.

**GENERAL ORDER**

**SB 1392** by Crutchfield of the Senate and Adkins of the House was read and considered.

Representative Adkins moved that **SB 1392** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1392** 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, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, 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), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, 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, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Mr. Speaker.--92.

Nay: Duncan, McAffrey, Morgan, Reynolds, Wright.--5.

Excused: Brown, Cargill, Dorman, Miller.--4.

The measure and emergency passed.

**SB 1392** was referred for engrossment.

**GENERAL ORDER**

**SB 1398** by Anderson of the Senate and Murphey of the House was read and considered.

Representative Reynolds moved to amend **SB 1398**, Page 3, Section 2 by deleting all language beginning with the word "have" on Line 7 through the period "." on Line 12 and by inserting in lieu thereof the following language:

"affirmatively approve the proposed issuance pursuant to a concurrent resolution not later than the last day of the regular session at which the information contained in the itemized list described by this subsection is submitted.", which amendment was declared adopted.

Representative Murphey moved that **SB 1398** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1398** 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, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, 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, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--97.

Nay: Gilbert.--1.

Excused: Brown, Johnson (Dennis), Miller.--3.

The measure and emergency passed.

**SB 1398** was referred for engrossment.

### GENERAL ORDER

**SB 1440** by Corn et al of the Senate and Derby of the House was read and considered.

Representative Derby moved that **SB 1440** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1440** 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, 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 (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, 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.--97.

Nay: Shelton.--1.

Excused: Brown, Johnson (Dennis), Miller.--3.

The measure and emergency passed.

**SB 1440** was referred for engrossment.

### GENERAL ORDER

**SB 1463** by Williamson of the Senate and Richardson of the House was read and considered.

Representative Richardson moved that **SB 1463** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1463** 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, 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, Jett, 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, 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.--97.

Excused: Brown, Cox, Johnson (Dennis), Miller.--4.

The measure and emergency passed.

**SB 1463** was referred for engrossment.

## GENERAL ORDER

**SB 1468** by Schulz of the Senate and Billy of the House was read and considered.

Representative Billy moved that **SB 1468** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1468** 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, 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 (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, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--97.

Excused: Brown, Johnson (Dennis), Miller, Shoemake.--4.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1468** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 1479** by Ballenger of the Senate and Wright of the House was read and considered.

Representative Wright moved that **SB 1479** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1479** 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, 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 (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, Morrisette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--97.

Excused: Brown, Johnson (Dennis), Miller, Shoemake.--4.

The measure and emergency passed.

**SB 1479** was referred for engrossment.

### **GENERAL ORDER**

**SB 1505** by Rabon of the Senate and Thompson of the House was read and considered.

Representative Murphey moved to amend **SB 1505** by inserting a new Section 1, and by renumbering subsequent sections, which amendment was declared adopted.

Representative Thompson moved that **SB 1505** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1505** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Billy, Blackwell, Cargill, Dank, Denney, Derby, DeWitt, Enns, Hilliard, Jackson, Jett, Johnson (Rob), Jones, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McNiel, Murphey, Peterson (Ron), Piatt, Richardson, Rousselot, Schwartz, Sears, Shannon, Sherrer, Steele, Thompson, Thomsen, Watson, Mr. Speaker.--35.

Nay: Auffet, Banz, Braddock, Brannon, Cannaday, Carey, Collins, Coody, Cooksey, Covey, Cox, Dorman, Duncan, Ellis, Faught, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hoskin, Hyman, Inman, Johnson (Dennis), Jordan, Joyner, Kern, Key, Kiesel, Lamons, Lindley, McAffrey, McCarter, McDaniel (Jeannie), McDaniel (Randy), McMullen, McPeak, Morgan, Nations, Peters, Peterson (Pam), Proctor, Pruett, Renegar, Reynolds, Roan, Shelton, Shumate, Smithson, Sullivan, Terrill, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Winchester, Wright.--58.

Excused: BigHorse, Brown, Ingmire, Miller, Morrisette, Pittman, Shoemake, Worthen.--8.

The measure failed.

Representative Thompson served notice to reconsider the vote whereby **SB 1505** failed.

## MESSAGES FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 1392, 1418**, Remove Senator Bass as principal Senate Author and substitute with Senator Wilson and Coauthored by Senator(s) Corn, Gumm, Rice, Ballenger, Bass, Burrage, Crutchfield, Garrison, Ivester, Johnson (Constance), Laster, Leftwich, Lerblance, Morgan, Paddack, Riley, Sparks, Sweeden, and Wyrick, **1622**, Coauthored by Senator(s) Johnson (Constance), Sykes and Brogdon, **2074**, Coauthored by Senator Ford, **2242, 2583, 2731, 2732**, Coauthored by Senator Leftwich, **2821, 2889** and **3201**.

Senate amendments were read on the above numbered measures.

## Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 1178, 1389, 1410, 1546, 1734** and **1735**.

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

## Transmitting CCR

Transmitting the following measure, together with the conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

### **SB 1819**

Conference committee report was read on the above-numbered measure.

## MOTION

Representative Piatt moved that the House stand at ease until 1:30 p.m., which was the order.

**Representative Armes Presiding****GENERAL ORDER**

**SB 2076** by Sparks of the Senate and Schwartz of the House was read and considered.

Coauthored by Representative(s) Collins

Representative Schwartz moved that **SB 2076** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 2076** 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, Braddock, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Covey, Cox, Dank, Denney, Derby, Dorman, Ellis, Enns, Faught, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hoskin, Hyman, Inman, Jackson, Johnson (Rob), Jordan, Joyner, Kern, Key, Kiesel, Lamons, Lindley, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Morgan, Murphey, Nations, Peterson (Pam), 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.--86.

Excused: Adkins, Blackwell, DeWitt, Duncan, Hamilton, Ingmire, Jett, Johnson (Dennis), Jones, Liebmann, Miller, Morrisette, Peters, Peterson (Ron), Shelton.--15.

The measure passed.

**SB 2076** was referred for engrossment.

**MOTION**

Representative Piatt moved that the House stand at ease until 2:15 p.m., which was the order.

**Representative Armes Presiding**

**GENERAL ORDER**

**SB 1595** by Nichols of the Senate and Terrill of the House was read and considered.

Representative Terrill moved that **SB 1595** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1595** 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, Brannon, Brown, Cannaday, Carey, Cargill, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hoskin, Hyman, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Morgan, Morrissette, Murphey, Nations, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--90.

Excused: Blackwell, Braddock, Covey, Hamilton, Ingmire, Martin (Steve), Miller, Peters, Pittman, Shoemake, Worthen.--11.

The measure and emergency passed.

**SB 1595** was referred for engrossment.

**GENERAL ORDER**

**SB 1506** by Burrage et al of the Senate and Jones et al of the House was read and considered.

Representative Sherrer moved that **SB 1506** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1506** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Banz, Billy, Blackwell, Brown, Cannaday, Carey, Cargill, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hoskin, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Kiesel, Lamons, Liebmann, Lindley, Martin (Scott), Martin (Steve), McAffrey, McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Schwartz, Sears, Shannon, Sherrer, Shumate, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--78.

Nay: Auffet, BigHorse, Brannon, Collins, Ellis, Glenn, Hilliard, Hyman, Luttrell, McMullen, Morgan, Pittman, Rousselot, Shelton, Shoemake, Smithson, Walker.--17.

Excused: Braddock, Covey, Ingmire, Miller, Morrissette, Sullivan.--6.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1506** and ordered same returned to the Honorable Senate.

**Speaker Pro Tempore Blackwell Presiding****GENERAL ORDER**

**SB 1554** by Bingman of the Senate and Adkins of the House was read and considered.

Representative Adkins moved that **SB 1554** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1554** 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, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Hyman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), 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, 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.--97.

Excused: Covey, Hickman, Jones, Morrissette.--4.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1554** and ordered same returned to the Honorable Senate.

### GENERAL ORDER

**SB 1578** by Leftwich of the Senate and Jordan of the House was read and considered.

Representative Jordan moved that **SB 1578** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1578** 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, 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, 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.--98.

Nay: Shelton.--1.

Excused: Covey, Morrissette.--2.

The measure passed.

**SB 1578** was referred for engrossment.

**GENERAL ORDER**

**SB 1625** by Paddock of the Senate and Roan of the House was read and considered.

Representative Roan moved that **SB 1625** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1625** 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, 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, 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: Covey, Morrissette.--2.

The measure passed.

**SB 1625** was referred for engrossment.

**GENERAL ORDER**

**SB 1641** by Mazzei of the Senate and Sullivan et al of the House was read and considered.

Coauthored by Representative(s) Watson

Representative Sullivan moved that **SB 1641** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1641** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Banz, Blackwell, Cargill, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Hamilton, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Kern, Key, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Richardson, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--58.

Nay: Auffet, BigHorse, Billy, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Cox, Dorman, Ellis, Gilbert, Glenn, Harrison, Hilliard, Hoskin, Hyman, Inman, Joyner, Kiesel, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), Morgan, Nations, Pittman, Pruett, Renegar, Reynolds, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Turner, Walker.--41.

Excused: Covey, Morrissette.--2.

The measure passed.

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

Aye: Adkins, Armes, Banz, Blackwell, Cargill, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Hamilton, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Kern, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, McPeak, Murphey, Peters, Peterson (Pam), Piatt, Proctor, Reynolds, Richardson, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Winchester, Wright, Mr. Speaker.--55.

Nay: Auffet, Billy, Braddock, Brannon, Brown, Cannaday, Carey, Collins, Cox, Dorman, Ellis, Gilbert, Glenn, Harrison, Hilliard, Hoskin, Hyman, Inman, Joyner, Kiesel, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), Morgan, Nations, Pittman, Pruett, Renegar, Roan, Rousselot, Sherrer, Shoemake, Smithson, Turner, Walker.--37.

Excused: BigHorse, Covey, Key, Miller, Morrissette, Peterson (Ron), Shelton, Shumate, Worthen.--9.

The emergency failed.

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

**GENERAL ORDER**

**SB 1648** by Lerblance of the Senate and Harrison et al of the House was read and considered.

Representative Harrison moved that **SB 1648** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1648** 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, 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, 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: Covey, Cox, Morrissette.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1648** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 1708** by Coffee et al of the Senate and Duncan et al of the House was read and considered.

Coauthored by Representative(s) Luttrell

Representative Lamons moved to amend **SB 1708** by inserting a new Section 27 to read as follows, and by renumbering subsequent sections:

“SECTION 27. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2200.27 of Title 63, unless there is created a duplication in numbering, reads as follows:

No employee of the Office of the Chief Medical Examiner of this state shall receive compensation of any kind from any organ-sharing or organ-procuring network or organization.”,

which amendment was declared adopted upon a division of the question.

Representative Duncan moved that **SB 1708** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1708** 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, 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, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Roussetot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--100.

Excused: Covey.--1.

The measure passed.

**SB 1708** was referred for engrossment.

### **GENERAL ORDER**

**SB 1763** by Ballenger of the Senate and Peters et al of the House was read and considered.

Representative Peters moved that **SB 1763** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1763** 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, 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, Morrissette, Murphey, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Roussetot, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--100.

Excused: Covey.--1.

The measure passed.

**SB 1763** was referred for engrossment.

**GENERAL ORDER**

**SB 1770** by Lerblance et al of the Senate and Banz et al of the House was read and considered.

Coauthored by Representative(s) McMullen

Representative Banz moved that **SB 1770** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1770** 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, 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, 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.--100.

Excused: Covey.--1.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1770** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 1872** by Garrison of the Senate and Hyman of the House was read and considered.

Representative Morrisette moved to amend **SB 1872** by inserting a new Section 5 to read as follows, and by renumbering subsequent sections:

“SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9040 of Title 74, unless there is created a duplication in numbering, reads as follows:

Effective July 1, 2009, the Department of Human Services will cease to exist. The following separate and independent agencies shall assume the statutory duties and programs of the Department of Human Services as follows:

1. The Department of Aging shall administer all state programs currently the responsibility of the Department of Human Services related to persons age sixty-five (65) and older;

2. The Department of Families and Children shall administer all state programs currently the responsibility of the Department of Human Services related to families and children; and

3. The Department of Developmental Disability Services shall administer all state programs currently the responsibility of the Department of Human Services related to persons with developmental disabilities.”

The Presiding Officer ruled the Morrisette amendment nongermane.

Representative Morrisette 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, Billy, Blackwell, Carey, Cargill, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Gilbert, Glenn, Hamilton, Hickman, Hilliard, Hyman, Jackson, Jett, Johnson (Dennis), Jones, Jordan, Joyner, Kern, Key, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Morgan, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--67.

Nay: Auffet, BigHorse, Braddock, Brannon, Brown, Cannaday, Collins, Ellis, Harrison, Hoskin, Inman, Kiesel, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Shelton, Shumate, Smithson, Turner.--30.

Excused: Covey, Ingmire, Johnson (Rob), Reynolds.--4.

Representative Hyman moved that **SB 1872** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1872** 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, Cox, Dank, Denney, DeWitt, Dorman, Ellis, Enns, Faught, Gilbert, Glenn, 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, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Turner, Walker, Watson, Wesselhoft, Winchester, Mr. Speaker.--87.

Nay: Derby, Duncan, Kern, McCullough, Murphey, Reynolds, Schwartz, Shannon, Terrill, Thompson, Trebilcock, Worthen, Wright.--13.

Excused: Covey.--1.

The measure and emergency passed.

**SB 1872** was referred for engrossment.

## GENERAL ORDER

**SB 1816** by Barrington of the Senate and Armes of the House was read and considered.

Representative Armes moved that **SB 1816** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1816** 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, Brown, Cannaday, Cargill, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Ingmire, Inman, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Lamons, Liebmann, Lindley, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Proctor, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Shannon, Shoemake, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--74.

Nay: Auffet, BigHorse, Carey, Dorman, Ellis, Glenn, Hilliard, Hoskin, Kiesel, McAffrey, McPeak, Morgan, Nations, Pittman, Pruett, Sears, Shelton, Sherrer, Shumate, Smithson, Trebilcock, Turner, Walker.--23.

Excused: Collins, Covey, Hyman, Morrissette.--4.

The measure passed.

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

Aye: Adkins, Armes, Banz, Billy, Blackwell, Braddock, Brannon, Brown, Cargill, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Harrison, Hickman, Ingmire, Jackson, Jett, Johnson (Dennis), Johnson (Rob), Jones, Jordan, Joyner, Kern, Key, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCarter, McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Murphey, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--68.

Nay: Auffet, BigHorse, Cannaday, Carey, Dorman, Ellis, Gilbert, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kiesel, Lamons, Lindley, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Nations, Pittman, Proctor, Shelton, Sherrer, Shumate, Trebilcock, Turner.--27.

Excused: Collins, Covey, Cox, Hyman, Morrissette, Walker.--6.

The emergency passed.

**SB 1816** was referred for engrossment.

## **GENERAL ORDER**

**SB 1970** by Bass et al of the Senate and Duncan et al of the House was read and considered.

Coauthored by Representative(s) Roan, Rousselot

Representative Duncan moved that **SB 1970** be advanced from General Order, which motion was declared adopted.

## **Representative Armes Presiding**

## **THIRD READING**

**SB 1970** 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, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Gilbert, Hamilton, Harrison, Hickman, Hilliard, Hoskin, 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, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--96.

Excused: Collins, Covey, Glenn, Hyman, Miller.--5.

The measure passed.

**SB 1970** was referred for engrossment.

## GENERAL ORDER

**SB 1975** by Corn of the Senate and Brannon of the House was read and considered.

Representative Brannon moved that **SB 1975** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1975** was read at length for the third time.

Upon request of Representative Brannon, **SB 1975** was laid over on Third Reading.

## GENERAL ORDER

**SB 2000** by Brogdon of the Senate and McDaniel (Randy) et al of the House was read and considered.

Representative McDaniel (Randy) moved that **SB 2000** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 2000** 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, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Ellis, Enns, Faught, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, 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, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--95.

Nay: Gilbert.--1.

Excused: Blackwell, Collins, Covey, Hyman, Shelton.--5.

The measure passed.

**SB 2000** was referred for engrossment.

**GENERAL ORDER**

**SB 2003** by Nichols of the Senate and Peters et al of the House was read and considered.

Representative Peters moved to advance the question, which motion was withdrawn.

Representative Peters moved the Previous Question, which motion was declared adopted upon roll call as follows:

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

Nay: Auffet, BigHorse, Braddock, Brannon, Brown, Cannaday, Carey, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Ingmire, Inman, Kiesel, Lamons, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Turner, Wesselhoft, Wright.--44.

Excused: Blackwell, Cargill, Collins, Covey, Hyman, Miller, Walker.--7.

Representative Peters moved that **SB 2003** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 2003** 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, Coody, Cooksey, 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, 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, Reynolds, Richardson, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Turner, Walker, Watson, Wesselhoft, Winchester, Worthen, Wright, Mr. Speaker.--94.

Nay: Lindley, Morrissette, Shelton.--3.

Excused: Cargill, Collins, Covey, Shoemake.--4.

The measure passed.

**SB 2003** was referred for engrossment.

## GENERAL ORDER

**SB 1987** by Laughlin et al of the Senate and Worthen et al of the House was read and considered.

Coauthored by Representative(s) Johnson (Rob), Reynolds

Representative Kiesel moved to amend **SB 1987** by inserting new Sections 1-3 to read as follows, and by renumbering subsequent sections:

“SECTION 1. AMENDATORY 26 O.S. 2001, Section 1-108, as last amended by Section 6, Chapter 53, O.S.L. 2004 (26 O.S. Supp. 2007, Section 1-108), is amended to read as follows:

Section 1-108. A group of persons may form a recognized political party at any time except during the period between June 1 and November 15 of any even-numbered year if the following procedure is observed:

1. Notice of intent to form a recognized political party must be filed in writing with the Secretary of the State Election Board at any time except during the period between March 1 and November 15 of any even-numbered year.

2. After such notice is filed, petitions seeking recognition of a political party, in a form to be prescribed by the Secretary of the State Election Board, shall be filed with such Secretary, bearing the signatures of ten thousand registered voters ~~equal to at least five percent (5%) of the total votes cast in the last General Election either for Governor or for electors for President and Vice President~~. Each page of such petitions must contain the names of registered voters from a single county. Petitions may be circulated a maximum of one (1) year after notice is filed, provided that petitions shall be filed with such Secretary no later than May 1 of an even-numbered year. Such petitions shall not be circulated between May 1 and November 15 of any even-numbered year.

3. Within thirty (30) days after receipt of such petitions, the State Election Board shall determine the sufficiency of such petitions. If such Board determines there are a sufficient number of valid signatures of registered voters, the party becomes recognized under the laws of the State of Oklahoma with all rights and obligations accruing thereto.

SECTION 2. AMENDATORY 26 O.S. 2001, Section 1-109, is amended to read as follows:

Section 1-109. A. Any recognized political party whose nominee for Governor or nominees for electors for President and Vice President fail to receive at least ~~ten percent (10%)~~ one percent (1%) of the total votes cast for said offices in any General Election shall cease to be a recognized political party. Said party may regain recognition only by following the procedure prescribed for formation of new political parties. The State

Election Board shall proclaim the fact of a party's failure to receive a sufficient number of votes and shall order that said party cease to be recognized.

B. Any recognized political party that ceases to be recognized under provisions of this section shall be designated as a political organization. Such political organization designation shall terminate four (4) years from the date that the political party ceases to be recognized or when the political organization regains recognition as a political party, whichever is earlier.

SECTION 3. AMENDATORY 26 O.S. 2001, Section 10-101, is amended to read as follows:

Section 10-101. The nominees for Presidential Electors of any recognized political party shall be selected at a statewide convention of said party in a manner to be determined by said party. The nominees for Presidential Electors shall be certified by said party's chairman to the Secretary of the State Election Board no fewer than ninety (90) days nor more than one hundred eighty (180) days from the date of the General Election at which candidates for Presidential Electors shall appear on the ballot. Failure of a political party to properly certify the names of its nominees for Presidential Electors within the time specified shall bar such party from placing any candidates for Presidential Electors on the ballot at said election. Candidates for Presidential Electors seeking to appear on the ballot as uncommitted shall be entitled to have their names placed upon the ballot at a General Election by observing the following procedure:

1. No later than July 15 of a presidential election year, petitions seeking ballot access for said uncommitted candidates for Presidential Electors, in a form to be prescribed by the Secretary of the State Election Board, shall be filed with said Secretary, bearing the signatures of three thousand registered voters ~~equal to at least three percent (3%) of the total votes cast in the last General Election for President.~~ Each page of said petitions must contain the name of registered voters from a single county. A filing fee of Five Thousand Dollars (\$5,000.00) may be submitted in lieu of a petition. The filing fee shall be in a form prescribed by the Secretary of the State Election Board and shall be filed with said Secretary. The filing fee shall be refunded if the candidates receive more than one percent (1%) of the vote in the General Election. If the candidates do not receive more than one percent (1%) of the vote in the General Election, the filing fee shall be forfeited.

2. Within thirty (30) days after receipt of ~~said~~ petitions seeking ballot access for uncommitted candidates for Presidential Electors, the State Election Board shall determine the sufficiency of said petitions. If said Board determines there are a sufficient number of valid signatures of registered voters, the nominees for Presidential Electors are entitled to appear on the ballot at the next following General Election at which candidates for Presidential Electors shall appear on the ballot.”

Representative Terrill asked a ruling of the Presiding Officer whether the Kiesel amendment is in order pursuant to House Rule 8.12.

The Presiding Officer ruled that the point of order did not arise under House Rule 8.12 but did arise under House Rule 8.11. The Presiding Officer ruled that the amendment was nongermane pursuant to House Rule 8.11.

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

Nay: Auffet, BigHorse, Braddock, Brannon, Brown, Cannaday, Carey, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Lamons, Lindley, Luttrell, McAffrey, McCarter, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Shelton, Sherrer, Shoemake, Shumate, Smithson, Turner, Walker.-37.

Excused: Adkins, Cargill, Collins, Covey, Dorman, Hyman, Ingmire, McMullen, Peters, Piatt, Roan.--11.

Representative Worthen moved that **SB 1987** be advanced from General Order, which motion was declared adopted.

### **Speaker Pro Tempore Blackwell Presiding**

### **THIRD READING**

**SB 1987** was read at length for the third time.

Upon request of Representative Worthen, **SB 1987** was laid over on Third Reading.

### **MOTION**

Representative Shelton asked that the Journal reflect that had he been present in the Chamber on Tuesday, April 15, 2008, he would have voted aye on **SBs 1178, 1384, 1410, 1423, 1453, 1529, 1546, 1577, 1580, 1675, 1734, 1754, 1766, 1794, 1855, 1859, 1922, 1950, 1992, 2069** and **2186** and he would have voted nay on **SBs 1181** (bill and emergency), **1403, 1547, 1735, 1795** (bill and emergency), **1841, 2028** and **2194** which was the order.

**MESSAGES FROM THE SENATE**

Announcing the passage of **HBs 2247, 2585, 2638, 2662, 3100**, Coauthored by Senator(s) Barrington, Sparks, Adelson, Ballenger, Bass, Burrage, Crutchfield, Easley, Eason McIntyre, Garrison, Gumm, Johnson (Constance), Laster, Leftwich, Lerblance, Paddack, Rice, Riley, Rabon, Sweeden, Wilson, Wyrick, **3193** and **HJR 1093**, Coauthored by Senator Barrington and **HCR 1060**, Authored by Senator Ivester (principal Senate author) and coauthored by all Members of the Senate.

The above-numbered measures were referred for enrollment.

**Returning enrolled measures**

Announcing that Enrolled **HBs 1820, 2778** and **2863** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

**Returning enrolled measure**

Announcing that Enrolled **HCR 1065** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

**MESSAGE FROM THE GOVERNOR**

Advising of his approval of **HB 2279** on April 16, 2008.

Representative Piatt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:30 a.m., Thursday, April 17, 2008, which was the order.

Pursuant to the motion of Representative Piatt, the House was adjourned at 5:45 p.m., to reconvene Thursday, April 17, 2008, at 9:30 a.m.