

HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Fourteenth Legislative Day, Monday, February 23, 2009

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Doyle Pryor, First Baptist Church, Sapulpa. Reverend Pryor was sponsored by Representative McCullough.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1006, 1013, 1014, 1053, 1411, 1913 and 1928 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1606 –Withdrawn from Rules and referred to Public Safety.

HB 1648 –Withdrawn from Energy and Utility Regulation and referred to Rules.

HB 2034 –Withdrawn from Rules and referred to Appropriations and Budget.

GENERAL ORDER

HB 1015 by Wright (John) of the House was read and considered.

Coauthored by Representative(s) Ritze

Authored by Senator Aldridge (principal Senate author)

Representative Wright (John) moved that **HB 1015** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1015 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Nations, Shelton.--2.

The measure passed.

HB 1015 was referred for engrossment.

GENERAL ORDER

HB 1016 by Wright (John) of the House was read and considered.

Remove Representative Wright (John) as principal House author and substitute with Representative Faught

Coauthored by Representative(s) Wright (John), Ritze

Authored by Senator Aldridge (principal Senate author)

Representative Faught moved that **HB 1016** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1016 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Trebilcock, Walker, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--97.

Excused: Shelton, Tibbs, Watson.--3.

Constitutional Priv: Wright (John).--1.

The measure passed.

HB 1016 was referred for engrossment.

GENERAL ORDER

HB 1127 by Benge et al of the House and Coffee et al of the Senate was read and considered.

Coauthored by Representative(s) Sullivan, Williams, Wright (Harold), McDaniel (Jeannie), Derby, McMullen, Shumate, Dorman, Sears, Kiesel

Representative Wright (John) moved to suspend House Rule 7.11(a) as it pertains to **HB 1127**, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Carey, Christian, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller,

Moore, Nations, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--84.

Nay: Harrison, Morgan, Morrissette, Reynolds.--4.

Excused: Brown, Buck, Cannaday, Collins, Coody, Hilliard, Key, McCullough, McPeak, Murphey, Nelson, Peters, Shelton.--13.

Speaker Bengé moved that **HB 1127** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1127 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--101.

The measure and emergency passed.

HB 1127 was referred for engrossment.

GENERAL ORDER

HB 1017 by Wright (John) of the House was read and considered.

Coauthored by Representative(s) Ritze

Authored by Senator Aldridge (principal Senate author)

Representative Wright (John) moved that **HB 1017** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1017 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Scott, Sears, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Key, Murphey, Reynolds, Ritze, Schwartz, Shannon, Terrill, Thompson.--8.

Excused: Shelton.--1.

The measure passed.

HB 1017 was referred for engrossment.

GENERAL ORDER

HB 1045 by Duncan of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Kiesel moved to amend **HB 1045**, Page 1, Section 1, Line 5 by adding before the word "that" the language "the unincorporated areas of", which amendment was declared adopted.

Representative Duncan moved that **HB 1045** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1045 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Christian, Collins, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Fields, Hamilton, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Liebmann, Luttrell, Martin (Scott), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Reynolds, Richardson, Ritze, Roan, Rousselot, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--71.

Nay: Bailey, Blackwell, Brannon, Brown, Cannaday, Carey, Cooksey, Faught, Glenn, Harrison, Hilliard, Jett, Kouplen, Lamons, Martin (Steve), McCullough, McMullen, McPeak, Morgan, Morrisette, Nations, Pruett, Renegar, Sanders, Shelton, Sherrer, Walker, Williams.--28.

Excused: Auffet, Buck.--2.

The measure passed.

HB 1045 was referred for engrossment.

GENERAL ORDER

HB 1458 by McAffrey of the House and Coates of the Senate was read and considered.

Representative McAffrey moved to amend **HB 1458**, Page 12, Section 5, by restoring the stricken language on Line 20 and by deleting the new language on Lines 20-21, which amendment was declared adopted.

Representative McAffrey moved that **HB 1458** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1458 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen,

Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Nay: Hilliard, Inman.--2.

Excused: Key.--1.

The measure passed.

HB 1458 was referred for engrossment.

MOTION

Representative Miller asked unanimous consent to rescind the Third Reading of **HB 2013**, to which objection was heard.

Representative Miller pressed his motion, which motion was declared adopted upon roll call as follows:

Aye: Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Buck, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--79.

Nay: Brown, Cannaday, Collins, Dorman, Harrison, Hoskin, Inman, Key, Kiesel, Kouplen, McAffrey, McPeak, Nations, Proctor, Reynolds, Ritze, Scott, Shelton, Sherrer, Williams.--20.

Excused: Armes, Morrissette.--2.

Representative Reynolds served notice to reconsider the vote whereby the motion to rescind was adopted.

The Presiding Officer ruled the Reynolds reconsideration motion out of order pursuant to House Rule 9.10(f).

Representative Miller asked unanimous consent to rescind the motion to advance **HB 2013** from General Order, to which objection was heard.

Representative Miller pressed his motion, which motion was declared adopted upon a division of the question.

Representative Miller asked unanimous consent to recommit **HB 2013** to the Public Safety Committee, to which objection was heard.

Representative Miller pressed his motion, which motion was declared adopted upon a division of the question.

HB 2013 was rereferred to the Public Safety Committee.

RESOLUTION FOR CONSIDERATION

HCR 1008 was called up for consideration.

Upon motion of Representative Blackwell, **HCR 1008** was considered and adopted.

HCR 1008 was referred for engrossment.

GENERAL ORDER

HB 1412 by Nelson of the House was read and considered.

Authored by Senator Sparks (principal Senate author)

Representative Nelson moved that **HB 1412** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1412 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill,

Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Nay: Morrissette, Shelton.--2.

Excused: Morgan.--1.

The measure passed.

HB 1412 was referred for engrossment.

GENERAL ORDER

HB 1413 by Nelson of the House was read and considered.

Authored by Senator Sparks (principal Senate author)

Representative Nelson moved that **HB 1413** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1413 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Excused: Banz, Enns, Morgan, Shannon, Thompson.--5.

The measure passed.

HB 1413 was referred for engrossment.

GENERAL ORDER

HB 1535 by Holland of the House was read and considered.

Coauthored by Representative(s) Moore

Authored by Senator Barrington (principal Senate author)

Representative Miller moved to amend **HB 1535** by striking the title, which amendment was declared adopted.

Representative Holland moved that **HB 1535** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1535 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--94.

Nay: Murphey, Reynolds, Ritze, Wesselhoft, Wright (John).--5.

Excused: Blackwell, Cannaday.--2.

The measure passed.

HB 1535 was referred for engrossment.

GENERAL ORDER

HB 1597 by Sullivan of the House and Crain of the Senate was read and considered.

Representative Sullivan moved that **HB 1597** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1597 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--84.

Nay: Brown, Buck, Cannaday, Collins, Hamilton, Harrison, Hoskin, Inman, Kiesel, Kouplen, McAffrey, McMullen, Morrissette, Scott, Shelton, Sherrer, Williams.--17.

The measure passed.

HB 1597 was referred for engrossment.

GENERAL ORDER

HB 1729 by Cox of the House was read and considered.

Authored by Senator Crain (principal Senate author)

Representative Cox moved that **HB 1729** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1729 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--101.

The measure passed.

HB 1729 was referred for engrossment.

GENERAL ORDER

HB 1739 by Peters of the House was read and considered.

Coauthored by Representative(s) Luttrell

Authored by Senator Anderson (principal Senate author)

Representative Peters moved that **HB 1739** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1739 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson,

Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--100.

Excused: Wesselhoft.--1.

The measure passed.

HB 1739 was referred for engrossment.

GENERAL ORDER

HB 1779 by Jones et al of the House and Burrage of the Senate was read and considered.

Representative Jones moved to amend **HB 1779** by deleting Section 25 and by inserting in lieu thereof an emergency clause, which amendment was declared adopted.

Representative Jones moved that **HB 1779** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1779 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Roussetot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Miller, Shumate, Wesselhoft.--3.

The measure and emergency passed.

HB 1779 was referred for engrossment.

MEASURE REREFERRED

Upon motion of Representative Sherrer, **HB 1358** was withdrawn from the Calendar and rereferred to the Wildlife Committee.

POINT OF CLARIFICATION

The Presiding Officer issued the following response to points of order raised on Thursday, February 19 about the extent of control exercised by a bill's author over a bill throughout the legislative process:

“The Chair would like to clarify at what points the author may withdraw his or her bill from further consideration by the House versus at what point a bill becomes property of the House.

When the author says he or she wants to ‘lay the bill over’, if the bill has not been amended or received debate, the author may withdraw the bill without the consent of the House.

If the bill has been amended or undergone any debate, the bill cannot be withdrawn from further consideration by the House except upon a successful unanimous consent request or if objection is made to the unanimous consent request, a successful motion to request leave to withdraw the question.

Last Thursday, Representative Miller requested to ‘lay over’ **HB 2013** after debate and prior to the vote on final passage. This effectively was a unanimous consent request to withdraw the bill, to which objection was heard. Because debate had already occurred and the unanimous consent request had been rejected, the Presiding Officer put the motion to the House which voted to grant Representative Miller’s request to withdraw **HB 2013** from further consideration at that time.

In House Rules, the two threshold events for a bill becoming property of the House are adoption of an amendment or commencement of debate.”

ENGROSSED AND ENROLLED MEASURE

HB 1127 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION

The following was introduced and read:

HCR 1011 – By McDaniel (Randy) and Sanders.

A Concurrent Resolution declaring February 25, 2009, “Ronald Reagan Day” in the State of Oklahoma; urging all citizens to take cognizance of this event and participate in its observance; and directing distribution.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 270, 285, 306, 330, 339** and **388**.

The measures were introduced and read for the first time.

SB 270 – By Anderson of the Senate and Duncan of the House.

An Act relating to children; amending 10 O.S. 2001, Section 7306-2.9, as last amended by Section 3, Chapter 277, O.S.L. 2008 (10 O.S. Supp. 2008, Section 7306-2.9), which relates to presentence investigations of youthful offenders; modifying conditions for supervision by the Office of Juvenile Affairs; modifying certain options of a sentencing court; and providing an effective date.

SB 285 – By Anderson of the Senate and Jackson of the House.

An Act relating to the Oklahoma Open Records Act; amending 51 O.S. 2001, Section 24A.10, as last amended by Section 1, Chapter 284, O.S.L. 2008 (51 O.S. Supp. 2008, Section 24A.10), which relates to confidentiality of records; authorizing certain entities to keep specified information confidential; and providing an effective date.

SB 306 – By Leftwich of the Senate and Jordan of the House.

[contractors - insurance - exemption - codification - effective date]

SB 330 – By Burrage, Johnson (Constance) and Easley of the Senate and Sherrer of the House.

[revenue and taxation - modifying eligibility for personal property tax - effective date]

SB 339 – By Anderson and Easley of the Senate and Peters of the House.

[children - child placement - courts - determinations – rules - emergency]

SB 388 – By Burrage of the Senate and Sherrer of the House.

[Department of Public Safety - persons authorized to purchase - effective date]

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **HB 1410**.

HB 1410 was referred for engrossment.

COMMITTEE REPORTS

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

DO PASS:

HB 1063 – Judiciary, Authored by Senator Burrage (principal Senate author)

HB 1095 – Higher Education and Career Tech, Coauthored by Representative(s) Denney, Shumate, Wright (Harold), Kern, and Authored by Senator Bingman (principal Senate author)

HB 1564 – Transportation

HB 1707 – Judiciary, Authored by Senator Crain (principal Senate author)

HB 1741 – Judiciary

HB 2054 – Transportation

HB 2251 – Public Health

DO PASS, As Amended:

CS for HB 1378 – Agriculture and Rural Development, Coauthored by Representative(s) McMullen

CS for HB 1450 – Agriculture and Rural Development

CS for HB 1710 – Higher Education and Career Tech

CS for HB 1759 – Transportation, Coauthored by Representative(s) McMullen

CS for HB 1813 – Transportation

CS for HB 1872 – Agriculture and Rural Development, Authored by Senator Justice (principal Senate author)

CS for HB 1956 – Government Modernization

CS for HB 2032 – Human Services, Coauthored by Representative(s) Sherrer, McAffrey, Kern, and Authored by Senator Justice (principal Senate author)

CS for HB 2093 – Judiciary, Authored by Senator Crain (principal Senate author)

CS for HB 2159 – Agriculture and Rural Development, Authored by Senator Barrington (principal Senate author)

Representative Peters moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, February 24, 2009, which was the order.

Pursuant to the motion of Representative Peters, the House was adjourned at 3:15 p.m., to reconvene Tuesday, February 24, 2009, at 9:00 a.m.