

# HOUSE JOURNAL

**First Regular Session of the Fifty-second Legislature**

**of the State of Oklahoma**

**Twenty-fourth Legislative Day, Wednesday, March 11, 2009**

The House was called to order by Speaker Bengé.

The roll was called with 100 Members present.

The following Member was excused: Shumate.—1.

The Speaker declared a quorum present.

Prayer was offered by Reverend Steven Hale, Lindsay United Methodist Church, Lindsay. Reverend Hale was sponsored by Representative Billy.

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

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 1097, 1422, 1483, 1487, 1488, 1506, 1509, 1512, 1513, 1570, 1576, 1648, 1661, 1662, 1676, 1717, 1734, 1737, 1790, 1795, 1802, 1813, 1834, 1845, 1864, 1892, 1934, 1956, 1963, 2004, 2015, 2056, 2062, 2071, 2089, 2154, 2174, 2204, 2210, 2245, 2246** and **HJR 1017** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**GENERAL ORDER**

**HB 1568** by Schwartz of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Schwartz moved that **HB 1568** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1568** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Blackwell, Christian, Cox, Dank, DeWitt, Duncan, Enns, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Murphey, Osborn, Ownbey, Peters, Peterson, Sanders, Schwartz, Steele, Sullivan, Thompson, Trebilcock, Watson, Wright (Harold), Wright (John), Mr. Speaker.--36.

Nay: Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Denney, Dorman, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Kern, Kiesel, Kirby, Kouplén, Lamons, Luttrell, McAffrey, McMullen, McPeak, Morgan, Morrissette, Nations, Nelson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Scott, Sears, Shelton, Sherrer, Shoemake, Smithson, Terrill, Thomsen, Tibbs, Walker, Wesselhoft, Williams.--56.

Excused: Cooksey, Derby, Harrison, Key, McDaniel (Jeannie), Moore, Ortega, Shannon, Shumate.--9.

The measure failed.

**GENERAL ORDER**

**HB 1885** by Richardson of the House and Justice of the Senate was read and considered.

Representative Richardson moved that **HB 1885** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 1885** 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, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, 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 (Randy), McMullen, McNiel, McPeak, Miller, 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, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Cooksey, Harrison, Key, McDaniel (Jeannie), Moore, Shumate.--6.

The measure and emergency passed.

**HB 1885** was referred for engrossment.

### GENERAL ORDER

**HJR 1022** by Murphey of the House and Brogdon of the Senate was read and considered.

Coauthored by Representative(s) Reynolds

Representative Murphey moved that **HJR 1022** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HJR 1022** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Carey, Christian, Coody, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Sanders, Schwartz, Scott, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--62.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Jett, Kiesel, Kouplen, Luttrell, Martin (Scott), McPeak, Morgan, Nations, Pittman, Proctor, Renegar, Roan, Rousselot, Shelton, Sherrer, Smithson, Walker, Watson.--30.

Excused: Cooksey, Harrison, McAffrey, McDaniel (Jeannie), Moore, Morrissette, Shoemake, Shumate, Williams.--9.

The measure passed.

**HJR 1022** was referred for engrossment.

### **THIRD READING**

**HB 1755** as read, considered and laid over on Third Reading on Page 694 was considered further.

Representative Miller asked unanimous consent to amend **HB 1755** by striking the title, which was the order.

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

Aye: Armes, Banz, Billy, Blackwell, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Fields, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Murphey, Nations, Ortega, Osborn, Peters, Peterson, Richardson, Sanders, Schwartz, Sears, Shannon, Shelton, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Wright (Harold), Wright (John), Mr. Speaker.--51.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Dorman, Duncan, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Kern, Kouplen, Lamons, Luttrell, McAffrey, McMullen, McPeak, Morgan, Morrissette, Nelson, Ownbey, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Sherrer, Shoemake, Smithson, Terrill, Walker, Wesselhoft, Williams.--45.

Excused: Harrison, McDaniel (Jeannie), Moore, Shumate, Watson.--5.

The measure passed.

Representative Martin (Scott) served notice to reconsider the vote whereby **HB 1755** passed.

## Representative Armes Presiding

### GENERAL ORDER

**HB 1508** by Blackwell of the House was read and considered.

Remove Representative Blackwell as principal House author and substitute with Representative Christian, Coauthored by Representative(s) Blackwell

Authored by Senator Reynolds (principal Senate author)

Representative Blackwell moved to amend **HB 1508** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Thomsen asked a ruling of the Presiding Officer whether the floor substitute is germane to **HB 1508**.

The Presiding Officer ruled the point well taken and the floor substitute nongermane.

Representative Miller moved to amend **HB 1508** by striking the title, which amendment was declared adopted.

Representative Reynolds raised a point of inquiry as to what constitutes germaneness since the Blackwell amendment is in the same title of law as the bill.

The Presiding Officer stated that the subject matter is the determining factor of germaneness, and not the title of law.

Representative Inman 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, Christian, Coody, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--57.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Luttrell, McAffrey, McMullen,

McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--38.

Excused: Cooksey, Harrison, Lamons, McDaniel (Jeannie), Moore, Shumate.--6.

Representative Blackwell moved to suspend House Rule 8.11 for the purpose of allowing consideration of the floor substitute, which motion failed of adoption upon roll call as follows:

Aye: Billy, Blackwell, Christian, Cox, Duncan, Hickman, Johnson, Kern, Key, Murphey, Reynolds, Ritze, Schwartz, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wright (John).--19.

Nay: Armes, Auffet, Bailey, Banz, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplén, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Randy), McMullen, McPeak, Miller, Morgan, Morrisette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Thomsen, Watson, Williams, Mr. Speaker.--71.

Excused: Harrison, Lamons, Martin (Steve), McDaniel (Jeannie), McNiel, Moore, Scott, Shelton, Shumate, Walker, Wright (Harold).--11.

Representative Christian moved that **HB 1508** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 1508** 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, 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 (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Nay: Reynolds.--1.

Excused: Harrison, McDaniel (Jeannie), Moore, Shumate.--4.

The measure and emergency passed.

**HB 1508** was referred for engrossment.

### **GENERAL ORDER**

**HJR 1026** by Schwartz et al of the House was read and considered.

Coauthored by Representative(s) Smithson, Inman

Authored by Senator Sparks (principal Senate author)

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

### **THIRD READING**

**HJR 1026** 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, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Excused: Harrison, Hoskin, Kiesel, McDaniel (Jeannie), McPeak, Moore, Shelton, Shumate.--8.

The measure passed.

**HJR 1026** was referred for engrossment.

**GENERAL ORDER**

**HB 2001** by Wright (Harold) et al of the House and Schulz of the Senate was read and considered.

Coauthored by Representative(s) Inman, Kern, Duncan, Dank

Representative Wright (Harold) moved that **HB 2001** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2001** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Blackwell, Brannon, Buck, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Duncan, Enns, Faught, Fields, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Jones, Jordan, Kern, Key, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Morgan, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Sanders, Schwartz, Scott, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--68.

Nay: Auffet, Bailey, Billy, Brown, Cannaday, Collins, Glenn, Hamilton, Hoskin, Joyner, Kiesel, Kouplen, Luttrell, McAffrey, McPeak, Morrisette, Nations, Pittman, Roan, Rousselot, Shelton, Shoemake, Smithson, Walker, Williams.--25.

Excused: DeWitt, Johnson, Kirby, McDaniel (Jeannie), Moore, Ownbey, Sherrer, Shumate.--8.

The measure passed.

**HB 2001** was referred for engrossment.

**GENERAL ORDER**

**HB 2034** by Pruett of the House was read and considered.

Coauthored by Representative(s) Walker

Authored by Senator Barrington (principal Senate author)

Representative Reynolds moved to amend **HB 2034** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Pruett moved to amend the floor substitute, Page 2, Section 1 by inserting a new subsection C to read as follows, and by relettering subsequent subsections:

“C. The maximum aggregate cash donations to any single public transit system that can qualify for the credit authorized by this section for any taxable year shall be “Twenty Thousand Dollars (\$20,000.00).”

which amendment was declared adopted.

Representative Reynolds moved adoption of the floor substitute, as amended, which amendment was declared adopted.

Representative Pruett moved that **HB 2034** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2034** 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, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--90.

Nay: Duncan, Kern, Martin (Steve), Murphey, Ritze, Sanders, Wright (John).--7.

Excused: DeWitt, McDaniel (Jeannie), Moore, Shumate.--4.

The measure passed.

**HB 2034** was referred for engrossment.

**GENERAL ORDER**

**HB 1704** by Derby et al of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Pittman, Nelson

Representative Derby moved to amend **HB 1704** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Miller moved to amend the floor substitute by striking the title, which amendment was declared adopted.

Representative Derby moved adoption of the floor substitute, as amended, which amendment was declared adopted.

Representative Derby moved that **HB 1704** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1704** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Derby, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Nelson, Ortega, Osborn, Ownbey, Peterson, Pittman, Reynolds, Richardson, Ritze, Sanders, Schwartz, Scott, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Mr. Speaker.--55.

Nay: Auffet, Bailey, Billy, Brannon, Brown, Buck, Cannaday, Carey, Collins, Denney, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplén, Lamons, Liebmann, McAffrey, McMullen, McPeak, Morgan, Morrissette, Nations, Peters, Proctor, Pruett, Renegar, Roan, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Walker, Wesselhoft, Williams, Wright (John).--41.

Excused: DeWitt, Luttrell, McDaniel (Jeannie), Moore, Shumate.--5.

The measure passed.

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

Aye: Armes, Banz, Christian, Coody, Cooksey, Cox, Dank, Derby, Enns, Faught, Fields, Hickman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Nelson, Ortega, Osborn, Ownbey, Peterson, Reynolds, Richardson, Ritze,

Sanders, Schwartz, Scott, Sears, Shannon, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Mr. Speaker.--50.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Denney, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McMullen, McPeak, Morgan, Morrisette, Nations, Peters, Pittman, Proctor, Pruett, Renegar, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Walker, Wesselhoft, Williams, Wright (John).--39.

Excused: Billy, Blackwell, DeWitt, Dorman, Duncan, Holland, McDaniel (Jeannie), Moore, Roan, Shumate, Steele, Sullivan.--12.

The emergency failed.

**HB 1704** was referred for engrossment.

### GENERAL ORDER

**HB 1786** by Shannon et al of the House and Barrington of the Senate was read and considered.

Coauthored by Representative(s) Ownbey

Representative Reynolds moved to amend **HB 1786** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was withdrawn.

Representative Shannon moved that **HB 1786** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 1786** 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, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, 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 (Randy), McMullen, McNiell, McPeak, Miller, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Brannon, Brown, Hamilton, Morrisette, Reynolds, Ritze, Rousselot, Shoemake, Williams.--9.

Excused: Key, McDaniel (Jeannie), Moore, Shumate.--4.

The measure and emergency passed.

**HB 1786** was referred for engrossment.

## MESSAGES FROM THE SENATE

Announcing the passage of **SBs 4, 283, 313, 378, 384, 411, 428, 479, 486, 503, 533, 536, 541, 571, 586, 588, 597, 605, 609, 610, 615, 643, 645, 646, 665, 692, 748, 760, 820, 831, 834, 844, 888, 894, 899, 901, 904, 909, 920, 932, 938, 956, 957, 991, 1022, 1033, 1047, 1103, 1111, 1119, 1120, 1125, 1137, 1167, 1185, 1206, 1242** and **SJR 6, 25, 27** and **35**.

The measures were introduced and read for the first time.

**SB 4** – By Ford, Sykes, Coffee, Lamb, Brogdon, Crain, Newberry, Myers, Halligan, Stanislawski, Schulz, Bingman, Barrington, Russell, Justice, Marlatt, Brown, Johnson (Mike), Reynolds and Branan of the Senate and Tibbs of the House.

An Act relating to elections; amending 26 O.S. 2001, Sections 4-117, 7-114, Section 8, Chapter 545, O.S.L. 2004, 14-103, 14-115.1, 14-115.4, as last amended by Section 8, Chapter 307, O.S.L. 2004, 14-121, as last amended by Section 23, Chapter 545, O.S.L. 2004 and 16-120 (26 O.S. Supp. 2008, Sections 7-116.1, 14-115.4 and 14-121), which relate to voting procedures; modifying time period for and requirements for early voting; requiring persons appearing to vote to provide proof of identity; defining term; providing exception to certain requirements; providing procedure if person declines to or is unable to provide proof of identity; allowing certain persons to cast provisional ballots; modifying time for requesting absentee ballot; modifying time period in which return of certain persons from overseas entitles such persons to vote provisional ballots at subsequent election; modifying certain penalties; repealing Section 7, Chapter 545, O.S.L. 2004 (26 O.S. Supp. 2008, Section 7-115.2), which relates to certain applications for voter registration; and providing an effective date.

**SB 283** – By Coates and Leftwich of the Senate and Jackson of the House.

An Act relating to children; creating the Task Force on Youth Transitioning into Adulthood; providing expiration date; specifying duties; providing for membership; directing selection of chair and vice-chair; requiring quorum; providing for travel reimbursement; directing staff support by the Office of Juvenile Affairs; directing date of first meeting; requiring certain report; providing for noncodification; providing an effective date; and declaring an emergency.

**SB 313** – By Bingman, Gumm and Sparks of the Senate and Thompson of the House.

[ revenue and taxation - modifying time period - gross production tax exemption - effective date - emergency ]

**SB 378** – By Rice, Anderson, Ivester, Bass and Garrison of the Senate and Cox of the House.

[ insurance - reimbursement relating to certain immunizations - effective date ]

**SB 384** – By Gumm of the Senate and Terrill of the House.

[ state employees - payroll deductions - Oklahoma Long-Term Care Partnership Program - effective date ]

**SB 411** – By Jolley of the Senate and Nelson of the House.

[ criminal procedure - Domestic Violence Fatality Review Board - membership - effective date ]

**SB 428** – By Ellis of the Senate and Bailey of the House.

An Act relating to scenic rivers; amending 82 O.S. 2001, Section 1455, which relates to littering; prohibiting use of glass containers in certain vessels; stating penalty; and declaring an emergency.

**SB 479** – By Crain and Lamb of the Senate and Jackson of the House.

[ public health and safety - long-term care administrators - Oklahoma Plan for Comprehensive Treatment of Chronic Obstructive Pulmonary Disease Act - codification - effective date ]

**SB 486** – By Jolley, Lamb and Rice of the Senate and McDaniel (Randy) of the House.

[ revenue and taxation - sales tax exemptions - effective date ]

**SB 503** – By Bingman of the Senate and Thompson of the House.

An Act relating to motor vehicles; creating the Household Goods Act of 2009; providing short title; stating application; stating exceptions; defining terms; amending 47 O.S. 2001, Section 162, as amended by Section 2, Chapter 418, O.S.L. 2005 (47 O.S. Supp. 2008, Section 162), which relates to powers and duties of the Corporation Commission; modifying powers and authority of the Commission to regulate intrastate transportation of household goods; amending 47 O.S. 2001, Section 163, which relates to tariffs; requiring certificate to transport household goods for compensation; stating requirements; providing for promulgation of rules; deleting obsolete language; authorizing the Commission to establish a consumer complaint and mediation procedure; requiring certain record keeping; stating penalties; amending 47 O.S. 2001, Section 165, which relates to filing fees; requiring certain fee; authorizing Commission to set fee; providing fees to be deposited in certain revolving fund; amending 47 O.S. 2001, Section 166, which relates to certificates; requiring certificate by Commission for transportation of household goods; stating requirements for certification; amending 47 O.S. 2001, Section 166a, which relates to definitions; modifying definitions; stating application; amending 47 O.S. 2001, Section 169, which relates to insurance coverage for motor carriers; requiring insurance or bond prior to certification; removing requirement for filing certain bond pending judgment; requiring insurance from certain certified insurance providers; conforming language; amending 47 O.S. 2001, Section 169.1, which relates to liability; stating liability for certain household good carriers; amending 47 O.S. 2001, Section 169.2, which relates to claims procedures;

conforming language; removing limitation on certain liability; amending 47 O.S. 2001, Section 169.3, which relates to burden of proof; conforming language; amending 47 O.S. 2001, Section 169.4, which relates to loss or damages; conforming language; amending 47 O.S. 2001, Section 169.5, which relates to claims; stating penalty procedures; amending 47 O.S. 2001, Section 170, which relates to vehicle size; stating procedures for certain motor carriers of household goods; providing for suspension or revocation of certificates; conforming language; repealing 47 O.S. 2001, Section 161, which relates to application of motor carrier of household goods and used emigrant movables act; and repealing 47 O.S. 2001, Section 163.1, which relates to tariff rate field agents; providing for codification; and providing an effective date.

**SB 533** – By Aldridge, Jolley and Marlatt of the Senate and Sullivan of the House.

An Act relating to motor vehicle insurance; amending 36 O.S. 2001, Section 3636, as amended by Section 25, Chapter 519, O.S.L. 2004 (36 O.S. Supp. 2008, Section 3636), which relates to uninsured motorist coverage; specifying that certain form shall remain valid for the life of the policy; providing that certain changes to an existing policy do not create a new policy; modifying prescribed form; repealing 47 O.S. 2001, Section 7-608, as amended by Section 7, Chapter 322, O.S.L. 2006 (47 O.S. Supp. 2008, Section 7-608), which relates to insurance verification; and providing an effective date.

**SB 536** – By Coates and Leftwich of the Senate and Liebmann of the House.

[ Fair Pay for Construction Act - updating statutory references - effective date ]

**SB 541** – By Ellis of the Senate and Dank of the House.

An Act relating to public health and safety; amending 63 O.S. 2001, Section 1-852.1, as amended by Section 4, Chapter 436, O.S.L. 2004 (63 O.S. Supp. 2008, Section 1-852.1), which relates to long-term care facility certificate of need; modifying amount of application fees; providing for refund of fee; and declaring an emergency.

**SB 571** – By Bingman of the Senate and Martin (Steve) and Joyner of the House.

[ public health and safety - nine-one-one advisory board - codification - effective date ]

**SB 586** – By Ford of the Senate and Shumate of the House.

[ schools - Oklahoma Charter Schools Act - effective date ]

**SB 588** – By Ford of the Senate and Martin (Steve) of the House.

[ counties and county officers - contracts with private attorneys - employ general counsel - effective date ]

**SB 597** – By Gumm and Crain of the Senate and Carey of the House.

[ mental health - emergency detention of persons - initial assessment - effective date ]

**SB 605** – By Lamb of the Senate and Denney of the House.

[ school security - emergency preparedness grants - codification - effective date - emergency ]

**SB 609** – By Lamb, Mazzei, Jolley and Marlatt of the Senate and Sullivan of the House.

[ Workers' Compensation Court - modifying positions - effective date ]

**SB 610** – By Myers of the Senate and Watson of the House.

[ geologic storage of carbon dioxide - Geologic Storage of Carbon Dioxide Act - codification - effective date ]

**SB 615** – By Crain of the Senate and Sullivan of the House.

[ Nontestamentary Transfer of Property Act - lien liability - effective date ]

**SB 643** – By Coffee of the Senate and Benge of the House.

[ State Capitol Building - management - effective date ]

**SB 645** – By Gumm of the Senate and Terrill of the House.

[ professions and occupations - Home Inspection Licensing Act - continuing education requirements - effective date ]

**SB 646** – By Coffee, Mazzei, Brogdon, Jolley and Marlatt of the Senate and Benge of the House.

[ state government - Accountability, Innovation and Privatization Act - codification - noncodification - effective date ]

**SB 665** – By Coates of the Senate and Jordan of the House.

[ professions and occupations - Oklahoma Online Construction Registry Act - codification - effective date ]

**SB 692** – By Ford of the Senate and Tibbs of the House.

An Act relating to elections; ordering a legislative referendum pursuant to the Oklahoma Constitution; amending 26 O.S. 2001, Sections 7-114, Section 8, Chapter 545, O.S.L. 2004, 14-115.4, as last amended by Section 8, Chapter 307, O.S.L. 2004, 14-121, as last amended by Section 23, Chapter 545, O.S.L. 2004 and 16-120 (26 O.S. Supp. 2008, Sections 7-116.1, 14-115.4 and 14-121), which relate to voting procedures; requiring persons appearing to vote or applying for in-person absentee ballot to provide proof of identity; defining term; providing exception to certain requirements; providing procedure if person declines to or is unable to provide proof of identity; allowing certain persons to cast provisional ballots; modifying time period in which return of certain persons from overseas entitles such persons to vote provisional ballots at subsequent election; modifying certain penalties; repealing Section 7, Chapter 545, O.S.L. 2004 (26 O.S. Supp. 2008, Section 7-115.2), which relates to certain applications for voter registration; providing conditional effective date; providing ballot title; and directing filing.

**SB 748** – By Jolley and Ford of the Senate and Jones of the House.

[ State Department of Education - contract for certain audit - noncodification - effective date ]

**SB 760** – By Ellis of the Senate and Bailey of the House.

An Act relating to motor vehicles; amending Section 10, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2008, Section 11-501.1), which relates to wheelchairs; adding safety requirements; and providing an effective date.

**SB 820** – By Nichols of the Senate and Terrill of the House.

[ amusements and sports - Oklahoma Breeding Development Fund Special Account - effective date ]

**SB 831** – By Bingman and Mazzei of the Senate and Martin (Scott) of the House.

[ nuclear energy - construct nuclear power plant - codification - noncodification - repealer - effective date ]

**SB 834** – By Ford of the Senate and Jones of the House.

[ schools - School District Empowerment Program - codification - effective date ]

**SB 844** – By Branan of the Senate and Armes of the House.

[ crimes and punishments - tattooing - effective date - emergency ]

**SB 888** – By Coffee and Corn of the Senate and Bengé of the House.

[ motor vehicles - motor license agents - appointment procedures - effective date - emergency ]

**SB 894** – By Coffee and Ivester of the Senate and Miller of the House.

[ sexual assault - Oklahoma Child Abuse Reporting and Prevention Act - codification - effective date ]

**SB 899** – By Coffee of the Senate and Nelson of the House.

An Act relating to officers; amending 51 O.S. 2001, Section 24.1, which relates to suspension or forfeiture of office upon conviction of felony; requiring forfeiture of certain benefits upon conviction of certain crimes; specifying circumstances in which retirement benefits shall be subject to forfeiture; providing procedures for the retirement system to follow upon receipt of notice of forfeiture; providing an effective date; and declaring an emergency.

**SB 901** – By Brown of the Senate and Sullivan of the House.

[ workers' compensation - schedule - wage determination - effective date ]

**SB 904** – By Brown and Mazzei of the Senate and Kirby of the House.

[ public finance - Oklahoma Pension Legislation Actuarial Analysis Act - effective date ]

**SB 909** – By Mazzei, Gumm and Branam of the Senate and Sullivan and Jackson of the House.

[ revenue and taxation - Oklahoma Quality Jobs Program Act - providing exception - effective date ]

**SB 920** – By Sparks of the Senate and McDaniel (Randy) of the House.

[ insurance - Service Warranty Insurance Act - repealer - effective date - emergency ]

**SB 932** – By Coffee of the Senate and Duncan of the House.

[ crimes and punishments - Victims Rights To Protection Task Force - membership - noncodification - emergency ]

**SB 938** – By Mazzei, Gumm and Sparks of the Senate and Sullivan and Jackson of the House.

[ economic development - incentive payment - codification - effective date ]

**SB 956** – By Lamb of the Senate and Peterson of the House.

[ crimes and punishments - human trafficking - emergency ]

**SB 957** – By Bingman of the Senate and Thompson of the House.

[ Oklahoma Water Law Advisory Council - report - noncodification - effective date - emergency ]

**SB 991** – By Coffee and Ivester of the Senate and Duncan of the House.

[ Uniform Commercial Code - negotiable instruments - warehouse lien - repealer - effective date ]

**SB 1022** – By Brown of the Senate and Sullivan of the House.

An Act relating to insurance; amending 36 O.S. 2001, Section 309.2, which relates to examination of insurance companies; expanding scope of examinations; requiring insurers to file certain statements with the Insurance Commissioner; specifying procedures and filing fee; limiting liability for certain persons; specifying that such statements shall be treated as working papers and documents; authorizing the Insurance Commissioner to use such statements in making certain determinations; creating the Oklahoma Annual Financial Report Act; providing short title; stating purpose; specifying applicability of act; defining terms; requiring annual audit financial reports; specifying procedures and contents of report; requiring insurers to register certain information with the Insurance Commissioner; providing procedures and requirements with regard to the registered information; providing exceptions and exemptions from certain requirements; providing procedures for obtaining an exception or exemption; specifying duties of accountants with regard to audited financial reports; providing for the treatment of workpapers of accountants auditing the financial statements of insurers; specifying scope of act as it applies to foreign and alien and certain other insurers; specifying duties and membership of audit committees of insurers; prohibiting directors and officers of insurers from making certain statements or taking certain actions; requiring certain insurers to prepare and file an internal control over financing report; specifying contents of the report; providing for confidentiality; allowing

Insurance Commissioner to grant exemptions from compliance with all or part of act; providing for implementation of act; amending 36 O.S. 2001, Section 361, as last amended by Section 2, Chapter 129, O.S.L. 2005 (36 O.S. Supp. 2008, Section 361), which relates to an Anti-Fraud Division in the Insurance Department; modifying access to records of the Division; allowing certain insurers to be designated a domestic surplus line insurer; specifying requirements and restrictions; amending 36 O.S. 2001, Section 1219.4, as last amended by Section 9, Chapter 125, O.S.L. 2007 (36 O.S. Supp. 2008, Section 1219.4), which relates to discount medical plan organizations; adding requirements regarding non-renewed registrations; authorizing the Insurance Commissioner to impose certain fines; amending 36 O.S. 2001, Sections 1435.6, as last amended by Section 44, Chapter 264, O.S.L. 2006, 1435.7, as last amended by Section 10, Chapter 184, O.S.L. 2008, 1435.8, as last amended by Section 45, Chapter 264, O.S.L. 2006, 1435.10, as amended by Section 46, Chapter 264, O.S.L. 2006, 1435.15, as last amended by Section 13, Chapter 125, O.S.L. 2007, 1435.23, as last amended by Section 13, Chapter 184, O.S.L. 2008, and 1435.29, as last amended by Section 14, Chapter 184, O.S.L. 2008 (36 O.S. Supp. 2008, Sections 1435.6, 1435.7, 1435.8, 1435.10, 1435.15, 1435.23 and 1435.29), which relate to the Oklahoma Producer Licensing Act; requiring applicants for a resident surplus lines broker to pass certain examination; deleting certain requirements; providing fee for certain changes in information; modifying penalties for failure to provide acceptable notification to the Insurance Commissioner of certain changes in information; modifying exemptions from required examinations; adding certain administrative fee; modifying certain continuing insurance education requirements; increasing hours for certain continuing education requirement; clarifying certain fee requirements; expanding exemption from certain fee requirement; deleting certain exemption from continuing insurance education requirements; amending 36 O.S. 2001, Section 3636, as amended by Section 25, Chapter 519, O.S.L. 2004 (36 O.S. Supp. 2008, Section 3636), which relates to uninsured motorist coverage; deleting obsolete language; amending 36 O.S. 2001, Section 4430, as amended by Section 31, Chapter 307, O.S.L. 2002 (36 O.S. Supp. 2008, Section 4430), which relates to the Long-Term Care Insurance Act; modifying limitation on increasing renewal rates; amending 36 O.S. 2001, Section 4509, which relates to group health insurance; modifying procedures for continuing coverage after certain occurrences; amending Section 2, Chapter 276, O.S.L. 2002 (36 O.S. Supp. 2008, Section 4522), which relates to the Employer Health Insurance Purchasing Group Act; modifying definitions; amending 36 O.S. 2001, Section 5002, as amended by Section 21, Chapter 184, O.S.L. 2008 (36 O.S. Supp. 2008, Section 5002), which relates to title insurers; deleting exemption from certain investment requirement; amending 36 O.S. 2001, Section 6055, as amended by Section 2, Chapter 288, O.S.L. 2003 (36 O.S. Supp. 2008, Section 6055), which relates to the Health Care Freedom of Choice Act; adding cost sharing provision; amending 36 O.S. 2001, Sections 6103.2, 6103.3 and 6103.5, which relate to unauthorized insurance business; specifying scope of bail bond business; making certain remedies apply to unauthorized persons engaged in the bail bond business; expanding the authorization of the Insurance Commissioner to issue cease and desist orders; amending 36 O.S. 2001, Sections 6203, 6205, as amended by Section 24, Chapter 125, O.S.L. 2007, 6206, as amended by Section 25, Chapter 125, O.S.L. 2007, 6208, as amended by Section 26, Chapter 125, O.S.L. 2007, 6209, 6210, as last amended by Section 24, Chapter 184, O.S.L. 2008, 6212, and 6217, as last amended by Section 25, Chapter 184, O.S.L. 2008 (36 O.S. Supp. 2008, Sections 6205, 6206, 6208, 6210 and 6217), which relate to the Insurance Adjusters Licensing Act; modifying requirements for nonresident insurance adjusters; providing for an apprentice adjuster

license; providing procedures and requirements for the license; limiting term of license; adding administrative fee for not providing changes to certain information to the Insurance Commissioner in a specified time frame; modifying certain fees; clarifying certain examination procedures; providing apprentice adjuster license fee; adding administrative fee for submission of certain information after certain date; staggering term of adjuster licenses; modifying continuing insurance education requirements; amending Section 18, Chapter 334, O.S.L. 2004 (36 O.S. Supp. 2008, Section 6470.11), which relates to the Oklahoma Captive Insurance Company Act; modifying required use of accounting principals; amending 36 O.S. 2001, Section 6512, which relates to the Small Employer Health Insurance Reform Act; modifying definitions; amending 36 O.S. 2001, Sections 6602, as last amended by Section 17, Chapter 353, O.S.L. 2008 and 6607, as amended by Section 20, Chapter 353, O.S.L. 2008 (36 O.S. Supp. 2008, Sections 6602 and 6607), which relate to the Service Warranty Insurance Act; modifying definitions; modifying requirements for licensed associations; amending Sections 11 and 12, Chapter 390, O.S.L. 2003 (36 O.S. Supp. 2008, Sections 6810 and 6811), which relate to the Medical Professional Liability Insurance Closed Claim Reports Act; adding short title; modifying definitions; adding procedures, requirements, and penalties for closed claim reporting; amending 59 O.S. 2001, Sections 1306, as last amended by Section 1, Chapter 135, O.S.L. 2006 and 1316, as last amended by Section 29, Chapter 184, O.S.L. 2008 (59 O.S. Supp. 2008, Sections 1306 and 1316), which relate to bail bondsmen; requiring the Insurance Commissioner to approve certain deposits; deleting certain authorization; repealing 36 O.S. 2001, Section 1425.5, which relates to the Oklahoma Producer Licensing Act; repealing 36 O.S. 2001, Section 6204, which relates to the Insurance Adjustors Licensing Act; repealing Section 11, Chapter 390, O.S.L. 2003, as amended by Section 71, Chapter 264, O.S.L. 2006 (36 O.S. Supp. 2008, Section 6812), which relates to medical professional liability insurance; providing for codification; and providing an effective date.

**SB 1033** – By Sparks of the Senate and Armes of the House.

[ agriculture - wrongful injury - cervidae - codification - emergency ]

**SB 1047** – By Jolley, Crain and Paddock of the Senate and Cox of the House.

[ health care workforce - Rural Physicians Scholarship Program within the State Department of Health - repealer - codification - effective date ]

**SB 1103** – By Coffee, Gumm, Jolley and Lamb of the Senate and Thompson of the House.

[ criminal procedure - Use of Force for the Protection of the Unborn Act - codification - effective date ]

**SB 1111** – By Jolley, Eason McIntyre, Coffee and Ford of the Senate and Jones, Shumate, Bengé and Denney of the House.

An Act relating to schools; creating the Educational Accountability Reform Act; providing short title; transferring powers, duties, functions, and responsibilities for certain programs from State Department of Education to Education Oversight Board; providing for transfer of certain assets and liabilities; providing for succession of contractual rights and responsibilities; requiring transfer of certain funds; amending 70 O.S. 2001, Section 3-116, as last amended by Section 29, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2008, Section 3-116), which relates to the Education Oversight Board; modifying appointment of members;

providing for termination of certain member's terms; declaring elected officials as ineligible to serve as member; modifying duties of Board; authorizing Board to promulgate certain rules; amending 70 O.S. 2001, Section 3-117, as amended by Section 30, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2008, Section 3-117), which relates to the Office of Accountability; changing name to Educational Quality and Accountability Office; removing certain requirements of Oklahoma State Regents of Higher Education; directing Education Oversight Board to submit program budget to Office of State Finance; establishing certain divisions; stating responsibilities of divisions; amending 70 O.S. 2001, Section 3-121, which relates to funds appropriated to State Board of Education; removing requirement to expend funds for certain duty; amending 70 O.S. 2001, Sections 3-150 and 3-151, which relate to the Academic Performance Index; modifying administrator of program; deleting obsolete language; amending Section 1, Chapter 466, O.S.L. 2005, as last amended by Section 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2008, Section 3-152.1), which relates to the Academic Achievement Award Program; modifying administrator of program; amending Section 2, Chapter 430, O.S.L. 2003 (70 O.S. Supp. 2008, Section 3-160), which relates to the state student record system; transferring system to Education Oversight Board; amending 70 O.S. 2001, Section 11-103.6d, which relates to certificates of distinction; modifying performance level terminology; amending 70 O.S. 2001, Section 18-200.1, as last amended by Section 1, Chapter 90, O.S.L. 2005 (70 O.S. Supp. 2008, Section 18-200.1), which relates to the State Aid formula; modifying agency responsible for development and implementation of student identification system; amending 70 O.S. 2001, Section 1210.506, which relates to the Oklahoma School Testing Program Act; modifying definitions; amending 70 O.S. 2001, Sections 1210.507 and 1210.508, as last amended by Sections 3 and 4, Chapter 289, O.S.L. 2006 (70 O.S. Supp. 2008, Sections 1210.507 and 1210.508), which relate to the Oklahoma School Testing Program Act; modifying agency responsible for development and administration of student testing system; modifying performance level terminology; amending 70 O.S. 2001, Section 1210.508B, as last amended by Section 1, Chapter 146, O.S.L. 2006 (70 O.S. Supp. 2008, Section 1210.508B), which relates to the Reading Sufficiency Act; amending 70 O.S. 2001, Section 1210.509, which relates to training for test administrators; modifying agency responsible for certain duties; modifying performance level terminology; amending 70 O.S. 2001, Section 1210.513, which relates to participation in National Assessment of Educational Progress; modifying agency responsible for certain duties; amending 70 O.S. 2001, Section 1210.515, as amended by Section 3, Chapter 197, O.S.L. 2004 (70 O.S. Supp. 2008, Section 1210.515), which relates to reading ability for driver license applicant; modifying performance level terminology; amending Sections 5 and 6, Chapter 432, O.S.L. 2005, as amended by Sections 5 and 6, Chapter 289, O.S.L. 2006 (70 O.S. Supp. 2008, Sections 1210.522 and 1210.523), which relate to the Achieving Classroom Excellence Act of 2005; modifying performance level terminology; amending 70 O.S. 2001, Section 1210.541, as amended by Section 3, Chapter 428, O.S.L. 2003 (70 O.S. Supp. 2008, Section 1210.541), which relates to student performance levels; modifying agency responsible for certain duties; modifying performance level terminology and definitions; providing for codification; and providing an effective date.

**SB 1119** – By Sykes of the Senate and Terrill and Cox of the House.  
[ Uniform Controlled Dangerous Substances Act - registration - definitions - effective date ]

**SB 1120** – By Sykes of the Senate and Terrill of the House.  
[ law enforcement - executive sessions - officers and deputies - effective date ]

**SB 1125** – By Sykes of the Senate and Wesselhoft of the House.  
[ torts - immunity from liability - codification - effective date ]

**SB 1137** – By Coffee of the Senate and Banz of the House.  
[ state government - Oklahoma American Civil War Sesquicentennial Commission - Oklahoma American Civil War Sesquicentennial Revolving Fund - codification - effective date ]

**SB 1167** – By Nichols of the Senate and Terrill of the House.  
[ higher education - necessary approval - bonds - Attorney General - effective date ]

**SB 1185** – By Barrington and Easley of the Senate and Christian of the House.  
An Act relating to motor vehicles; amending 47 O.S. 2001, Sections 6-205.1, as last amended by Section 11, Chapter 326, O.S.L. 2007, and 1112 (47 O.S. Supp. 2008, Section 6-205.1), which relates to driver licenses; modifying revocation period; clarifying description; and providing an effective date.

**SB 1206** – By Brown of the Senate and Trebilcock of the House.  
An Act relating to public health and safety; amending Section 4, Chapter 199, O.S.L. 2006 (8963 O.S. Supp. 2008, Section 695.2), which relates to the Oklahoma Intrastate Mutual Aid Compact; modifying definition; and providing an effective date.

**SB 1242** – By Sparks of the Senate and Terrill of the House.  
[ Oklahoma Public Employees Retirement System - service credit - effective date - emergency ]

**SJR 6** – By Coates of the Senate and Morgan of the House.  
A Joint Resolution describing the failure of Congress and the federal government to address growing concerns on the issue of illegal immigration; requesting Congressional action to reform immigration policies; and direction distribution.

**SJR 25** – By Coffee of the Senate and Benge of the House.  
A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Sections 11A and 11B of Article V of the Oklahoma Constitution; changing name of the Apportionment Commission; modifying membership of the Commission; providing for chair of Commission; modifying the number of members of the Commission required to sign certain orders; providing ballot title; and directing filing.

**SJR 27** – By Anderson and Jolley of the Senate and Sullivan of the House.  
[ Judicial Nominating Commission - composition ]

**SJR 35** – By Sparks and Sweeden of the Senate and Collins of the House.  
A Joint Resolution in support of the State of Kansas, the Kansas Department of Transportation, and the National Railroad Passenger Corporation (Amtrak) for their participation with the Amtrak feasibility study requested by the Kansas Department of Transportation on February 11, 2008; and directing distribution.

### **Transmitting engrossed measure**

Announcing the passage of **SCR 8**. The measure was introduced and read.

**SCR 8** – By Russell and Coffee of the Senate and Benge of the House.  
A Concurrent Resolution finding the Employee Free Choice Act detrimental; urging members of the Oklahoma Congressional delegation to oppose it; and directing distribution.

### **MOTION**

Representative Jones moved that the House stand in recess until 1:15 p.m., which was the order.

### **Speaker Pro Tempore Steele Presiding**

### **GENERAL ORDER**

**HB 1909** by Thomsen et al of the House was read and considered.

Authored by Senator Stanislawski (principal Senate author)

Representative Reynolds moved to amend **HB 1909** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was withdrawn.

Representative Thomsen moved that **HB 1909** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 1909** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrisette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--82.

Nay: Blackwell, Buck, Duncan, Johnson, Kern, Murphey, Reynolds, Ritze, Shelton, Wesselhoft, Wright (John).--11.

Excused: Billy, Hilliard, Jett, Key, McAffrey, Moore, Shumate, Trebilcock.--8.

The measure passed.

**HB 1909** was referred for engrossment.

### GENERAL ORDER

**HJR 1041** by Benge et al of the House was read and considered.

Authored by Senator Jolley (principal Senate author)

Representative Sullivan moved that **HJR 1041** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HJR 1041** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--62.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Pittman, Proctor, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--36.

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

The measure passed.

**HJR 1041** was referred for engrossment.

### **GENERAL ORDER**

**HB 2010** by Coody of the House and Paddock of the Senate was read and considered.

Coauthored by Representative(s) Kern

Representative Coody moved to amend **HB 2010** by striking the title, which amendment was declared adopted.

Representative Coody moved that **HB 2010** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2010** 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, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--87.

Nay: Derby, Duncan, Hoskin, McAffrey, McMullen, McPeak, Proctor, Reynolds, Ritze, Sherrer.--10.

Excused: Kouplen, Moore, Shelton, Shumate.--4.

The measure and emergency passed.

**HB 2010** was referred for engrossment.

### **GENERAL ORDER**

**HB 1389** by Osborn of the House and Anderson of the Senate was read and considered.

Coauthored by Representative(s) Derby

Representative Osborn moved that **HB 1389** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 1389** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Murphey, Nations, Nelson, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Auffet, Hamilton, McAffrey, Morrissette, Peters.--5.

Excused: Hilliard, Kouplen, Moore, Ortega, Sears, Shelton, Shumate, Williams.--8.

The measure passed.

**HB 1389** was referred for engrossment.

**GENERAL ORDER**

**HB 1309** by Luttrell of the House and Barrington of the Senate was read and considered.

Coauthored by Representative(s) Reynolds

Representative Luttrell moved that **HB 1309** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1309** 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, McNiell, McPeak, Miller, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Moore, Shelton, Shumate.--3.

The measure passed.

**HB 1309** was referred for engrossment.

**GENERAL ORDER**

**HB 2067** by McNiell et al of the House and Lamb of the Senate was read and considered.

Coauthored by Representative(s) Sears, Cannaday, Sullivan

Representative Reynolds moved to amend **HB 2067** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative McNiell moved to table the Reynolds amendment, which tabling motion was declared adopted.

Representative McNiell moved that **HB 2067** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2067** 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, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faight, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiell, McPeak, Miller, Morgan, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Thomsen, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--83.

Nay: Cooksey, Dank, Duncan, Hamilton, Kern, Key, McAffrey, Morrissette, Murphey, Peterson, Reynolds, Ritze, Tibbs, Wesselhoft.--14.

Excused: Moore, Shumate, Terrill, Thompson.--4.

The measure passed.

**HB 2067** was referred for engrossment.

### **GENERAL ORDER**

**HB 1037** by Tibbs of the House was read and considered.

Coauthored by Representative(s) Faight, Johnson, Osborn, Billy, Kern, Thomsen, Nelson, Sullivan, Wright (John), Sanders

Authored by Senator Ford (principal Senate author)

Representative Miller moved to amend **HB 1037** by striking the title, which amendment was declared adopted.

Representative Tibbs moved that **HB 1037** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1037** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (John), Mr. Speaker.--59.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--39.

Excused: Moore, Shumate, Wright (Harold).--3.

The measure passed.

**HB 1037** was referred for engrossment.

**GENERAL ORDER**

**HB 1935** by Watson of the House was read and considered.

Coauthored by Representative(s) Cannaday

Authored by Senator Stanislawski (principal Senate author)

Representative Watson moved that **HB 1935** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1935** 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, Miller, 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, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (John), Mr. Speaker.--98.

Excused: Moore, Shumate, Wright (Harold).--3.

The measure and emergency passed.

**HB 1935** was referred for engrossment.

### GENERAL ORDER

**HB 1061** by Sherrer of the House and Burrage of the Senate was read and considered.

Coauthored by Representative(s) Smithson

Representative Sherrer moved to amend **HB 1061** 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 Sherrer moved that **HB 1061** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 1061** 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, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Williams, Wright (John), Mr. Speaker.--90.

Nay: Cooksey, Kern, Key, Murphey, Reynolds, Ritze, Wesselhoft.--7.

Excused: Moore, Shumate, Trebilcock, Wright (Harold).--4.

The measure passed.

**HB 1061** was referred for engrossment.

## GENERAL ORDER

**HB 1419** by Cannaday of the House was read and considered.

Authored by Senator Ellis (principal Senate author)

Representative Cannaday moved to amend **HB 1419**, Page 1, Section 1, Lines 7-9 by deleting the language “felony punishable by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years, or by a fine of not less than One Thousand Dollars (\$1,000.00) nor” and by inserting in lieu thereof the language “misdemeanor punishable by imprisonment in county jail for not more than one (1) year, or by a fine of not”.

Representative Duncan moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment to the amendment, which motion was declared adopted upon roll call 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, 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, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Moore, Shumate.--2.

Representative Duncan moved to amend the Cannaday amendment by adding after the word “not” the language “less than One Thousand Dollars (\$1,000.00) but not more than Two Thousand Dollars (\$2,000.00), which amendment was declared adopted.

Representative Cannaday moved adoption of the amendment, as amended, which amendment was declared adopted.

Representative Cannaday moved that **HB 1419** be advanced from General Order, which motion was declared adopted.

### Representative Hickman Presiding

### THIRD READING

**HB 1419** 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, 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, McNiell, McPeak, Miller, 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, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Cooksey, Moore, Shumate.--3.

The measure passed.

**HB 1419** was referred for engrossment.

### GENERAL ORDER

**HJR 1042** by Terrill et al of the House was read and considered.

Coauthored by Representative(s) Reynolds, Duncan, Kern, Tibbs

Authored by Senator Sykes (principal Senate author)

Representative Brown moved to amend **HJR 1042** by striking the title, the resolving clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was withdrawn.

Representative Brown moved that **HJR 1042** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HJR 1042** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Blackwell, Brannon, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Hickman, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Shoemake, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Wright (John), Mr. Speaker.--66.

Nay: Auffet, Bailey, Billy, Brown, Buck, Cannaday, Carey, Collins, Glenn, Harrison, Hilliard, Hoskin, Jett, Kiesel, Kirby, Kouplen, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Nations, Pittman, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Smithson, Sullivan, Williams.--32.

Excused: Moore, Shumate.--2.

Constitutional Priv: Wesselhoft.--1.

The measure passed.

**HJR 1042** was referred for engrossment.

**GENERAL ORDER**

**HB 2252** by Terrill et al of the House was read and considered.

Coauthored by Representative(s) Osborn, Enns, Faught, Ritze

Authored by Senator Sykes (principal Senate author)

Representative Terrill moved that **HB 2252** be advanced from General Order, which motion was declared adopted.

**Representative Denney Presiding****THIRD READING**

**HB 2252** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brannon, Cannaday, Christian, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hickman, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiell, McPeak, Miller, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Shoemake, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--68.

Nay: Auffet, Bailey, Brown, Buck, Carey, Collins, Glenn, Hamilton, Harrison, Hoskin, Jett, Kiesel, Kouplen, Luttrell, McAffrey, McDaniel (Jeannie), Morgan, Nations, Pittman, Renegar, Roan, Rousselot, Scott, Shelton, Smithson, Sullivan, Williams, Wright (John).--28.

Excused: Cox, Hilliard, Moore, Sherrer, Shumate.--5.

The measure passed.

**HB 2252** was referred for engrossment.

### **Representative Hickman Presiding**

### **GENERAL ORDER**

**HB 2013** by Miller et al of the House and Aldridge of the Senate was read and considered.

Coauthored by Representative(s) Roan

Representative Miller moved that **HB 2013** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2013** 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, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, 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, McNiell, McPeak, Miller, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz,

Scott, Sears, Shannon, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--94.

Nay: Morrissette, Shelton.--2.

Excused: Cox, Hilliard, Moore, Sherrer, Shumate.--5.

The measure passed.

**HB 2013** was referred for engrossment.

### **GENERAL ORDER**

**HB 2077** by Jones of the House was read and considered.

Coauthored by Representative(s) Brannon, Smithson

Authored by Senator Burrage (principal Senate author)

Representative Jones moved that **HB 2077** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2077** 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, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, 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, 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, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Excused: Cox, Hilliard, Moore, Sherrer, Shumate.--5.

The measure and emergency passed.

**HB 2077** was referred for engrossment.

## GENERAL ORDER

**HB 1780** by Jones of the House and Jolley of the Senate was read and considered.

Representative Jones moved to amend **HB 1780** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Jones moved to amend the floor substitute 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 Jones moved adoption of the floor substitute, as amended, which amendment was declared adopted.

Representative Jones moved that **HB 1780** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 1780** 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, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, 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, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Nay: Murphey, Reynolds, Ritze.--3.

Excused: Cox, Hilliard, Moore, Sherrer, Shumate.--5.

The measure and emergency passed.

**HB 1780** was referred for engrossment.

**GENERAL ORDER**

**HB 1299** by Jordan et al of the House and Newberry of the Senate was read and considered.

Representative Jordan moved to amend **HB 1299**, Page 2, Section 1, Line 20 and Page 3, Section 1, Line 2 by deleting before the word “a” the word “commits” and inserting in lieu thereof the words “is arrested for”, which amendment was declared adopted.

Representative Jordan moved that **HB 1299** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 1299** 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, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, 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, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Nay: Shelton.--1.

Excused: Cox, Hilliard, Moore, Sherrer, Shumate.--5.

The measure passed.

**HB 1299** was referred for engrossment.

**MOTION**

Representative Sears asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1389**, which was the order.

## MOTION

Representative Jones moved that the House stand in recess until 7:45 p.m., which was the order.

## Speaker Pro Tempore Steele Presiding

## GENERAL ORDER

**HB 1072** by Key et al of the House and Brogdon of the Senate was read and considered.

Representative Key moved to amend **HB 1072** by striking the title, which amendment was declared adopted.

Representative Morrisette raised a point of order as to whether consideration of the Key amendment to strike the title was in violation of House Rule 8.6(f).

The Presiding Officer asked Representative Key if he had received approval of the Rules Committee to offer an amendment to strike the title on the measure.

Representative Key stated that he had received approval by the Rules Committee.

The Presiding Officer made inquiry of the chairman of the Rules Committee who confirmed that the principal author had received permission to offer an amendment to strike the title as required by House Rule 8.6(f).

Representative Key moved that **HB 1072** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 1072** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Cooksey, Dank, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McNiel, Miller, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (John), Mr. Speaker.--86.

Nay: Billy, Coody, Denney, Hickman, Wesselhoft.--5.

Excused: Cox, Harrison, Kouplen, McDaniel (Jeannie), McMullen, McPeak, Moore, Pittman, Shumate, Wright (Harold).--10.

The measure passed.

**HB 1072** was referred for engrossment.

## MOTION

Representative Roan moved to suspend House Rule 4.4(d) for the remainder of this legislative day, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bailey, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Dank, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hilliard, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McNiel, Miller, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Smithson, Steele, Terrill, Thompson, Thomsen, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--75.

Nay: Cooksey, Hickman, Holland, Lamons, Morrissette, Proctor, Reynolds, Ritze, Sherrer, Tibbs.--10.

Excused: Banz, Billy, Cox, Denney, Hamilton, Harrison, Kouplen, McDaniel (Jeannie), McMullen, McPeak, Moore, Pittman, Shelton, Shumate, Sullivan, Wesselhoft.--16.

## GENERAL ORDER

**HB 1480** by Fields of the House and Sweeden of the Senate was read and considered.

Representative Fields moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McNiel, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer,

Shoemake, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--82.

Nay: Reynolds.--1.

Excused: Blackwell, Brown, Cox, Dank, Harrison, Jett, Kouplen, McDaniel (Jeannie), McMullen, McPeak, Miller, Moore, Morgan, Morrisette, Shelton, Shumate, Terrill, Williams.--18.

Representative Fields moved to amend **HB 1480** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted upon a division of the question.

Representative Fields moved that **HB 1480** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 1480** 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, Buck, Cannaday, Carey, Christian, Collins, Coody, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Hickman, Hilliard, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Renegar, Richardson, Roan, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Steele, Sullivan, Thomsen, Trebilcock, Watson, Williams, Wright (Harold), Mr. Speaker.--69.

Nay: Brannon, Brown, Cooksey, Duncan, Glenn, Hamilton, Hoskin, Inman, Kern, Key, McAffrey, Morrisette, Murphey, Peterson, Pruett, Reynolds, Ritze, Rousselot, Shelton, Shoemake, Smithson, Terrill, Thompson, Tibbs, Wesselhoft, Wright (John).--26.

Excused: Cox, Harrison, McMullen, Moore, Shumate, Walker.--6.

The measure passed.

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

Aye: Armes, Bailey, Billy, Blackwell, Carey, Coody, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Kiesel, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McNiel, Miller, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Renegar, Richardson, Roan, Sanders, Schwartz, Sears, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Mr. Speaker.--53.

Nay: Banz, Brannon, Brown, Buck, Cannaday, Christian, Collins, Cooksey, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Joyner, Kern, Key, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McDaniel (Randy), McPeak, Morgan, Morrissette, Murphey, Pittman, Proctor, Reynolds, Ritze, Rousselot, Scott, Shannon, Shelton, Sherrer, Shoemake, Terrill, Thompson, Wesselhoft, Williams, Wright (John).--42.

Excused: Auffet, Cox, Harrison, McMullen, Moore, Shumate.--6.

The emergency failed.

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

## GENERAL ORDER

**HB 2229** by Jett of the House and Jolley of the Senate was read and considered.

Coauthored by Representative(s) Pittman

Representative Jett moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Coody, Dank, Denney, Derby, DeWitt, Dorman, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Rousselot, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Tibbs, Trebilcock, Walker, Watson, Mr. Speaker.--70.

Nay: Cooksey, Duncan, Johnson, Joyner, Kern, Peterson, Shannon, Terrill, Wesselhoft, Williams, Wright (John).--11.

Excused: Armes, Buck, Christian, Cox, Enns, Faught, Fields, Harrison, McAffrey, McMullen, Miller, Moore, Morrissette, Richardson, Roan, Schwartz, Shumate, Thompson, Thomsen, Wright (Harold).--20.

Representative Jett moved to amend **HB 2229** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

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

Representative Lamons moved to rescind the vote whereby the motion to advance **HB 2229** from General Order was adopted, which motion was declared adopted.

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

Representative Jett moved adoption of the floor substitute, which amendment was declared adopted.

Representative Jett 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: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Coody, Dank, DeWitt, Dorman, Enns, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Key, Kiesel, Kirby, Liebmann, Luttrell, Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), Miller, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Renegar, Richardson, Sanders, Scott, Shelton, Steele, Thomsen, Walker, Williams, Wright (Harold), Mr. Speaker.--47.

Nay: Billy, Brown, Buck, Cannaday, Carey, Christian, Collins, Cooksey, Denney, Derby, Duncan, Faught, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Jordan, Joyner, Kern, Kouplen, Lamons, Martin (Scott), McAffrey, McMullen, McNiel, McPeak, Morgan, Morrissette, Murphey, Peterson, Pruett, Reynolds, Ritze, Roan, Rousselot, Schwartz, Sears, Shannon, Sherrer, Shoemake, Smithson, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (John).--51.

Excused: Cox, Moore, Shumate.--3.

The measure failed.

Representative Jett served notice to reconsider the vote whereby **HB 2229** failed.

### **GENERAL ORDER**

**HJR 1016** by Jackson of the House and Reynolds of the Senate was read and considered.

Coauthored by Representative(s) Reynolds, Dank, Thompson, Nelson, Tibbs, Denney

Representative Miller moved to amend **HJR 1016** by striking the title, which amendment was declared adopted upon a division of the question.

Representative Reynolds raised a point of inquiry as to whether it was in order for the Chair of the Appropriations and Budget Committee to offer a motion to strike the title on

the measure since the measure was recommended to the full House by the Rules Committee rather than by the Appropriations and Budget Committee.

The Presiding Officer inquired of the Appropriations and Budget Chair as to whether the measure would have a fiscal impact.

The Appropriations and Budget Chair stated that in his opinion the bill would have a fiscal impact.

The Presiding Officer ruled the amendment in order.

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

### **THIRD READING**

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

Aye: Armes, Banz, Blackwell, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Randy), McNiel, Miller, Moore, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Richardson, Ritze, Sanders, Schwartz, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--62.

Nay: Auffet, Bailey, Billy, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Glenn, Harrison, Hickman, Hilliard, Hoskin, Kiesel, Kouplen, Martin (Steve), McDaniel (Jeannie), McMullen, McPeak, Morgan, Nations, Pruett, Renegar, Reynolds, Rousselot, Scott, Sears, Shelton, Sherrer, Smithson, Walker, Williams.--34.

Excused: Christian, Cox, Roan, Shoemake, Shumate.--5.

The measure passed.

**HJR 1016** was referred for engrossment.

### **GENERAL ORDER**

**HB 2090** by Kirby et al of the House and Stanislawski of the Senate was read and considered.

Coauthored by Representative(s) Tibbs

Representative Proctor moved to amend **HB 2090**, Page 1, Section 1, Line 4 by deleting the capitalized word “Any” and by inserting in lieu thereof the following language:

“A. Except as provided by subsection B of this section, any”; and Line 6 ½ by adding the following language:

“B. The provisions of this section shall not be applicable to an exemption for the sale of groceries.”.

Representative Hickman requested a ruling of the Presiding Officer as to whether the Proctor amendment was germane to **HB 2090**.

Representative McMullen raised a point of order as to whether the question of germaneness should have been posed prior to opening of the vote on adoption of the amendment.

The Presiding Officer ruled the McMullen point of order well taken.

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

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, 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, Kouplun, 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, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Cox, Shumate, Walker.--3.

Representative Wright (John) raised a point of order as to whether the title on the bill should be stricken with the adoption of the Proctor amendment causing a fiscal impact.

The Presiding Officer ruled the point well taken.

Representative Kirby moved to amend **HB 2090** by striking the title.

Representative Wright (John) raised a point of inquiry as to whether the question of the presence of a fiscal impact arising from the Proctor amendment should be referred to the Appropriations and Budget Committee Chair.

The Presiding Officer ruled the point not well taken because the House had already adopted the amendment and the point of order should have been raised during consideration of the amendment.

Representative Kirby pressed adoption of the amendment to strike the title, which amendment was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Dank, Denney, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Moore, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (John), Mr. Speaker.--58.

Nay: Bailey, Brannon, Brown, Cannaday, Carey, Derby, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Murphey, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Williams.--36.

Excused: Buck, Collins, Cox, Sanders, Shumate, Walker, Wright (Harold)--7.

Representative Kirby moved that **HB 2090** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2090** 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, Buck, Cannaday, Carey, Christian, Collins, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--89.

Nay: Brown, Coody, Kern, Key, Murphey, Reynolds, Ritze, Shannon, Walker.--9.

Excused: Cox, Roan, Shumate.--3.

The measure and emergency passed.

**HB 2090** was referred for engrossment.

## GENERAL ORDER

**HB 1489** by DeWitt et al of the House and Bingman of the Senate was read and considered.

Coauthored by Representative(s) Hickman, Dorman

Representative DeWitt moved that **HB 1489** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 1489** 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, 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, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Cox, Reynolds, Shumate.--3.

The measure and emergency passed.

**HB 1489** was referred for engrossment.

## GENERAL ORDER

**HB 1330** by Ritze of the House and Brogdon of the Senate was read and considered.

Coauthored by Representative(s) Reynolds, Key, Thompson, Faught, Tibbs, Schwartz

Representative Ritze moved to amend **HB 1330** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Peters moved to advance the question, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hamilton, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--60.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Harrison, Hoskin, Inman, Jett, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Renegar, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Williams, Wright (John).--36.

Excused: Cox, Hilliard, Pruett, Roan, Shumate.--5.

Representative Ritze moved adoption of the floor substitute, which amendment was declared adopted upon a division of the question.

Representative Peters moved to advance the bill.

Representative Brown raised a point of order as to whether a fiscal summary was available for the bill as amended by the floor substitute.

The Presiding Officer ruled the point not well taken and stated that a fiscal summary on the floor substitute was available on the Floor Calendar and that upon adoption, the fiscal summary prepared for the floor substitute had become the fiscal summary for the bill.

Representative Peters pressed the motion that **HB 1330** be advanced from General Order, which motion was declared adopted upon a division of the question.

### **THIRD READING**

**HB 1330** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Coody, Cooksey, 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, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake,

Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Bailey, Collins, Kiesel, Nations, Scott, Shelton.--6.

Excused: Billy, Cox, McAffrey, McDaniel (Jeannie), Roan, Shumate, Williams.--7.

The measure passed.

**HB 1330** was referred for engrossment.

## MOTION

Representative Moore asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HBs 1037, 1299, 1755, 2252** and **HJR 1022, 1041** and **1042**, which was the order.

## RECONSIDERATION

Representative Miller moved to reconsider the vote whereby **HB 1112** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Christian, Coody, Cooksey, Denney, Derby, DeWitt, Duncan, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Ortega, Osborn, Ownbey, Peterson, Richardson, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--51.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Enns, Glenn, Harrison, Hilliard, Hoskin, Inman, Key, Kiesel, Kouplen, Lamons, McPeak, Morgan, Nations, Pittman, Proctor, Pruett, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Williams, Wright (John).--35.

Excused: Blackwell, Cox, Dank, Dorman, Hamilton, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, Morrissette, Nelson, Peters, Renegar, Shumate, Walker.--15.

Upon unanimous consent request of Representative Miller, **HB 1112** was laid over.

**SECOND READING**

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

- SB 2** – Appropriations and Budget
- SB 4** – Rules
- SB 11** – Appropriations and Budget
- SB 38** – Appropriations and Budget
- SB 40** – Appropriations and Budget
- SB 48** – Public Safety
- SB 52** – Economic Development and Financial Services
- SB 59** – Appropriations and Budget
- SB 248** – Wildlife
- SB 249** – Appropriations and Budget
- SB 256** – International Relations and Tourism
- SB 257** – Higher Education and Career Tech
- SB 260** – Public Health
- SB 267** – Appropriations and Budget
- SB 268** – Common Education
- SB 269** – General Government
- SB 270** – Judiciary
- SB 275** – Higher Education and Career Tech
- SB 277** – Wildlife
- SB 279** – Appropriations and Budget
- SB 281** – Appropriations and Budget
- SB 285** – General Government
- SB 286** – Judiciary
- SB 288** – General Government
- SB 290** – Higher Education and Career Tech
- SB 292** – Appropriations and Budget
- SB 293** – Energy and Utility Regulation
- SB 297** – Energy and Utility Regulation
- SB 299** – Appropriations and Budget
- SB 300** – Energy and Utility Regulation
- SB 301** – Energy and Utility Regulation
- SB 303** – Energy and Utility Regulation
- SB 306** – General Government
- SB 309** – Appropriations and Budget
- SB 310** – Appropriations and Budget
- SB 314** – Appropriations and Budget
- SB 315** – Appropriations and Budget
- SB 318** – Appropriations and Budget
- SB 321** – Human Services
- SB 322** – Appropriations and Budget
- SB 330** – Appropriations and Budget

- SB 335** – Public Safety
- SB 337** – Human Services
- SB 339** – Appropriations and Budget
- SB 340** – Appropriations and Budget
- SB 342** – Judiciary
- SB 346** – Appropriations and Budget
- SB 348** – General Government
- SB 349** – Agriculture and Rural Development
- SB 353** – Public Health
- SB 354** – Appropriations and Budget
- SB 355** – Judiciary
- SB 357** – General Government
- SB 383** – Appropriations and Budget
- SB 387** – Appropriations and Budget
- SB 388** – Public Safety
- SB 390** – Human Services
- SB 391** – Transportation
- SB 394** – Common Education
- SB 397** – Appropriations and Budget
- SB 399** – Transportation
- SB 401** – Judiciary
- SB 402** – Appropriations and Budget
- SB 406** – Economic Development and Financial Services
- SB 409** – Appropriations and Budget
- SB 413** – Economic Development and Financial Services
- SB 418** – Economic Development and Financial Services
- SB 421** – Common Education
- SB 432** – Appropriations and Budget
- SB 434** – Public Health
- SB 441** – Appropriations and Budget
- SB 446** – Energy and Utility Regulation
- SB 448** – Judiciary
- SB 449** – Economic Development and Financial Services
- SB 450** – Wildlife
- SB 452** – Agriculture and Rural Development
- SB 453** – Agriculture and Rural Development
- SB 458** – Rules
- SB 461** – Appropriations and Budget
- SB 469** – Appropriations and Budget
- SB 473** – Common Education
- SB 474** – Energy and Utility Regulation
- SB 476** – Appropriations and Budget
- SB 478** – Human Services
- SB 482** – Appropriations and Budget
- SB 483** – Public Safety

**SB 487** – Public Health  
**SB 489** – Appropriations and Budget  
**SB 490** – Judiciary  
**SB 496** – Appropriations and Budget  
**SB 497** – Common Education  
**SB 500** – Transportation  
**SB 505** – General Government  
**SB 506** – Rules  
**SB 508** – Appropriations and Budget  
**SB 509** – Appropriations and Budget  
**SB 511** – Transportation  
**SB 517** – Appropriations and Budget  
**SB 518** – Judiciary  
**SB 521** – Appropriations and Budget  
**SB 525** – Appropriations and Budget  
**SB 527** – Economic Development and Financial Services  
**SB 528** – Public Safety  
**SB 539** – Public Safety  
**SB 546** – Public Health  
**SB 551** – Appropriations and Budget  
**SB 553** – Economic Development and Financial Services  
**SB 562** – Appropriations and Budget  
**SB 564** – Agriculture and Rural Development  
**SB 572** – Public Health  
**SB 573** – Economic Development and Financial Services  
**SB 576** – Economic Development and Financial Services  
**SB 580** – Public Health  
**SB 582** – Common Education  
**SB 585** – Common Education  
**SB 592** – Economic Development and Financial Services  
**SJR 24** – Rules

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby **HB 2079** failed.

## **APPOINTMENTS**

March 9, 2009 – The Speaker announced the following appointments as Members of the Standing Committees of the Council of State Governments for the 2009-2010 term of the 52<sup>nd</sup> Oklahoma Legislature (Bylaws of the Council of State Governments):

Annual Meeting Committee – Representative McDaniel (Randy)  
Associates Advisory Committee – Representative Peters  
Committee on Suggested State Legislation – Representative Jordan  
Education Policy Task Force – Representative Coody  
Energy and Environment Task Force – Representative Watson  
Governing Board – Representative Denney  
Health Policy Task Force – Representative Cox  
Intergovernmental Affairs Committee – Representative Schwartz  
International Committee – Representative Jett  
Public Safety and Justice Task Force – Representative Duncan  
Transportation Task Force – Representative Shannon

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, March 12, 2009, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 11:20 p.m., to reconvene Thursday, March 12, 2009, at 9:00 a.m.