

HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Forty-fourth Legislative Day, Wednesday, April 15, 2009

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

The roll was called with 99 Members present.

The following Members were excused: Jett, Nations.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Dick Terry, First Free Will Baptist Church, Sulphur.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HCR 1020 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SBs 285, 292, 299, 300, 339, 384, 478, 490, 614, 635, 653, 661, 783, 826, 830, 854, 901, 953, 957, 987, 1073, 1105, 1115, 1126 and 1127 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

SECOND READING

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

HJR 1051 – Administrative Rules and Agency Oversight

MESSAGES FROM THE SENATE

Announcing the passage of **HBs 1031, 1052, 1326**, Coauthored by Senators Brogdon, Marlatt, Jolley, **1333, 1518, 1601**, Coauthored by Senators Crain, Newberry, Sykes and Representative Coody, **1674, 1761, 1763** and **1892**.

The above-numbered measures were referred for enrollment.

Returning engrossed measure

Announcing the passage of **HCR 1012**, Coauthored by all Senators.

The above-numbered measure was referred for enrollment.

GENERAL ORDER

SB 1137 by Coffee of the Senate and Banz of the House was read and considered.

Coauthored by Representative(s) McMullen

Representative Banz moved that **SB 1137** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1137 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Enns, Fields, Glenn, Holland, Hoskin, Inman, Jackson, Jones, Kiesel, Lamons, Liebmann, Luttrell, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Nelson, Osborn, Ownbey, Peters, Proctor, Pruett, Roan, Rousselot, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thomsen, Walker, Watson, Wright (Harold), Wright (John), Mr. Speaker.--57.

Nay: Bailey, Buck, Christian, Duncan, Faught, Hilliard, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Martin (Scott), Martin (Steve), McAffrey, McCullough, McPeak, Morgan, Morrisette, Murphey, Ortega, Peterson, Pittman, Renegar, Reynolds, Richardson, Ritze, Schwartz, Shannon, Sullivan, Thompson, Tibbs, Trebilcock, Wesselhoft, Williams.--35.

Excused: Derby, Dorman, Hamilton, Harrison, Hickman, Jett, Key, McMullen, Nations.--9.

The measure passed.

SB 1137 was referred for engrossment.

GENERAL ORDER

SB 610 by Myers of the Senate and Watson of the House was read and considered.

Representative Watson moved to amend **SB 610** by striking the title and enacting clause, which amendment was declared adopted.

Representative Watson moved that **SB 610** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 610 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, DeWitt, Dorman, Enns, Fields, Glenn, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Morrisette, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--83.

Nay: Duncan, Faught, Kern, McPeak, Murphey, Peterson, Reynolds, Ritze, Wesselhoft.--9.

Excused: Derby, Hamilton, Harrison, Hickman, Jett, Key, Kiesel, McMullen, Nations.--9.

The measure passed.

SB 610 was referred for engrossment.

GENERAL ORDER

SB 702 by Paddack of the Senate and Thomsen of the House was read and considered.

Coauthored by Representative(s) Ortega, Ownbey

Representative Thomsen moved to amend **SB 702**, Page 3, Section 2, Line 5 by deleting after the word “in” the words “sexual intercourse” and inserting in lieu thereof the language “conduct prohibited by this section of law”, which amendment was declared adopted.

Representative Thomsen moved that **SB 702** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 702 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, Duncan, Faight, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Kiesel.--1.

Excused: Derby, Enns, Harrison, Hickman, Jett, Key, McMullen, Nations, Pittman, Shelton.--10.

The measure and emergency passed.

SB 702 was referred for engrossment.

Representative Armes Presiding

GENERAL ORDER

SB 749 by Jolley et al of the Senate and Cooksey of the House was read and considered.

Representative Reynolds moved to amend **SB 749**, Page 2, Section 1, Line 2 by adding after the comma “,” following the word “years” the language “provided no indebtedness shall be incurred for a period exceeding the life expectancy of the software, the legal binding length of the subscriptions or license agreements, less one (1) year,” which amendment was declared adopted.

Representative Cooksey moved that **SB 749** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 749 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, Denney, Dorman, Duncan, Faight, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--86.

Nay: Reynolds, Ritze.--2.

Excused: Dank, Derby, DeWitt, Enns, Harrison, Hickman, Jett, Key, McMullen, Nations, Ownbey, Pittman, Shelton.--13.

The measure passed.

SB 749 was referred for engrossment.

GENERAL ORDER

SB 1118 by Sykes of the Senate and Terrill of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Terrill moved that **SB 1118** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1118 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, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Hamilton.--1.

Excused: Derby, Enns, Harrison, Hickman, Jett, Key, McMullen, Nations, Pittman, Shelton.--10.

The measure passed.

SB 1118 was referred for engrossment.

GENERAL ORDER

SB 1152 by Barrington of the Senate and Terrill of the House was read and considered.

Representative Terrill moved that **SB 1152** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1152 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, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Excused: Derby, Harrison, Hickman, Jett, Key, McMullen, Nations, Pittman.--8.

The measure and emergency passed.

SB 1152 was referred for engrossment.

GENERAL ORDER

SB 1185 by Barrington et al of the Senate and Christian of the House was read and considered.

Coauthored by Representative(s) Tibbs, Shelton

Representative Christian moved that **SB 1185** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1185 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, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer,

Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Cox, Shannon, Shumate.--3.

Excused: Derby, Harrison, Hickman, Jett, Key, McMullen, Nations, Steele.--8.

The measure and emergency passed.

SB 1185 was referred for engrossment.

GENERAL ORDER

SB 275 by Corn of the Senate and Renegar et al of the House was read and considered.

Representative Renegar moved that **SB 275** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 275 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, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Excused: Derby, Harrison, Hickman, Jett, Key, McMullen, Nations, Steele.--8.

The measure and emergency passed.

SB 275 was referred for engrossment.

GENERAL ORDER

SB 353 by Rice of the Senate and Cox et al of the House was read and considered.

Coauthored by Representative(s) Lamons, Walker

Representative Cox moved that **SB 353** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 353 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, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Excused: Derby, Harrison, Jett, Key, McMullen, Nations, Sanders, Shelton, Steele.--9.

The measure and emergency passed.

SB 353 was referred for engrossment.

GENERAL ORDER

SB 394 by Stanislawski of the Senate and Sullivan of the House was read and considered.

Coauthored by Representative(s) Duncan

Representative Sullivan moved that **SB 394** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 394 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, DeWitt, Dorman, Duncan, Enns, Faught, Hickman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Schwartz, Sears, Shannon, Sherrer, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--52.

Nay: Auffet, Bailey, Billy, Brannon, Brown, Buck, Cannaday, Carey, Collins, Denney, Fields, Glenn, Hamilton, Hilliard, Holland, Hoskin, Inman, Kiesel, Kirby, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Nelson, Ortega, Osborn, Pittman, Proctor, Pruett, Renegar, Rousselot, Sanders, Scott, Shoemake, Smithson, Trebilcock, Walker, Williams.--43.

Excused: Derby, Harrison, Jett, Nations, Roan, Shelton.--6.

The measure passed.

SB 394 was referred for engrossment.

GENERAL ORDER

SB 397 by Crain of the Senate and Sullivan of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Sullivan moved that **SB 397** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 397 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, Collins, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears,

Shannon, Shelton, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Excused: Christian, Cox, Derby, Harrison, Jett, Kiesel, Nations, Sherrer, Steele.--9.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 397** and ordered same returned to the Honorable Senate.

MOTION

Representative Blackwell asked unanimous consent that the Journal reflect that the Rules Committee voted yesterday, Tuesday, April 14, 2009, to approve the request of Representative Watson to strike the title and enacting clause on **SB 610**, which was the order.

GENERAL ORDER

SB 487 by Paddack et al of the Senate and Cox of the House was read and considered.

Coauthored by Representative(s) Peterson, Walker

Representative Cox moved that **SB 487** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 487 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, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--94.

Excused: Derby, Harrison, Jackson, Jett, McPeak, Nations, Sherrer.--7.

The measure passed.

SB 487 was referred for engrossment.

GENERAL ORDER

SB 586 by Ford of the Senate and Shumate et al of the House was read and considered.

Representative Shumate moved that **SB 586** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 586 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Buck, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Dank, Derby, Dorman, Duncan, Enns, Faught, Glenn, Hamilton, Hilliard, Holland, Hoskin, Jackson, Johnson, Jones, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Reynolds, Richardson, Ritze, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--78.

Nay: Auffet, Bailey, Brannon, Collins, Denney, DeWitt, Fields, Hickman, Inman, Jordan, McMullen, McNiel, McPeak, Proctor, Renegar, Roan, Shelton, Walker.--18.

Excused: Harrison, Jett, Kiesel, Nations, Sherrer.--5.

The measure passed.

SB 586 was referred for engrossment.

GENERAL ORDER

SB 828 by Marlatt et al of the Senate and Blackwell of the House was read and considered.

Coauthored by Representative(s) Ortega, Walker

Representative Blackwell moved that **SB 828** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 828 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, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Harrison, Jett, Nations.--3.

The measure and emergency passed.

SB 828 was referred for engrossment.

GENERAL ORDER

SB 981 by Mazzei et al of the Senate and Hickman of the House was read and considered.

Representative Hickman moved that **SB 981** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 981 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, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNeil, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Jett, Kirby, Nations, Steele.--4.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 981** and ordered same returned to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 17 was called up for consideration.

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

Upon motion of Representative Key, **SCR 17** was considered and adopted.

SCR 17 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 1048**, Coauthored by Representative Liebmann, **1095, 1366, 1389**, Coauthored by Representative Duncan, **1460**, Coauthored by Representative Pittman and Senators Jolley, Adelson, Sparks, Garrison, **1508, 1569, 1704, 1717, 1734**, Coauthored by Representative McDaniel (Jeannie), **1739**, Coauthored by Representative Pittman and Senator Leftwich, **1760**, Coauthored by Representative Ritze, **1769**, Coauthored by Senators Sweeden, Ellis and Representatives Bailey, Dorman, Ownbey, Walker, **1936**, Coauthored by Representative Smithson, **1948**, Coauthored by Senator Garrison, **1952**, Coauthored by Representative McAffrey and Senators Branan, Garrison, Ballenger, Burrage, Sparks, **1953**, Coauthored by Senators Gumm, Ivester, Sparks, Leftwich and Representative Brown, **1964, 2015, 2027**, Coauthored by Representatives Renegar, Shelton and Senators Gumm, Branan, Garrison, Burrage, **2028**, Coauthored by Senator Paddack and Representative Pittman, **2029**, Coauthored by Senator Paddack and Representative Pittman, **2056, 2062**, Coauthored by Senators Gumm, Branan, **2108, 2161, 2263** and **2266**, Remove Senator Reynolds as principal Senate author and substitute with Senator Sykes as principal Senate author, and Coauthored by Senator Reynolds and **HJR 1021**.

Senate amendments were read on the above numbered measures.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SB 609** and the passage of said measure, as amended thereby.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 54, 525, 580, 609, 655, 677, 899, 1129, 1206** and **SJR 12**.

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

MOTION

Representative Jones moved that the House stand in recess until 1:30 p.m., which was the order.

Speaker Pro Tempore Steele Presiding**GENERAL ORDER**

SB 479 by Crain et al of the Senate and Jackson of the House was read and considered.

Representative Miller moved to amend **SB 479** by striking the enacting clause, which amendment was declared adopted.

Representative Jackson moved that **SB 479** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 479 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Roan, Sanders, Schwartz, Sears, Shannon, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--67.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Hamilton, Hilliard, Hoskin, Inman, Kouplen, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Proctor, Renegar, Rousselot, Scott, Shelton, Shoemake, Williams.--26.

Excused: Christian, Harrison, Jett, Key, Kiesel, Morrissette, Nations, Pittman.--8.

The measure passed.

SB 479 was referred for engrossment.

GENERAL ORDER

SB 834 by Ford et al of the Senate and Jones of the House was read and considered.

Representative Jones moved to amend **SB 834** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Jones moved to advance the question.

After the vote was ordered, Representative Inman moved to table the Jones motion to advance the question.

The Presiding Officer ruled the tabling motion out of order because the vote had already been ordered.

Representative Jones pressed his motion to advance the question, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Ritze, 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, Key, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--39.

Excused: Blackwell, Harrison, Jett, Nations, Reynolds.--5.

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

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, 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, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--59.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--38.

Excused: Harrison, Jett, Nations, Reynolds.--4.

Representative Inman moved to suspend House Rule 8.7(b) for the purpose of allowing consideration of additional main floor amendments, which motion failed of adoption upon roll call as follows:

Aye: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--37.

Nay: Armes, Banz, Billy, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, 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, Pittman, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--59.

Excused: Blackwell, Harrison, Jett, Nations, Reynolds.--5.

Representative Jones moved that **SB 834** be advanced from General Order, which motion was declared adopted.

Representative Brown moved to extend debate time to ninety (90) minutes, which motion was declared adopted.

THIRD READING

SB 834 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, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--60.

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

Excused: Jett, Nations.--2.

The measure passed.

SB 834 was referred for engrossment.

GENERAL ORDER

SB 582 by Jolley of the Senate and Jones of the House was read and considered.

Coauthored by Representative(s) Fields

Representative Jones moved that **SB 582** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 582 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, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Jett, Nations.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 582** and ordered same returned to the Honorable Senate.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 239**.

SB 239 was referred for engrossment.

RESOLUTIONS

The following were introduced and read:

HCR 1022 – By Shelton.

A Concurrent Resolution condemning the marketing of the Cocaine energy drink in this state.

HR 1042 – By Shelton.

A Resolution congratulating the Star Spencer Bobcats Basketball team for winning the State Class 4A Boys Basketball Championship; commending their victories; and directing distribution.

COMMITTEE REPORT

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

DO PASS:

HJR 1049 – Administrative Rules and Agency Oversight

MESSAGE FROM THE SENATE

Announcing the passage of and returning engrossed measure as amended: **HB 1934**.

Senate amendments were read on the above numbered measure.

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 16, 2009, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 4:20 p.m., to reconvene Thursday, April 16, 2009, at 9:00 a.m.