

HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Forty-seventh Legislative Day, Tuesday, April 21, 2009

The House was called to order by Representative Peters.

The roll was called with 101 Members present.

Representative Peters declared a quorum present.

Prayer was offered by Pastor Tom Vineyard, Windsor Hills Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 2, 48, 346, 458, 486, 517, 518, 551, 608, 803 and 1102 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1462, 1465, 1884, 1913 and 2087 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

SB 857 by Ballenger of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 857** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 857 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, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, 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, Sherrer, Smithson, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--85.

Excused: Christian, Cox, Harrison, Hilliard, Jett, Key, Liebmann, McNiel, Nations, Shannon, Shelton, Shoemake, Shumate, Steele, Thompson, Walker.--16.

The measure and emergency passed.

SB 857 was referred for engrossment.

MOTION

Representative Blackwell asked that the Journal reflect that the Rules Committee voted yesterday, April 20, to approve the authors' requests to strike the title and enacting clause on the following measures: **SB 432** by Representative Armes, **SB 598** by Representative Martin (Scott), **SB 1181** by Representative Cox and **SJR 34** by Representative Armes, which was the order.

GENERAL ORDER

SB 726 by Barrington of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Collins

Representative Armes moved that **SB 726** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 726 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, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, 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, Nations, 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.--94.

Excused: Christian, Cox, Hamilton, Jett, Shannon, Shumate, Steele.--7.

The measure and emergency passed.

SB 726 was referred for engrossment.

GENERAL ORDER

SB 489 by Barrington et al of the Senate and Coody et al of the House was read and considered.

Coauthored by Representative(s) Ownbey, Reynolds, Wright (Harold), Roan, Johnson, Sears, Smithson, Hilliard, Tibbs, Shelton, Walker, Sherrer, Martin (Scott), Inman

Representative Coody moved that **SB 489** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 489 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, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, 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, Nations, Nelson, Ortega, Osborn, Ownbey, Peters,

Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Christian, Hamilton, Jett.--3.

The measure passed.

SB 489 was referred for engrossment.

Speaker Pro Tempore Steele Presiding

GENERAL ORDER

SB 673 by Anderson of the Senate and Sullivan of the House was read and considered.

Representative Sullivan moved that **SB 673** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 673 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, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, 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, 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, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Christian, Hamilton, Jett.--3.

The measure passed.

SB 673 was referred for engrossment.

GENERAL ORDER

SB 1022 by Brown of the Senate and Sullivan of the House was read and considered.

Representative Sullivan moved to amend **SB 1022** 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 Sullivan moved that **SB 1022** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1022 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, 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, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--94.

Nay: Reynolds, Ritze.--2.

Excused: Christian, Jett, McAffrey, Nations, Terrill.--5.

The measure passed.

SB 1022 was referred for engrossment.

GENERAL ORDER

SB 1075 by Crain of the Senate and Sullivan of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Sullivan moved to amend **SB 1075**, Page 9, Section 2, Lines 20-22 by striking after the word “offender” the words “with court monitoring” on Lines 20 and 21; by restoring the stricken language “until fully paid” on Line 21; by deleting all of the new language beginning with the word “not” on Line 21 through the word “court” on Line 22; and by inserting after the period “.” on Line 22 a new sentence to read as follows:

“Offenders who have not fully paid all costs and fees pursuant to court order but who have otherwise successfully completed the drug court program shall not be counted as an active drug court participant for purposes of drug court contracts or program participant numbers.”, which amendment was declared adopted.

Representative Sullivan moved that **SB 1075** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1075 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, 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, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, 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), Mr. Speaker.--95.

Nay: Ritze, Wright (John).--2.

Excused: Blackwell, Christian, Harrison, Jett.--4.

The measure passed.

SB 1075 was referred for engrossment.

GENERAL ORDER

SB 916 by Stanislawski et al of the Senate and Sullivan of the House was read and considered.

Representative Sullivan moved that **SB 916** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 916 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, 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, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Nay: Shelton.--1.

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

The measure passed.

SB 916 was referred for engrossment.

GENERAL ORDER

SB 315 by Mazzei et al of the Senate and Hickman of the House was read and considered.

Coauthored by Representative(s) Fields, Kern, Liebmann, Thompson

Representative Reynolds moved to amend **SB 315** by deleting Section 1 and inserting in lieu thereof a new Section 1.

Representative Reynolds moved to amend the main floor amendment by inserting a new Section 2 to read as follows, and by renumbering subsequent sections:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-735.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. A person or business entity recognized by the laws of this state that engages in, or is associated with a business entity that engages in, the following acts in violation of Oklahoma law shall not be eligible for any Oklahoma income tax credits or incentive payments:

1. Knowingly conducting nontherapeutic research that destroys a human embryo or subjects a human embryo to substantial risk of injury or death;
2. Transferring a human embryo with the knowledge that the embryo will be subjected to nontherapeutic research; or
3. Using for research purposes cells or tissues that the person knows were obtained by performing activities in violation of this section.

B. No state agency shall invest in a business entity that engages in the acts prohibited by this section.”,

which amendment was declared adopted.

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

Representative Peters moved that **SB 315** be advanced from General Order, which motion was declared adopted upon a division of the question.

In the course of Representative Inman’s debate, Representative Hickman raised a point of order stating that Representative Inman had impugned his motives while debating. The Presiding Officer ruled the point well taken and cautioned the members in their debate.

In the course of Representative Duncan’s debate, Representative Harrison raised a point of order stating that Representative Duncan had impugned motives of other members during his debate. The Presiding Officer ruled the point well taken and cautioned the members in their debate.

THIRD READING

SB 315 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, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson,

Pittman, Proctor, Pruett, Reynolds, Richardson, Ritze, Rousselot, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--85.

Nay: Auffet, Brown, Cox, Hoskin, Kiesel, McAffrey, McDaniel (Jeannie), Nations, Renegar, Roan, Scott, Shelton, Smithson.--13.

Excused: Christian, McPeak, Morrissette.--3.

The measure passed.

SB 315 was referred for engrossment.

GENERAL ORDER

SB 318 by Mazzei et al of the Senate and Hickman of the House was read and considered.

Coauthored by Representative(s) McCullough, Derby

Representative Reynolds moved to amend **SB 318** by deleting Section 2 and by inserting in lieu thereof a new Section 2 to read as follows:

“SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1357.11 of Title 68, unless there is created a duplication in numbering, reads as follows:

A. In lieu of the tax imposed by Section 1354 of Title 68 of the Oklahoma Statutes, the sale of all eligible food and beverages as defined in the Streamlined Sales and Use Tax Agreement shall be subject to an excise tax as follows:

1. For the fiscal year beginning on July 1, 2009, a tax at the rate of and eight-tenths percent (1.8%);

2. For the fiscal year beginning on July 1, 2010, a tax at the rate nine-tenths percent (.9%; and

3. For the fiscal year beginning on July 1, 2011, and all subsequent fiscal years, no tax shall be levied.

B. Any changes to the state tax rate on the sale of all eligible food and beverages, as provided by subsection A of this section, shall not apply to any county or municipal sales tax imposed pursuant to law.

C. The Oklahoma Tax Commission shall promulgate any necessary rules to implement the provisions of this act, including a rule defining eligible food and beverages in accordance with the Streamlined Sales and Use Tax Agreement.”

SB 318 was laid over.

GENERAL ORDER

SB 668 by Aldridge of the Senate and Banz et al of the House was read and considered.

Representative Banz moved that **SB 668** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 668 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, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, 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), Martin (Steve), McAffrey, 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, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--88.

Nay: Blackwell, Duncan, Kern, Moore, Murphey, Reynolds, Ritze, Sanders, Shannon, Wesselhoft, Wright (John).--11.

Excused: Christian, Sullivan.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 668** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 342 by Crain of the Senate and Thompson of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Blackwell 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, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, 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, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Nay: Morrissette, Shelton.--2.

Excused: Christian, Dorman, Sullivan.--3.

Representative Blackwell moved to amend **SB 342**, Page 8, by inserting a new Sections 3 and 5 to read as follows:

“SECTION 3. REPEALER Section 2 of Enrolled House Bill 1092, is hereby repealed.”;

Page 8, Section 3, Line 8 by deleting the language “SECTION 3. This” and inserting in lieu thereof the language “SECTION 4. Section 1 and 2 of this”; and

Page 8, by inserting a new section to read as follows:

“SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof Section 1 of Enrolled House Bill No. 1092 of the First Session of the 52nd Oklahoma Legislature and Section 3 of this act shall take effect and be in full force from and after the passage and approval of this act.”,

which amendment was declared adopted.

Representative Thompson moved that **SB 342** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 342 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, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Nay: Shelton.--1.

Excused: Christian, Dorman, Sullivan.--3.

The measure passed.

SB 342 was referred for engrossment.

GENERAL ORDER

SB 503 by Bingman of the Senate and Thompson of the House was read and considered.

Representative Thompson moved that **SB 503** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 503 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, Buck, Cannaday, Carey, Collins, Coody, Dank, Denney, Derby, DeWitt, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McCullough, McMullen, McNiel, McPeak, Miller, Moore, Morgan, Nations, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill,

Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Mr. Speaker.--77.

Nay: Brown, Cooksey, Cox, Duncan, Faught, Johnson, Kern, Key, Kiesel, Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), Morrisette, Murphey, Nelson, Reynolds, Ritze, Shelton, Wesselhoft, Williams, Wright (John).--22.

Excused: Christian, Dorman.--2.

The measure passed.

SB 503 was referred for engrossment.

GENERAL ORDER

SB 1064 by Barrington of the Senate and Shannon of the House was read and considered.

Representative Shannon moved that **SB 1064** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1064 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brannon, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Enns, Fields, Glenn, Harrison, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Miller, Moore, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Renegar, Reynolds, Richardson, Ritze, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--72.

Nay: Auffet, Bailey, Brown, Buck, Cannaday, Carey, Cox, Faught, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, McAffrey, McDaniel (Jeannie), McMullen, McNiel, McPeak, Morgan, Ownbey, Pruett, Roan, Scott, Shelton, Sherrer, Williams.--27.

Excused: Christian, Dorman.--2.

The measure and emergency passed.

SB 1064 was referred for engrossment.

GENERAL ORDER

SB 310 by Paddock of the Senate and Cox of the House was read and considered.

Representative Cox moved that **SB 310** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 310 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Nay: Duncan, Murphey, Reynolds, Ritze, Wesselhoft.--5.

Excused: Bailey, Christian, Dorman.--3.

The measure and emergency passed.

SB 310 was referred for engrossment.

GENERAL ORDER

SB 357 by Crutchfield et al of the Senate and Hilliard et al of the House was read and considered.

Representative Hilliard moved that **SB 357** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 357 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

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

Excused: Bailey, Christian, Dorman.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 357** and ordered same 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

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1462, 1465, 1884, 1913** and **2087** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1003**, Coauthored by Representative Billy, **1030, 1032**, Coauthored by Senators Ivester, Gumm, **1072, 1330**, Coauthored by Senators Schulz, Marlatt, Lamb, Justice, Bingman, Nichols, Barrington, Brown, Crain, Halligan, Ford, Aldridge, Mazzei, Myers, Newberry, Johnson

(Mike), Coffee, Reynolds, **1449**, Coauthored by Senators Paddack, Sykes, Stanislawski and Representative Ritze, **1483**, Coauthored by Senator Ivester, **1509, 1595**, Coauthored by Senators Crain, Newberry, Sykes, Brogdon, Aldridge, Russell, Schulz, Marlatt and Representatives Christian, Moore, Walker, **1661, 1707, 1738**, Coauthored by Senator Leftwich, **1753, 1790, 1888**, Coauthored by Representative Pittman, **1935, 2047**, Coauthored by Representative Shelton and Senator Johnson (Constance), **2149, 2158** and **HJR**s **1005** and **1026**.

Senate amendments were read on the above numbered measures.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SB**s **238, 239, 270** and **476**.

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

Conference requested

Advising rejection of **H**A's to **SB**s **275, 353, 411, 418, 490, 564, 597, 695, 757, 794, 1126, 1127, 1166** and **1231** and requesting conference thereon, the Senate naming conferees later.

GENERAL ORDER

SB 1035 by Sparks of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Osborn, Hickman, Ownbey

Representative Shelton moved to table **SB 1035**, which tabling motion failed of adoption upon roll call as follows:

Aye: Buck.--1.

Nay: Armes, Banz, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Faight, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--56.

Excused: Auffet, Bailey, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Derby, Enns, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Key, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McMullen, McPeak, Miller, Morgan, Morrisette, Nations, Pittman, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Sullivan, Trebilcock, Walker, Watson, Williams.--44.

Representative Shelton moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion failed of adoption upon roll call as follows:

Aye: Buck, Cannaday, Carey, Lamons, Pruett, Scott, Sherrer.--7.

Nay: Armes, Banz, Collins, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Murphey, Nelson, Ortega, Ownbey, Peters, Proctor, Renegar, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shelton, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Wright (John).--53.

Excused: Auffet, Bailey, Billy, Blackwell, Brannon, Brown, Christian, Cox, Derby, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Jett, Key, Kiesel, Kirby, Kouplen, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Miller, Moore, Morgan, Morrisette, Nations, Osborn, Peterson, Pittman, Roan, Rousselot, Shannon, Shoemake, Trebilcock, Walker, Williams, Mr. Speaker.--41.

Representative Armes moved that **SB 1035** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1035 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, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, 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, McNeil, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Hamilton, Morrissette.--2.

Excused: Auffet, Derby, Hilliard, Nations, Pittman, Rousselot, Trebilcock.--7.

The measure passed.

SB 1035 was referred for engrossment.

GENERAL ORDER

SB 1071 by Barrington of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Armes moved that **SB 1071** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1071 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, 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, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Derby, Enns, Hilliard, Nations, Rousselot, Trebilcock.--6.

The measure and emergency passed.

SB 1071 was referred for engrossment.

GENERAL ORDER

SB 844 by Branan of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Derby, Duncan

Representative McDaniel (Jeannie) moved that **SB 844** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 844 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, Faught, Fields, Glenn, Hamilton, Harrison, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: McMullen, McPeak, Shelton.--3.

Excused: Derby, Enns, Hickman, Hilliard, Kiesel, Nations.--6.

The measure and emergency passed.

SB 844 was referred for engrossment.

GENERAL ORDER

SB 409 by Johnson (Mike) of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 409** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 409 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Buck, Cox, Dorman, Glenn, Jackson, Jones, Kouplen, Luttrell, Pittman, Pruett, Richardson.--13.

Nay: Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Dank, Denney, DeWitt, Duncan, Faught, Fields, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jett, Johnson, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, 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, Proctor, Renegar, Reynolds, 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.--84.

Excused: Derby, Enns, Hilliard, Kiesel.--4.

The measure failed.

GENERAL ORDER

SB 832 by Bingman et al of the Senate and Shannon of the House was read and considered.

Representative Shannon moved that **SB 832** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 832 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, 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, 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, Shumate, Smithson,

Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Derby, Hilliard.--2.

The measure and emergency passed.

SB 832 was referred for engrossment.

GENERAL ORDER

SB 902 by Brown of the Senate and Ritze of the House was read and considered.

Coauthored by Representative(s) Roan

Representative Ritze moved to amend **SB 902**, Page 15, Section 6, Line 22 by deleting after the word “the” the language “Oklahoma Tax Commission” and inserting in lieu thereof the language “law enforcement agency employing the officer who took or ordered the taking of the blood or breath sample”, which amendment was declared adopted.

Representative Ritze moved that **SB 902** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 902 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, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, 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, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Nay: McPeak.--1.

Excused: Buck, Derby, Hilliard.--3.

The measure and emergency passed.

SB 902 was referred for engrossment.

Representative Armes Presiding

GENERAL ORDER

SB 1031 by Sparks of the Senate and Schwartz of the House was read and considered.

Representative Schwartz moved that **SB 1031** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1031 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Brannon, Brown, Buck, Cannaday, Carey, Collins, Cooksey, Cox, Denney, Derby, Dorman, Enns, Faught, Fields, Glenn, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, 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, Nations, Nelson, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--77.

Nay: Bailey, Banz, Billy, Blackwell, Christian, Coody, Dank, Duncan, Hamilton, Johnson, Kern, Key, Morrissette, Murphey, Ortega, Peterson, Reynolds, Ritze, Sanders, Sherrer, Terrill, Wesselhoft.--22.

Excused: DeWitt, Hilliard.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1031** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1034 by Sparks of the Senate and Schwartz of the House was read and considered.

Representative Schwartz moved that **SB 1034** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1034 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Bailey, Banz, Brannon, Brown, Buck, Cannaday, Carey, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Osborn, Ownbey, Peters, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Wright (Harold), Wright (John), Mr. Speaker.--70.

Nay: Auffet, Billy, Blackwell, Christian, Collins, Dank, Duncan, Hamilton, Kern, Key, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Ortega, Peterson, Pittman, Proctor, Reynolds, Ritze, Shelton, Sherrer, Trebilcock, Wesselhoft, Williams.--28.

Excused: Hilliard, Scott, Watson.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1034** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 588 by Ford of the Senate and Martin (Steve) of the House was read and considered.

Representative Martin (Steve) moved that **SB 588** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 588 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, 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, Murphey, Nations, Nelson, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Nay: Morrissette, Wesselhoft.--2.

Excused: Hilliard, Jackson, Osborn.--3.

The measure passed.

SB 588 was referred for engrossment.

GENERAL ORDER

SB 885 by Anderson et al of the Senate and Sherrer of the House was read and considered.

Representative Sherrer moved that **SB 885** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 885 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Billy, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Denney, DeWitt, Dorman, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Nations, Nelson, Ortega, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--74.

Nay: Banz, Blackwell, Christian, Dank, Derby, Duncan, Enns, Faight, Johnson, Kern, Key, McCullough, McDaniel (Randy), Moore, Murphey, Peterson, Reynolds, Ritze, Sanders, Schwartz, Terrill, Thompson, Thomsen, Wesselhoft, Wright (John).--25.

Excused: Hilliard, Osborn.--2.

The measure passed.

SB 885 was referred for engrossment.

GENERAL ORDER

SB 1175 by Stanislawski et al of the Senate and Watson of the House was read and considered.

Coauthored by Representative(s) Morgan

Representative Watson moved that **SB 1175** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1175 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, Faight, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--87.

Nay: Derby, Duncan, Joyner, Kern, Key, Murphey, Reynolds, Ritze, Terrill, Thompson, Wright (John).--11.

Excused: Hilliard, Osborn, Richardson.--3.

The measure passed.

SB 1175 was referred for engrossment.

GENERAL ORDER

SB 827 by Schulz of the Senate and Blackwell of the House was read and considered.

Representative Morgan moved to amend **SB 827**, Page 1, Section 1, Line 7 by deleting “, by contract,” and Page 2, Lines 7-13 by deleting all of the language beginning with the word “Contracts” through the period “.” on Line 13, which amendment was declared adopted.

Representative Blackwell moved that **SB 827** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 827 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, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

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

Excused: Hilliard, Osborn.--2.

The measure and emergency passed.

SB 827 was referred for engrossment.

GENERAL ORDER

SB 723 by Barrington et al of the Senate and Sears et al of the House was read and considered.

Coauthored by Representative(s) Shelton, Tibbs, Kiesel

Representative Pittman moved to amend **SB 723** by inserting a new Section 1, and by renumbering subsequent sections.

Representative Wright (John) asked a ruling of the Presiding Officer whether the Pittman amendment is germane to **SB 723**.

The Presiding Officer ruled the point not well taken and the amendment germane.

Representative Pittman pressed adoption of the amendment, which amendment was declared adopted.

Representative Sears moved that **SB 723** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 723 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, 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, McNeil, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, 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: Hilliard, McDaniel (Jeannie), Osborn.--3.

The measure and emergency passed.

SB 723 was referred for engrossment.

GENERAL ORDER

SB 812 by Stanislawski of the Senate and Liebmann of the House was read and considered.

Representative Duncan moved to amend **SB 812**, Page 1, Section 1, Line 3 by deleting the word "This" and inserting in lieu thereof the language "Section 2 and 3 of this"; Page 5, Section 2, Line 5 by inserting after the word "manufacturer" and before the word "provides" the language ", through the licensed dealer,"; Page 6, Section 3, Lines 3 through 10 by deleting all of the language beginning with the semicolon ";" on Line 3 through the word "section" on Line 10; and by restoring the title, which amendment was declared adopted.

Representative Liebmann moved that **SB 812** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 812 was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Excused: Hilliard, Osborn, Shelton.--3.

The measure passed.

SB 812 was referred for engrossment.

GENERAL ORDER

SB 481 by Lamb et al of the Senate and Nelson et al of the House as read, considered and laid over on Page 1382 was considered further.

Coauthored by Representative(s) Shumate

Representative Reynolds moved adoption of his amendment as read and considered on Page 1382.

Prior to commencement of debate on the floor amendment, Representative Morgan raised a point of inquiry as to whether it was in order to entertain debate in opposition to adoption of the amendment since debate in favor of the amendment was not requested.

The Presiding Officer clarified that only in the case where there is no debate requested in opposition and only debate requested in favor will the Chair not entertain debate because it would be a waste of the body's time.

Representative Reynolds pressed adoption of his amendment, which amendment failed of adoption upon a division of the question.

Representative Reynolds moved to amend **SB 481** by deleting on Page 10, Line 1, Section 6 in its entirety and by inserting on Page 18, Line 6 ½ a new Section 9 to read as follows:

“SECTION 9. REPEALER Section 1, Chapter 439, O.S.L. 2005, as amended by Section 16, Chapter 272, O.S.L. 2006 (68 O.S. Supp. 2008, Section 2357.46), is hereby repealed.”; and by renumbering subsequent sections.”

Representative Nelson moved to table the Reynolds amendment, which tabling motion prevailed upon a division of the question.

Representative Nelson moved that **SB 481** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 481 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, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, 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, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett,

Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Billy, Kern, Key, Murphey, Reynolds, Ritze, Shelton.--7.

Excused: Hilliard, Osborn, Thompson, Trebilcock.--4.

The measure and emergency passed.

SB 481 was referred for engrossment.

GENERAL ORDER

SB 938 by Mazzei et al of the Senate and Sullivan et al of the House was read and considered.

Coauthored by Representative(s) Shumate, Dank, Tibbs, Dorman

Representative Reynolds moved to amend **SB 938**, Page 3, Section 3, Line 15 by striking the number “(1)” and Lines 18-19 by striking the language “(2) those performing arts companies defined or classified in the NAICS Manual under U.S. Industry Group No. 7111, and”.

Representative Sullivan moved to table the Reynolds amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Brannon, Cannaday, Carey, Collins, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hoskin, Inman, Jett, Jones, Jordan, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), Morgan, Morrissette, Nations, Nelson, Peters, Pittman, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Scott, Sears, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--63.

Nay: Blackwell, Buck, Christian, Derby, Duncan, Faught, Holland, Johnson, Joyner, Kern, Key, McMullen, Murphey, Ortega, Peterson, Proctor, Reynolds, Ritze, Schwartz, Shannon, Tibbs, Wesselhoft, Wright (John).--23.

Excused: Billy, Brown, Coody, Hilliard, Jackson, McAffrey, McNiel, McPeak, Miller, Moore, Osborn, Ownbey, Shelton, Terrill, Trebilcock.--15.

Representative Sullivan moved that **SB 938** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 938 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Fields, Glenn, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Moore, Morgan, Nations, Nelson, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Scott, Sears, Shannon, Shelton, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Wright (John), Mr. Speaker.--79.

Nay: Blackwell, Derby, Duncan, Faught, Hamilton, Johnson, Joyner, Kern, Key, McPeak, Morrissette, Murphey, Reynolds, Ritze, Schwartz, Sherrer, Terrill, Wesselhoft, Williams.--19.

Excused: Hilliard, Osborn, Shoemake.--3.

The measure passed.

SB 938 was referred for engrossment.

GENERAL ORDER

SB 643 by Coffee of the Senate and Benge of the House was read and considered.

Speaker Benge moved that **SB 643** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 643 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, 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, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, 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.--97.

Excused: Blackwell, Hilliard, Osborn, Reynolds.--4.

The measure passed.

SB 643 was referred for engrossment.

GENERAL ORDER

SB 888 by Coffee et al of the Senate and Benge of the House was read and considered.

Coauthored by Representative(s) Duncan

Speaker Benge moved that **SB 888** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 888 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, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, 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, McNeil, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, 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.--97.

Excused: Blackwell, Hilliard, Nations, Osborn.--4.

The measure and emergency passed.

SB 888 was referred for engrossment.

GENERAL ORDER

SJR 25 by Coffee of the Senate and Bengé of the House was read and considered.

Representative Dorman moved to amend **SJR 25** by striking the title, the resolving clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was withdrawn.

Representative McMullen moved to amend **SJR 25** by striking the title, the resolving clause and the entire measure and inserting in lieu thereof a floor substitute.

Speaker Bengé moved to table the McMullen floor substitute, which tabling motion was declared adopted upon a division of the question.

Speaker Bengé moved that **SJR 25** be advanced from General Order, which motion was declared adopted.

THIRD READING

SJR 25 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), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--59.

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

Excused: Hilliard, Nations, Osborn.--3.

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

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SJR 25** and ordered same returned to the Honorable Senate.

POINT OF INQUIRY

Representative Kiesel raised a point of inquiry as to the reason that Representative Wright (John) opted to take Constitutional Privilege on the vote for final passage of **SJR 25**.

Upon recognition by the Presiding Officer, Representative Wright (John) stated that House Rules do not require an explanation of a member's vote.

MOTION

Representative Ritze asked that the Journal reflect that had he been present in the Chamber on Monday, April 20, he would have voted aye on **SB 517** and to uphold the decision of the Chair while considering the **CCR** on **HB 1934**, which was the order.

MESSAGE FROM THE SENATE

Announcing the passage of **HB 1826**.

The above-numbered measure was referred for enrollment.

RESOLUTION

The following was introduced and read:

HCR 1023 – By Key.

A Concurrent Resolution rejecting the idea that fusion centers and other governmental entities have the authority to direct use of technology to access certain information; specifying that law enforcement agencies should reject requests for certain information; providing that law enforcement agencies should disclose requests for certain information; and directing distribution.

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Wednesday, April 22, 2009, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 5:00 p.m., to reconvene Wednesday, April 22, 2009, at 9:00 a.m.