

HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Eighth Legislative Day, Wednesday, February 11, 2009

The House was called to order by Speaker Bengé.

The roll was called with 100 Members present.

The following Member was excused: Buck.—1.

The Speaker declared a quorum present.

Prayer was offered by Reverend Dr. E. Scott Jones, Cathedral of Hope United Church of Christ, Oklahoma City. Reverend Dr. Jones was sponsored by Representative McAffrey.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1008, 1031, 1044, 1294, 1296, 1334, 1347, 1402, 1461, 1482 and 1583 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MEASURES REASSIGNED

The following measures were reassigned:

HB 1382 –Withdrawn from Rules and referred to Appropriations and Budget.

HB 1965 –Withdrawn from Public Safety and referred to Appropriations and Budget.

HB 2029 –Withdrawn from Judiciary and referred to Human Services.

HB 2063 –Withdrawn from Rules and referred to Appropriations and Budget.

GENERAL ORDER

HB 1074 by Cooksey of the House and Sykes of the Senate was read and considered.

Coauthored by Representative(s) Shelton, Terrill

Representative Collins moved to amend **HB 1074**, Page 3, Section 1, Line 2 by adding before the word “Inmates” the following language:

“The Department of Corrections shall be prohibited from entering into any contract that provides canteen services at a correctional facility with a vendor or company that is not domiciled within the State of Oklahoma.”

Representative Cooksey moved to table the Collins amendment, which tabling motion prevailed 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, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Wright (Harold), Wright (John), Mr. Speaker.--60.

Nay: Auffet, Bailey, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Watson, Wesselhoft, Williams.--40.

Excused: Buck.--1.

Representative Cooksey moved that **HB 1074** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1074 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, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--80.

Nay: Auffet, Brown, Cannaday, Carey, Collins, Hamilton, Hoskin, Inman, Kiesel, Kouplun, McAffrey, McPeak, Morgan, Morrissette, Nations, Pittman, Proctor, Scott, Shelton, Sherrer.--20.

Excused: Buck.--1.

The measure passed.

HB 1074 was referred for engrossment.

GENERAL ORDER

HB 1601 by Sullivan of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Faught, Peters, Schwartz, Peterson, Banz, Cooksey, Ritze, Blackwell, Wesselhoft, Dank, Tibbs, Wright (John)

Representative Dorman moved to amend **HB 1601**, Page 1, Section 1, Line 2 by deleting the phrase "Section 4.1 of Title 5" and inserting in lieu thereof the phrase "Section 187.3 of Title 21"; Line 4 by deleting the language before the word "shall" and inserting in lieu thereof the language "A person, business entity, or political action committee"; Lines 4 and 5 by deleting the language after the words "portion of" through the word "client" and inserting in lieu thereof the language "any moneys collected, held, or paid out to a person pursuant to any business transaction".

Representative Sullivan moved to table the Dorman amendment, which tabling motion prevailed upon roll call as follows:

Aye: Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey,

Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--58.

Nay: Auffet, Bailey, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Key, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--40.

Excused: Armes, Buck, Terrill.--3.

Representative Kiesel moved to amend **HB 1601**, Page 1, Section 1, Line 5 by deleting the word "or" after the word "law" and before the word "settlement" and inserting in lieu thereof a comma "," and by inserting after the word "client" and before the word "for" the language ", or any other monies collected or held for a client".

Representative Sullivan moved to amend the Kiesel amendment by striking the phrase ", or any other monies collected or held for a client" and inserting the following language "or any monies held in trust for a client".

Representative Kiesel moved to table the Sullivan amendment to the amendment, which tabling motion failed of adoption upon roll call as follows:

Aye: Auffet, Bailey, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Key, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McMullen, McNiel, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--41.

Nay: 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, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--58.

Excused: Buck, Terrill.--2.

Representative Sullivan pressed adoption of his amendment to the amendment, which amendment was declared adopted upon a division of the question.

Representative Smithson moved to amend the Kiesel amendment by retaining the language in the amendment and in addition inserting 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 187.3 of Title 21, unless there is created a duplication in numbering, reads as follows:

An employer shall not authorize or accept payroll deductions for the purpose of donating or contributing funds or monies to a political fund, political action committee, campaign of any kind, or candidate for state, federal or local office.”

Representative Sullivan moved to table the Smithson amendment to the Kiesel amendment, which tabling motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Thompson, Thomsen, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--57.

Nay: Auffet, Bailey, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hickman, 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.--40.

Excused: Buck, Nations, Terrill, Tibbs.--4.

Representative Sullivan pressed adoption of the Kiesel amendment, as amended, which amendment was declared adopted.

Representative Sullivan moved that **HB 1601** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1601 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, Kirby, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McMullen, McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--62.

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

Excused: Buck, McPeak, Terrill.--3.

The measure passed.

HB 1601 was referred for engrossment.

GENERAL ORDER

HB 1049 by Carey of the House and Paddock of the Senate was read and considered.

Representative Carey moved that **HB 1049** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1049 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, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, 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.--99.

Excused: Buck, McPeak.--2.

The measure passed.

HB 1049 was referred for engrossment.

GENERAL ORDER

HB 1064 by Sherrer of the House and Burrage of the Senate was read and considered.

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

THIRD READING

HB 1064 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, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Roussetot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Buck, McPeak.--2.

The measure passed.

HB 1064 was referred for engrossment.

Speaker Pro Tempore Steele Presiding

GENERAL ORDER

HB 1360 by Cooksey et al of the House and Sparks of the Senate was read and considered.

Coauthored by Representative(s) Faught, Roan, Martin (Steve)

Representative Cooksey moved that **HB 1360** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1360 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, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, 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, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Auffet, Buck, McPeak, Williams.--4.

The measure and emergency passed.

HB 1360 was referred for engrossment.

GENERAL ORDER

HB 1698 by Billy of the House and Sykes of the Senate was read and considered.

Coauthored by Representative(s) Terrill, Roan, Sherrer, Walker, Hilliard

Representative Billy moved that **HB 1698** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1698 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, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, 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: Auffet, Buck, McPeak.--3.

The measure passed.

HB 1698 was referred for engrossment.

GENERAL ORDER

HJR 1004 by Wright (John) of the House and Aldridge of the Senate was read and considered.

Coauthored by Representative(s) Reynolds, Wesselhoft, Terrill, Ritze, Kern, Banz, Tibbs, Cooksey

Representative Wright (John) moved that **HJR 1004** be advanced from General Order, which motion was declared adopted.

THIRD READING

HJR 1004 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, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplun, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, Miller, Moore, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Luttrell, McAffrey, McPeak, Morgan, Morrisette, Pittman, Shelton, Shumate.--8.

Excused: Buck.--1.

The measure passed.

HJR 1004 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1001 was called up for consideration.

Coauthored by Representative(s) Reynolds, Terrill, Smithson, Roan, Kern, Tibbs

Upon motion of Representative Lamons, **HR 1001** was considered and adopted.

HR 1001 was referred for enrollment.

GENERAL ORDER

HB 1647 by Rousselot of the House and Garrison of the Senate was read and considered.

Representative Reynolds moved to amend **HB 1647** by inserting a new Section 4 to read as follows, and by renumbering subsequent sections:

“SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-113.3 of Title 70, unless there is created a duplication in numbering, reads as follows:

No person shall be eligible to be a candidate for or serve on a board of education if the person is currently registered as a lobbyist with the Ethics Commission as provided for in Section 4250 of Title 74 of the Oklahoma Statutes. Any member of a board of education who violates the provisions of this section shall be subject to the penalties prescribed by Sections 485 and 486 of Title 21 of the Oklahoma Statutes.”

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

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--100.

Excused: Buck.--1.

Representative Reynolds moved to amend the amendment by inserting after the word “lobbyist” the language “for an educational interest”, which amendment was declared adopted.

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

Representative Rousselot moved that **HB 1647** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1647 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, 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), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, 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), Mr. Speaker.--97.

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

Excused: Buck, Jett.--2.

The measure and emergency passed.

HB 1647 was referred for engrossment.

MOTION

Representative McAffrey moved that the prayer offered by Reverend Dr. Jones be printed in the House Journal, which motion prevailed upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Cannaday, Carey, Collins, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Fields, Glenn, Hamilton, Harrison, Hilliard, Holland, Hoskin, Inman, Jones, Jordan, Joyner, Kiesel, Kirby, Lamons, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McMullen, McNiel, McPeak, Miller, Morgan, Morrissette, Nelson, Peters, Peterson, Pittman, Pruett, Renegar,

Richardson, Roan, Rousselot, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Thompson, Watson, Williams, Mr. Speaker.--64.

Nay: Blackwell, Christian, Coody, Duncan, Enns, Faught, Johnson, Kern, Key, Liebmann, Moore, Murphey, Osborn, Ownbey, Reynolds, Ritze, Sanders, Terrill, Thomsen, Wright (John).--20.

Excused: Buck, Dank, Hickman, Jackson, Jett, Kouplen, McCullough, McDaniel (Randy), Nations, Ortega, Proctor, Sullivan, Tibbs, Trebilcock, Walker, Wesselhoft, Wright (Harold).--17.

“Holy and everliving God, Compassionate and Merciful, We, your servants, are listening.

We come before you today in a time of great anxiety and fear as financial institutions collapse, brave soldiers sacrifice on the fields of war, and families wonder how they will pay the bills.

Yet your prophet Isaiah has asked, Have you not known? Have you not heard? The Lord is the everlasting God, The Creator of the ends of the earth. You do not faint or grow weary; your understanding is unsearchable. You give power to the faint, and strengthen the powerless. Even youths will faint and be weary, and the young will fall exhausted; but those who wait upon you shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint.

Give us the courage to dream new dreams; to see new possibilities. To look forward with hope, resting in your blessed covenant. That each day is a new day. That the heavens are ripped open and your spirit is poured forth upon the earth. That a straight path might be made in the wilderness and all your children will make it home.

So, today, with abiding faith and calm assurance we invoke your presence on these proceedings.

You are the Creator and Parent of us all. In your divine majesty you have made us each and every one an image of you, our splendid diversity reflecting your infinite glories.

You are our Redeemer and Liberator. Companion to the poor, you have promised to lift up the powerless and cast down the powerful, to gather the outcasts, heal the brokenhearted, and bind up their wounds. You have proclaimed release to the captives, recovery of sight to the blind, and to let the oppressed go free. You sustain and comfort us, filling us with your Holy Spirit and thereby uniting us with all creation in every time and place. A fellowship of solidarity, a beloved community reminding us that what we have done unto the least of us, we have done unto thee.

We call upon this good news in this year of the Lord’s favor. Might a few drops of your favor fall upon us today giving these elected representatives of your people courage and wisdom. That they might be instruments of your peace sowing love where there is hatred, pardon, where there is injury, union, in place of discord, faith, instead of doubt, hope, not despair, light to cast away the darkness and where there is sadness, joy.

Giver of immortal gladness, fill us with new life today.

We, your humble people, beseech thee.

And in all your many names, we pray.

Amen.”

COMMITTEE REPORTS

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

DO PASS:

HB 1004 – Economic Development and Financial Services, Authored by Senator Coates (principal Senate author)

HB 1059 – Public Health, Authored by Senator Nichols (principal Senate author)

HB 1065 – Public Health, Authored by Senator Crain (principal Senate author)

HB 1079 – Economic Development and Financial Services, Authored by Senator Crain (principal Senate author)

HB 1535 – Public Health

HB 1770 – Economic Development and Financial Services, Authored by Senator Paddack (principal Senate author)

HB 1779 – Economic Development and Financial Services, Coauthored by Representative(s) Jackson, and Authored by Senator Burrage (principal Senate author)

DO PASS, As Amended:

CS for HB 1015 – Administrative Rules and Agency Oversight

CS for HB 1017 – Administrative Rules and Agency Oversight

CS for HB 1067 – Public Health, Authored by Senator Crain (principal Senate author)

CS for HB 1332 – Economic Development and Financial Services, Coauthored by Representative(s) Williams, Authored by Senator Branam (principal Senate author), and Coauthored by Senator(s) Coates

CS for HB 1358 – Wildlife

CS for HB 1458 – Economic Development and Financial Services, Authored by Senator Coates (principal Senate author)

CS for HB 1729 – Public Health

CS for HB 1736 – Human Services

CS for HB 1791 – Veterans and Military Affairs, Coauthored by Representative(s) Inman, Christian, and Authored by Senator Ballenger (principal Senate author)

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

Pursuant to the motion of Representative Jones, the House was adjourned at 3:50 p.m., to reconvene Thursday, February 12, 2009, at 9:00 a.m.