

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Fifteenth Legislative Day, Wednesday, February 24, 2010**

The House was called to order by Speaker Bengé.

The roll was called with 99 Members present.

The following Members were excused: Schwartz, Steele.—2.

The Speaker declared a quorum present.

Prayer was offered by Pastor Paul Blair, Fairview Baptist Church, Edmond.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HBs 2274, 2285, 2530, 2621, 2656 and 2934** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **RESOLUTIONS**

The following were introduced and read:

**HCR 1050** – By Bengé.

A Concurrent Resolution memorializing Congress to provide health care programs to elderly, uninsured and low-income individuals by implementing block grants to the states; and directing distribution.

**HCR 1051** – By Armes of the House and Bass of the Senate.

A Concurrent Resolution proclaiming March 1, 2010, to be Red Cross Day in Oklahoma; proclaiming March to be Red Cross Month in Oklahoma; and encouraging all Oklahomans to support the Red Cross and its mission.

**CONFERENCE GRANTED**

Upon motion of Representative Jones, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

**SB 738** – Benge, Miller, Martin (Scott), Cox, Ritze, Lamons, McAffrey

**SB 956** – Peterson, Duncan, Jordan, Cooksey, Rousselot, Pittman

**MESSAGE FROM THE SENATE**

Announcing the passage of engrossed **SBs 1298, 1313, 1326, 1333, 1342, 1344, 1351, 1365, 1600, 1636, 1668, 1713, 1715, 1782, 1812, 1818, 1830, 1889, 1903, 1916, 2042, 2104, 2111, 2139** and **2223**.

The measures were introduced and read for the first time.

**SB 1298** – By Gumm of the Senate and Carey of the House.

[ motor vehicles - special license plate - codification - effective date ]

**SB 1313** – By Paddock of the Senate and Thomsen of the House.

[ schools - youth camps at Council on Law Enforcement Education and Training facilities - codification - effective date ]

**SB 1326** – By Myers of the Senate and Watson of the House.

[ re-creating the Oklahoma Geologic Storage of Carbon Dioxide Task Force - continuation of members - duties - noncodification - emergency ]

**SB 1333** – By Ford of the Senate and Denney of the House.

[ schools - high school graduation - pilot programs - effective date - emergency ]

**SB 1342** – By Aldridge of the Senate and Banz of the House.

An Act relating to schools; amending Section 1, Chapter 472, O.S.L. 2005 (70 O.S. Supp. 2009, Section 5-190), which relates to school district treasurer; exempting certain person who acts in certain capacity; authorizing certain training; and providing an effective date.

**SB 1344** – By Ellis, Gumm, Russell, Jolley and Lamb of the Senate and Bailey of the House.

[ motor vehicles - special license plates - effective date ]

**SB 1351** – By Myers of the Senate and DeWitt and Hickman of the House.

An Act relating to officers; amending 51 O.S. 2001, Section 24A.10, as last amended by Section 1, Chapter 158, O.S.L. 2009 (51 O.S. Supp. 2009, Section 24A.10), which relates to the Oklahoma Open Records Act; adding certain exemption; and declaring an emergency.

**SB 1365** – By Coffee and Gumm of the Senate and Russ of the House.

An Act relating to wildlife; amending 29 O.S. 2001, Section 4-114, as last amended by Section 16, Chapter 16, O.S.L. 2006 (29 O.S. Supp. 2009, Section 4-114), which relates to hunting and fishing license; authorizing persons under a certain age to purchase certain licenses during a certain period of time; providing for forfeiture under certain circumstances; and providing an effective date.

**SB 1600** – By Crain of the Senate and Schwartz of the House.

[ state government - Department of Human Services - exempting revenues and donations - requiring deposits - effective date ]

**SB 1636** – By Justice of the Senate and Osborn of the House.

An Act relating to roads, bridges and ferries; designating certain memorial highway for Don R. Dunn; providing for codification; and declaring an emergency.

**SB 1668** – By Myers of the Senate and Duncan of the House.

[ cities and towns - Oklahoma Municipal Power Authority - deleting prohibition - nuclear powered generation facilities - repealer - effective date ]

**SB 1713** – By Gumm of the Senate and Buck of the House.

An Act relating to roads, bridges and ferries; designating certain memorial highways; requiring permanent markers; providing for codification; and providing an effective date.

**SB 1715** – By Justice, Jolley, Corn and Russell of the Senate and Osborn of the House.

An Act relating to schools; amending 70 O.S. 2001, Section 10-105, as last amended by Section 1, Chapter 210, O.S.L. 2006 (70 O.S. Supp. 2009, Section 10-105), which relates to school attendance; authorizing excused absence for student participation in certain ceremony upon approval of school principal; providing an effective date; and declaring an emergency.

**SB 1782** – By Myers of the Senate and DeWitt of the House.

[ agriculture - authorizing Oklahoma Department of Agriculture, Food, and Forestry to sell equipment - promulgate rules - directing deposit - codification - effective date ]

**SB 1812** – By Anderson of the Senate and Jackson of the House.

An Act relating to cities and towns; amending 11 O.S. 2001, Section 34-104, as last amended by Section 1, Chapter 56, O.S.L. 2005 (11 O.S. Supp. 2009, Section 34-104), which relates to disposition of property; modifying form of mailing of certain notice; and providing an effective date.

**SB 1818** – By Crain of the Senate and Steele of the House.

[ public health and safety - creating Oklahoma Certified Healthy Communities Act - certification program - development of criteria - promulgate rules - codification - effective date ]

**SB 1830** – By Crain of the Senate and Nelson of the House.

[ children and juveniles - safety of children - referral - exemption - investigation - modifying duties - emergency ]

**SB 1889** – By Stanislawski of the Senate and Sullivan of the House.

An Act relating to retirement; amending 74 O.S. 2001, Sections 902, as last amended by Section 134, Chapter 1, O.S.L. 2005, 913.4, as last amended by Section 1, Chapter 105, O.S.L. 2008 and 914, as last amended by Section 9, Chapter 415, O.S.L. 2008 (74 O.S. Supp. 2009, Sections 902, 913.4 and 914), which relate to the Oklahoma Public Employees Retirement System; modifying definition; clarifying terminology; deleting obsolete language; modifying contribution rates available for certain elected officials after certain date; clarifying certain period for which a retiree may not be reemployed; amending 20 O.S. 2001, Section 1102, as last amended by Section 1, Chapter 464, O.S.L. 2005 (20 O.S. Supp. 2009, Section 1102), which relates to the Uniform Retirement System for Justices and Judges; clarifying members of the Uniform Retirement System for Justices and Judges; modifying procedure for notification of retirement; deleting obsolete language; modifying offices for which retirement benefit may be suspended; repealing 20 O.S. 2001, Section

1102.1, which relates to suspension of retirement compensation under certain circumstances; and providing an effective date.

**SB 1903** – By Aldridge and Brown of the Senate and Sullivan of the House.

[ insurance - creating the Oklahoma Home Service Contract Act - requirements of service contracts - providing penalties - codification - effective date ]

**SB 1916** – By Ford of the Senate and Peters of the House.

[ public health and safety - establish website registry - specifying information - hiring and employment - promulgate rules - codification - effective date ]

**SB 2042** – By Brown of the Senate and Sullivan of the House.

An Act relating to cemeteries and insurance; amending 8 O.S. 2001, Sections 161, 162, as amended by Section 7, Chapter 275, O.S.L. 2008, 163, as last amended by Section 8, Chapter 275, O.S.L. 2008, 165, 166, as last amended by Section 10, Chapter 80, O.S.L. 2007, 167.1, 168, as amended by Section 4, Chapter 3, O.S.L. 2009, 168.1, 169.1 and 170 (8 O.S. Supp 2009, Sections 162, 163, 166, and 168), which relate to the Perpetual Care Fund Act; updating short title; transferring duties from the State Banking Commissioner to the Insurance Commissioner; adding definitions; modifying the amount in a cemetery's Perpetual Care Fund that qualifies a cemetery to purchase a certificate of deposit; updating statutory citations; requiring certain examination of a Perpetual Care Fund to be conducted pursuant to law; requiring the cost of the examination to be paid by the cemetery owner and the cost to be directly billed to the cemetery owner; clarifying applicability of statutory citations; clarifying statutory citations; authorizing the Insurance Commissioner to initiate certain actions; authorizing the Insurance Commissioner to censure or levy a fine against the owner of a cemetery; amending 8 O.S. 2001, Sections 301, 302, as amended by Section 5, Chapter 3, O.S.L. 2009, 303, as amended by Section 6, Chapter 3, O.S.L. 2009, 304, as last amended by Section 7, Chapter 3, O.S.L. 2009, 305, as amended by Section 9, Chapter 275, O.S.L. 2008, 306, 307, as amended by Section 8, Chapter 3, O.S.L. 2009, 308, 309, 310, 311, 313, 315 and 316 (8 O.S. Supp. 2009, Sections 302, 303, 304, 305 and 307), which relate to the Cemetery Merchandise Trust Act; updating short title; transferring duties from the State Banking Commissioner to the Insurance Commissioner; modifying definitions; requiring the Cemetery Merchandise Trust Act to be administered by the Insurance Commissioner; modifying date; specifying the amount of the application fee for late applicants; requiring certain examination to be conducted pursuant to law; requiring the cost of the examination to be paid by the cemetery owner and the cost to be directly billed to the cemetery owner; authorizing the Insurance Commissioner to initiate action to recover certain payments; authorizing the Insurance Commissioner to censure a permittee, suspend or revoke a permit, or levy a penalty; stating conditions in which the Insurance Commissioner may make application for receivership of certain organizations as it relates to a cemetery merchandise trust fund; correcting language; providing that certain monies shall be transferred to the State Treasury for deposit into the State Insurance Commissioner Revolving Fund; requiring certain monies to be deposited into the State Insurance Commissioner Revolving Fund; repealing 8 O.S. 2001, Section 314, which relates to failure to establish or maintain a cemetery merchandise trust fund; providing for recodification; providing an effective date; and declaring an emergency.

**SB 2104** – By Ballenger of the Senate and Sanders of the House.

An Act relating to liens; amending 42 O.S. 2001, Section 143.1, which relates to notice; increasing certain time period; and providing an effective date.

**SB 2111** – By Burrage and Leftwich of the Senate and Jones of the House.

An Act relating to professions and occupations; amending 59 O.S. 2001, Sections 15.1A, as last amended by Section 1, Chapter 45, O.S.L. 2009, 15.8, as last amended by Section 4, Chapter 45, O.S.L. 2009, 15.9, as last amended by Section 5, Chapter 45, O.S.L. 2009, 15.11, as last amended by Section 7, Chapter 45, O.S.L. 2009, 15.12A, as last amended by Section 9, Chapter 45, O.S.L. 2009, 15.13, as last amended by Section 10, Chapter 45, O.S.L. 2009, 15.14, as last amended by Section 12, Chapter 45, O.S.L. 2009, 15.14A, as amended by Section 13, Chapter 45, O.S.L. 2009, 15.14B, as last amended by Section 14, Chapter 45, O.S.L. 2009, 15.15, as last amended by Section 15, Chapter 45, O.S.L. 2009, 15.15A, as last amended by Section 16, Chapter 45, O.S.L. 2009, 15.24, as last amended by Section 19, Chapter 45, O.S.L. 2009, 15.25, as last amended by Section 20, Chapter 45, O.S.L. 2009, and 15.37, as last amended by Section 24, Chapter 45, O.S.L. 2009 (59 O.S. Supp. 2009, Section 15.1A, 15.8, 15.9, 15.11, 15.12A, 15.13, 15.14, 15.14A, 15.14B, 15.15, 15.15A, 15.24, 15.25, and 15.37), which relate to definitions, examination application, issuance of certificates, use of titles, license from another state, reciprocity, registration and renewal, permits, penalty, annual fee, firm permits, suspension, fraud, and audit services; modifying language and references; adding definitions to Oklahoma Accountancy Act; requiring applicant to pay for national criminal history search; requiring CPA and PA to make application for certain credential within certain time after passing exam; requiring certain continuing education hours after failure to apply for credential as CPA or PA; authorizing rules for waiver of time limits for application upon certain military service and good causes; clarifying person's title; including license of public accountant; exempting certain person from reinstatement; requiring proof of licensure in certain jurisdictions for firm permit; requiring a pre-issuance review; requiring national criminal history search and payment of costs for reinstatement of license; deleting language; providing an effective date; and declaring an emergency.

**SB 2139** – By Ford of the Senate and Coody of the House.

An Act relating to schools; directing the State Board of Education to adopt alternate year growth targets based on graduation rates; specifying rewards and sanctions based on meeting or failing to meet expected growth targets; providing for codification; providing an effective date; and declaring an emergency.

**SB 2223** – By Burrage and Jolley of the Senate and Sherrer of the House.

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1533, as last amended by Section 2, Chapter 474, O.S.L. 2003 (21 O.S. Supp. 2009, Section 1533), which relates to false personation; adding penalty for personation of certain law enforcement vehicles; providing an effective date.

## **GENERAL ORDER**

**HB 2289** by Wright (John) of the House and Aldridge of the Senate was read and considered.

Representative Wright (John) moved that **HB 2289** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2289** 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, 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), McNeil, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Excused: Blackwell, Morrisette, Ownbey, Schwartz, Steele.--5.

The measure passed.

**HB 2289** was referred for engrossment.

**GENERAL ORDER**

**HB 2319** by Murphey of the House and Sykes of the Senate was read and considered.

Coauthored by Representative(s) Pittman

Representative Murphey moved to amend **HB 2319**, Page 2, Section 1, Line 13 by deleting the language “in a legislative measure on or after the effective date of this act”, which amendment was declared adopted.

Representative Murphey moved that **HB 2319** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2319** 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, 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), McPeak, Miller, Moore, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--94.

Nay: Hilliard, Morgan.--2.

Excused: Derby, McNiel, Morrissette, Schwartz, Steele.--5.

The measure passed.

**HB 2319** was referred for engrossment.

### **Representative Hickman Presiding**

#### **GENERAL ORDER**

**HB 2696** by Roan of the House and Crutchfield of the Senate was read and considered.

Coauthored by Representative(s) Luttrell

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

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Buck, Cannaday, Carey, Collins, Coody, Cox, Dank, Denney, Dorman, Duncan, Faught, Fields, Hamilton, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), Moore, Morgan, Murphey, Nations, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--84.

Nay: Cooksey, Martin (Steve).--2.

Excused: Blackwell, Brown, Christian, Derby, DeWitt, Enns, Glenn, Hoskin, McNiel, McPeak, Miller, Morrissette, Nelson, Schwartz, Steele.--15.

Representative Terrill moved to amend **HB 2696** by inserting a new Section 8 to read as follows, and by renumbering subsequent section:

“SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1698.66 of Title 69, unless there is created a duplication of numbering, reads as follows:

The bridge on State Highway 4 that crosses the Canadian River between Mustang and Tuttle shall be designated the ‘State Representative Tim Pope Memorial Bridge’. The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.”, which amendment was declared adopted.

Representative DeWitt 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, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Coody, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Murphey, Nations, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Cooksey.--1.

Excused: Bailey, Blackwell, Collins, Derby, Enns, McDaniel (Jeannie), Moore, Morrissette, Nelson, Schwartz, Steele, Thomsen.--12.

Representative DeWitt moved to amend **HB 2696** by inserting a new Section 8 to read as follows, and by renumbering subsequent section:

“SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1698.61 of Title 69, unless there is created a duplication in numbering, reads as follows:

The portion of State Highway 11 in Blackwell between Interstate 35 and 13th Street shall be designated as the ‘USMC Cpl. Jeremy D. Allbaugh Memorial Highway’. The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.”, which amendment was declared adopted.

Representative Roan moved that **HB 2696** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2696** 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, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Nay: Cooksey, Kern, Martin (Steve), Reynolds, Ritze.--5.

Excused: Blackwell, Derby, Morrissette, Schwartz, Steele.--5.

The measure and emergency passed.

**HB 2696** was referred for engrossment.

### GENERAL ORDER

**HB 2882** by Luttrell of the House and Sweeden of the Senate was read and considered.

Representative Luttrell moved to amend **HB 2882**, Page 1, Section 2, Line 13 by adding before the word "Martin" the word "Dr." and by deleting the word "Highway" and inserting in lieu thereof the word "Parkway", which amendment was declared adopted.

Representative Luttrell moved that **HB 2882** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2882** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Jeannie),

McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Cooksey, Kern, Martin (Steve), Reynolds, Ritze.--5.

Excused: Derby, Inman, Morrissette, Schwartz, Steele, Williams.--6.

The measure passed.

**HB 2882** was referred for engrossment.

### GENERAL ORDER

**HB 2959** by Wright (Harold) of the House and Sykes of the Senate was read and considered.

Representative Wright (Harold) moved that **HB 2959** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2959** 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, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Russ, Sanders, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--87.

Nay: Brown, Cannaday, Harrison, McAffrey, McPeak, Rousselot, Shelton.--7.

Excused: Derby, Inman, Kiesel, Morrissette, Schwartz, Steele, Williams.--7.

The measure passed.

**HB 2959** was referred for engrossment.

## GENERAL ORDER

**HB 2650** by Sullivan of the House and Sykes of the Senate was read and considered.

Coauthored by Senator Coffee

Representative Sullivan moved that **HB 2650** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 2650** 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, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Sears, Shannon, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--80.

Nay: Buck, Collins, Hamilton, Harrison, Hoskin, Kiesel, McAffrey, Nations, Pittman, Proctor, Roan, Scott, Sherrer, Shumate.--14.

Excused: Derby, Inman, Morrissette, Schwartz, Shelton, Steele, Williams.--7.

The measure passed.

**HB 2650** was referred for engrossment.

## GENERAL ORDER

**HB 2305** by Bailey et al of the House and Ellis of the Senate was read and considered.

Coauthored by Representative(s) Sullivan, Cooksey

Representative Brown asked a question of the Chair as to which fiscal impact statement applied to the measure under consideration.

The Presiding Officer stated that the fiscal summary the House was working from was the summary prepared for the Committee Substitute which was adopted by the committee prior to the bill being reported from the committee.

Representative Bailey moved that **HB 2305** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**HB 2305** 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, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--92.

Nay: McCullough.--1.

Excused: Blackwell, Derby, Inman, Morrissette, Schwartz, Shumate, Steele.--7.

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

The measure and emergency passed.

**HB 2305** was referred for engrossment.

### GENERAL ORDER

**HB 2827** by Peters of the House was read and considered.

Coauthored by Representative(s) Kern

Authored by Senator Anderson (principal Senate author)

Representative Peters moved to amend **HB 2827** 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 Peters moved that **HB 2827** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2827** 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, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Derby, Inman, Morrisette, Schwartz, Shumate, Steele.--6.

The measure passed.

**HB 2827** was referred for engrossment.

### **GENERAL ORDER**

**HB 2890** by Moore of the House and Aldridge of the Senate was read and considered.

Representative Moore moved that **HB 2890** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2890** 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, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Buck, Hamilton, Kiesel, Shelton, Sherrer.--5.

Excused: Christian, Derby, Inman, Miller, Morrissette, Schwartz, Shumate, Steele.--8.

The measure passed.

**HB 2890** was referred for engrossment.

### **GENERAL ORDER**

**HB 2992** by Enns of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Enns moved that **HB 2992** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2992** 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, Christian, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Enns, Faught, Fields, Hamilton, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Nelson, Ortega, Ownbey, Peters, Peterson, Renegar, Reynolds, Richardson, Ritze, Roan, Sanders, Sears, Shannon, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--66.

Nay: Buck, Cannaday, Carey, Collins, Dorman, Glenn, Harrison, Kouplén, Lamons, Luttrell, McAffrey, McPeak, Morgan, Murphey, Nations, Osborn, Pittman, Proctor, Rousselot, Russ, Scott, Shelton, Sherrer, Shoemake, Smithson, Williams, Wright (John).--27.

Excused: Bailey, Derby, Inman, Morrissette, Pruett, Schwartz, Shumate, Steele.--8.

The measure passed.

**HB 2992** was referred for engrossment.

## **GENERAL ORDER**

**HB 3075** by Hamilton et al of the House and Justice of the Senate was read and considered.

Coauthored by Representative(s) Faught, Kern, Wright (John), Thompson, Ritze

Representative Hamilton moved that **HB 3075** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**HB 3075** 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, Cannaday, Carey, Christian, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Sears, Shannon, Sherrer, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--83.

Nay: Collins, Cox, Kiesel, McAffrey, McDaniel (Jeannie), Nations, Scott, Shelton.--8.

Excused: Blackwell, Buck, Derby, Inman, McPeak, Morrisette, Roan, Schwartz, Shumate, Steele.--10.

The measure and emergency passed.

**HB 3075** was referred for engrossment.

## **GENERAL ORDER**

**HB 3158** by Osborn of the House and Justice of the Senate was read and considered.

Coauthored by Representative(s) Faught, Sherrer

Representative Osborn moved that **HB 3158** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 3158** 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, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Excused: Blackwell, Christian, Derby, Enns, Inman, Morrissette, Schwartz, Shumate, Steele, Trebilcock.--10.

The measure passed.

**HB 3158** was referred for engrossment.

**RESOLUTION FOR CONSIDERATION**

**SCR 39** was called up for consideration.

Upon motion of Representative McPeak, **SCR 39** was considered and adopted.

**SCR 39** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

**SECOND READING**

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

**SB 2113** – Direct To Calendar

## COMMITTEE REPORTS

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

DO PASS:

- HB 2282** – Administrative Rules and Agency Oversight, Authored by Senator Aldridge (principal Senate author)
- HB 2290** – Administrative Rules and Agency Oversight, Authored by Senator Aldridge (principal Senate author)
- HB 2320** – Economic Development and Financial Services
- HB 2326** – Economic Development and Financial Services
- HB 2333** – Economic Development and Financial Services, Authored by Senator Coates (principal Senate author)
- HB 2647** – Government Modernization
- HB 2651** – Government Modernization
- HB 2664** – Economic Development and Financial Services
- HB 2772** – Economic Development and Financial Services, Authored by Senator Anderson (principal Senate author)
- HB 2889** – Government Modernization
- HB 2922** – Public Health
- HB 3030** – Common Education, Coauthored by Representative(s) Lamons, and Authored by Senator Newberry (principal Senate author)
- HB 3398** – Agriculture and Rural Development, Coauthored by Representative(s) Fields, and Authored by Senator Anderson (principal Senate author)

DO PASS, As Amended:

- CS for HB 2281** – Administrative Rules and Agency Oversight
- CS for HB 2283** – Administrative Rules and Agency Oversight, Authored by Senator Aldridge (principal Senate author)
- CS for HB 2529** – Public Health
- CS for HB 2558** – Energy and Utility Regulation
- CS for HB 2585** – Wildlife, Authored by Senator Justice (principal Senate author)
- CS for HB 2595** – Wildlife, Remove Representative Kirby as principal House author and substitute with Representative Sears, and Authored by Senator Schulz (principal Senate author)
- CS for HB 2701** – Wildlife, Authored by Senator Lamb (principal Senate author)
- CS for HB 2829** – Energy and Utility Regulation, Coauthored by Representative(s) Jackson, and Authored by Senator Marlatt (principal Senate author)
- CS for HB 2850** – Wildlife, Authored by Senator Barrington (principal Senate author)
- CS for HB 2852** – Administrative Rules and Agency Oversight

**CS for HB 2907** – General Government

**CS for HB 2909** – Energy and Utility Regulation, Authored by Senator Sykes  
(principal Senate author)

**CS for HB 2920** – Public Health, Coauthored by Representative(s) Buck, McDaniel  
(Jeannie)

**CS for HB 2973** – Energy and Utility Regulation, Authored by Senator Marlatt  
(principal Senate author)

**CS for HB 2986** – Public Health

**CS for HB 3053** – General Government, Authored by Senator Crutchfield (principal  
Senate author)

**CS for HB 3055** – General Government, Remove Representative Benge as principal  
House author and substitute with Representative Kirby, and Authored by Senator Brown  
(principal Senate author)

**CS for HB 3056** – General Government, Remove Representative Benge as principal  
House author and substitute with Representative Banz, and Coauthored by  
Representative(s) Benge

**CS for HB 3224** – Public Health, Coauthored by Representative(s) Dorman

**CS for HB 3238** – Public Health

**CS for HB 3251** – Public Health, Authored by Senator Crain (principal Senate author)

**CS for HB 3260** – Wildlife

**CS for HB 3284** – Judiciary, Coauthored by Representative(s) Reynolds, Sullivan, and  
Authored by Senator Jolley (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 25, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 3:40 p.m.,  
to reconvene Thursday, February 25, 2010, at 9:00 a.m.