

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Thirty-third Legislative Day, Monday, March 29, 2010**

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor David Krepel, Emmanuel Lutheran Church, Kingfisher. Pastor Krepel was sponsored by Representative Sanders.

Upon motion of Representative Osborn, Pastor Krepel was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HAs to SBs 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583 and 1584** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HRs 1074 and 1075** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

**MEASURES REASSIGNED**

The following measures were reassigned:

**SB 1916** – Withdrawn from Appropriations and Budget and referred to Public Health.

**SJR 64** – Withdrawn from the Calendar and referred to Rules.

**GENERAL ORDER**

**SB 1287** by Burrage of the Senate and Sherrer of the House was read and considered.

Representative Sherrer moved that **SB 1287** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1287** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--94.

Excused: Harrison, Johnson, Jordan, Kiesel, Shoemake, Trebilcock, Williams.--7.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1287** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 1645** by Paddack of the Senate and Thomsen et al of the House was read and considered.

Coauthored by Representative(s) Sherrer

Representative Thomsen moved that **SB 1645** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1645** 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, Jett, Jones, Joyner, Kern, 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, Schwartz, Scott, Sears, Shannon, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Nay: Morrissette, Shelton.--2.

Excused: Buck, Johnson, Jordan, Key, Kiesel, Kirby, Miller, Shoemake.--8.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1645** and ordered same returned to the Honorable Senate.

## PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2264** was called up for consideration.

Coauthored by Representative(s) Brown, Wright (John), Walker

Upon motion of Representative Christian, the **CCR** on **HB 2264** was adopted.

**HB 2264**, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Denney, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jones, Joyner, Kern, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--81.

Nay: Cooksey, Dank, Derby, Duncan, Hamilton, Harrison, Jett, Key, McCullough, Murphey, Reynolds, Ritze, Sears, Shelton, Thompson.--15.

Excused: Johnson, Jordan, Kirby, Morrisette, Terrill.--5.

The measure passed.

**HB 2264**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## GENERAL ORDER

**SB 1679** by Jolley of the Senate and Murphey of the House was read and considered.

Representative Murphey moved that **SB 1679** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1679** 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, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, 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.--95.

Excused: Brown, Christian, Hoskin, Johnson, Kiesel, Terrill.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1679** and ordered same returned to the Honorable Senate.

### **GENERAL ORDER**

**SB 1890** by Lamb et al of the Senate and Sullivan et al of the House was read and considered.

Coauthored by Representative(s) Derby, Thompson, Tibbs, Kern, Walker

Representative Sullivan moved that **SB 1890** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1890** 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, Faight, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--95.

Nay: Kiesel.--1.

Excused: Johnson, Roan, Shelton, Terrill, Williams.--5.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1890** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 1891** by Sykes et al of the Senate and Peterson et al of the House was read and considered.

Coauthored by Representative(s) Derby, Thompson, Kern, Tibbs, Wright (John), Walker, Faught, McDaniel (Randy), Wesselhoft

Representative Peterson moved that **SB 1891** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1891** 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, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--80.

Nay: Auffet, Collins, Hoskin, Kiesel, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Nations, Pittman, Scott, Shelton, Smithson.--13.

Excused: Brown, Buck, Glenn, Johnson, Roan, Shoemake, Shumate, Trebilcock.--8.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1891** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 1902** by Jolley et al of the Senate and McNiel et al of the House was read and considered.

Coauthored by Representative(s) Derby, Faught, Wesselhoft, Kern, Wright (John), Billy, Tibbs

Representative McNiel moved that **SB 1902** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1902** 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, Buck, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Nay: Collins, Kiesel, McAffrey, McDaniel (Jeannie), Nations, Scott, Shelton.--7.

Excused: Auffet, Johnson, Roan.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1902** and ordered same returned to the Honorable Senate.

## PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2485** was called up for consideration.

Coauthored by Representative(s) Cooksey

Upon motion of Representative Terrill, the **CCR** on **HB 2485** was adopted.

**HB 2485**, as amended in conference, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Brown, Buck, Collins, Inman, Morgan, Pittman, Scott.--7.

Excused: Johnson, Kirby.--2.

The measure and emergency passed.

**HB 2485**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

## **GENERAL ORDER**

**SB 1961** by Jolley et al of the Senate and Sullivan of the House was read and considered.

Representative Sullivan moved that **SB 1961** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**SB 1961** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Bailey, Billy, Blackwell, Brannon, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Hilliard, Holland, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--70.

Nay: Auffet, Brown, Buck, Cannaday, Collins, Dorman, Glenn, Hamilton, Harrison, Hoskin, Inman, Kiesel, Kouplen, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morrisette, Nations, Pittman, Proctor, Renegar, Roan, Scott, Shelton, Shumate, Walker, Williams.--28.

Excused: Armes, Banz, Johnson.--3.

The measure passed.

**SB 1961** was referred for engrossment.

#### **MESSAGE FROM THE SENATE**

Announcing the passage of **HB 3026**, Coauthored by Senator Ivester, and **HB 3312**.

The above-numbered measures were referred for enrollment.

#### **CCR SUBMITTED**

The conference committee report was read on the following measure:

**HB 1964** (2nd), Remove Speaker Bengé as principal House author and substitute with Representative Steele

#### **COMMITTEE REPORTS**

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

DO PASS, As Amended:

**CS for SB 1713** – Transportation

**CS for SB 1917** – Transportation

**CS for SB 1940** – Transportation

**CS for SB 1954** – Transportation

**CS for SB 2179** – Transportation

Representative Billy moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, March 30, 2010, which was the order.

Pursuant to the motion of Representative Billy, the House was adjourned at 3:25 p.m., to reconvene Tuesday, March 30, 2010, at 9:00 a.m.