

HOUSE JOURNAL

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Forty-third Legislative Day, Wednesday, April 14, 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 Minister Willie Mayes, First and Georgia Church of Christ, Chickasha.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HCR 1053 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SBs 1280, 1347, 1404, 1599, 1601, 1633, 1668, 1799, 1836, 1858, 1883, 1889, 1936, 1989, 2054, 2092, 2150, 2166, 2169, 2218, 2223, 2229 and 2270 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 2593, 2624, 2644, 2828, 2895, 2964, 2968, 3230 and HJR 1065 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 2276, 2552, 2602, 2854, 2861, 2912, 2959, 3128, 3169, 3190, 3210, 3242, 3323, 3340** and **3398** on April 12, 2010.

Advising of his approval of **HBs 2485, 2551, 2748, 2865, 3031** and **3313** on April 13, 2010.

Advising of his veto of **HB 2733** on April 13, 2010. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-second Legislature

Enrolled House Bill No. **2733**

By: Rousselot, et al of the House and Garrison, et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 and 12 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2733**. While the supporters of **HB 2733** are well intended, the legislation itself is poorly constructed and could result in a number of unintended consequences that would not benefit children or families but, instead, would create confusion, conflict and instability. I urge supporters of this legislation to work with my staff and other interested parties to address these deficiencies and submit a new bill for my consideration and signature this session.

By the Governor of the State of Oklahoma

/s/ Brad Henry

Advising of his veto of **HB 2894** on April 13, 2010. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
Second Regular Session, Fifty-second Legislature

Enrolled House Bill No. **2894**

By: Walker of the House and Schulz, et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 and 12 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2894**. While it is critical for the state to punish those who commit fraud of any kind, it is equally important that any state-imposed penalties be clearly and concisely prescribed in statute in order to be fairly and effectively

administered by the appropriate courts. **HB 2894**, however, is so vaguely and ambiguously constructed that it would be virtually impossible for any court to administer in a manner that would withstand constitutional challenge. In proposing a monetary penalty for those found guilty of fraud, **HB 2894** offers no clear formula for determining and legally justifying such an assessment, the amount of it, or how long it will be imposed. Without significantly more detail, **HB 2894** runs afoul of the constitution and cannot function as an effective statutory penalty. I urge supporters of this legislation to work with my staff and other interested parties to address these deficiencies and submit a new bill for my consideration and signature this session.

By the Governor of the State of Oklahoma

/s/ Brad Henry

FIRST READING

The following was introduced and read for the first time:

HJR 1087 – By Trebilcock.

A Joint Resolution disapproving permanent rule of the Corporation Commission; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HCR 1059 – By DeWitt of the House and Myers of the Senate.

A Concurrent Resolution recognizing the 75th anniversary of the Natural Resources Conservation Service (NRCS); commending the NRCS for its work and service in Oklahoma; and directing distribution.

HR 1084 – By Tibbs and Morgan.

A Resolution designating the month of April as Distracted Driving Awareness Month in Oklahoma; and providing for distribution.

HR 1085 – By Martin (Scott).

A Resolution remembering the courage and sacrifice of Rebecca Anderson; proclaiming Rebecca Anderson Nurse of the Day in perpetuity on April 19 each year; and directing distribution.

MESSAGE FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 1330, 1609, 1615, 1695, 1776, 2043 and 2142.**

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

GENERAL ORDER

SB 2127 by Aldridge of the Senate and Moore of the House was read and considered.

Representative Moore moved that **SB 2127** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2127 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, Buck, Carey, Christian, Collins, Coody, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--81.

Nay: Bailey, Brannon, Brown, Cannaday, Kiesel, McPeak, Renegar, Reynolds, Ritze, Shelton, Williams.--11.

Excused: Cooksey, Cox, Hickman, Jett, Miller, Morrissette, Nations, Smithson, Walker.--9.

The measure and emergency passed.

SB 2127 was referred for engrossment.

Representative Peters Presiding

GENERAL ORDER

SB 2051 by Coffee et al of the Senate and Benge et al of the House was read and considered.

Remove as coauthor Representative(s) Steele

Coauthored by Representative(s) Cox, Thompson, Reynolds, McCullough, Wright (John), Hoskin

Representative Jackson moved that **SB 2051** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2051 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hilliard, 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), McNiel, McPeak, Miller, Morgan, Murphey, Nations, Nelson, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Nay: Hamilton.--1.

Excused: Bailey, Blackwell, Derby, Hickman, Holland, Moore, Morrisette, Osborn, Smithson.--9.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 2051** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1910 by Ford of the Senate and Jackson of the House as read and laid over Monday, April 12, on Page 1212 was considered further.

Representative Jackson moved that **SB 1910** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1910 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, 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 (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Duncan, Reynolds, Ritze, Wesselhoft.--4.

Excused: Derby, McDaniel (Jeannie), Morrissette, Shelton, Smithson.--5.

The measure passed.

SB 1910 was referred for engrossment.

GENERAL ORDER

SB 2044 by Brown of the Senate and Sullivan of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative McPeak moved to amend **SB 2044** by inserting a new Section 1, and by renumbering subsequent sections.

Representative Sullivan asked a ruling of the Presiding Officer whether the McPeak amendment was germane to **SB 2044**.

The Presiding Officer ruled the point well taken and the amendment nongermane.

Representative Sherrer appealed the ruling of the Presiding Officer receiving the required 15 seconds.

"The question is, shall the decision of the Presiding Officer be the decision of the House? All those in favor signify by voting 'Aye'; those opposed 'Nay'. The vote is now in progress."

The decision of the Presiding Officer was upheld upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Steele, Sullivan, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--59.

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

Excused: Derby, Kiesel, Smithson, Trebilcock.--4.

Representative Sullivan moved that **SB 2044** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2044 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, Cooksey, Cox, Dank, Denney, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Richardson, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--64.

Nay: Auffet, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Lamons, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Renegar, Reynolds, Ritze, Roan, Scott, Shelton, Sherrer, Walker, Williams.--32.

Excused: Christian, Coody, Derby, Kiesel, Smithson.--5.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 2044** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1325 by Anderson of the Senate and Enns of the House was read and considered.

Coauthored by Representative(s) Ritze

Representative Enns moved that **SB 1325** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1325 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, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, 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, 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, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Excused: Christian, Derby, Kiesel, Smithson, Trebilcock.--5.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1325** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1600 by Crain of the Senate and Schwartz of the House was read and considered.

Coauthored by Representative(s) Pittman

Representative Schwartz moved that **SB 1600** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1600 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, Billy, Brannon, Brown, Buck, Cannaday, Carey, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kiesel, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Shannon, Sherrer, Shoemake, Shumate, Sullivan, Thompson, Thomsen, Tibbs, Walker, Watson, Wright (Harold), Wright (John), Mr. Speaker.--78.

Nay: Christian, Collins, Duncan, Hamilton, Johnson, Kern, Key, McPeak, Morrissette, Reynolds, Ritze, Sears, Shelton, Terrill, Trebilcock, Wesselhoft, Williams.--17.

Excused: Banz, Blackwell, Cox, Kirby, Smithson, Steele.--6.

The measure and emergency passed.

SB 1600 was referred for engrossment.

GENERAL ORDER

SB 1631 by Mazzei et al of the Senate and Jordan of the House was read and considered.

Representative Jordan moved that **SB 1631** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1631 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, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, 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, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Nay: Reynolds, Sherrer.--2.

Excused: Banz, Schwartz, Smithson.--3.

The measure and emergency passed.

SB 1631 was referred for engrossment.

GENERAL ORDER

SB 1754 by Leftwich of the Senate and Denney of the House was read and considered.

Representative Denney moved that **SB 1754** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1754 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, 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, 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, Shoemake, Shumate, Steele,

Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--98.

Nay: Wright (John).--1.

Excused: Armes, Smithson.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1754** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1818 by Crain of the Senate and Steele et al of the House was read and considered.

Coauthored by Representative(s) Hoskin

Representative Steele moved that **SB 1818** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1818 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, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, 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), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nelson, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Steele, Sullivan, Thomsen, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--86.

Nay: Derby, Duncan, Kern, Key, Murphey, Peterson, Reynolds, Ritze, Schwartz, Terrill, Thompson, Tibbs, Wesselhoft.--13.

Excused: Nations, Smithson.--2.

The measure passed.

SB 1818 was referred for engrossment.

GENERAL ORDER

SB 1955 by Marlatt of the Senate and Jordan of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Jordan moved that **SB 1955** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1955 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, 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), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, 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, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--99.

Excused: Nations, Smithson.--2.

The measure and emergency passed.

SB 1955 was referred for engrossment.

GENERAL ORDER

SB 1962 by Jolley of the Senate and Cooksey of the House was read and considered.

Representative Cooksey moved that **SB 1962** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1962 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, 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, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

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

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

The measure passed.

SB 1962 was referred for engrossment.

GENERAL ORDER

SB 1771 by Anderson of the Senate and Johnson of the House was read and considered.

Representative Johnson moved that **SB 1771** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1771 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, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, 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, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer,

Shoemake, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--89.

Nay: Buck, Collins, Hamilton, McAffrey, Morrissette, Scott, Shelton, Williams.--8.

Excused: Kiesel, Nations, Shumate, Smithson.--4.

The measure and emergency passed.

SB 1771 was referred for engrossment.

GENERAL ORDER

SB 1840 by Sykes et al of the Senate and Johnson et al of the House was read and considered.

Representative Johnson moved that **SB 1840** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1840 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, 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, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Kouplen, 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, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Nay: Brown, Harrison, McPeak, Reynolds, Ritze.--5.

Excused: Key, Kiesel, Nations, Shumate, Smithson.--5.

The measure and emergency passed.

SB 1840 was referred for engrossment.

GENERAL ORDER

SB 2063 by Anderson of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 2063** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2063 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Nay: Ritze, Shelton.--2.

Excused: Kirby, Nations, Shumate, Smithson.--4.

The measure passed.

SB 2063 was referred for engrossment.

GENERAL ORDER

SB 2064 by Gumm et al of the Senate and Terrill of the House was read and considered.

Representative Terrill moved that **SB 2064** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2064 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, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Randy), McDaniel, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--91.

Excused: Kiesel, Martin (Steve), McAffrey, McDaniel (Jeannie), McPeak, Nations, Renegar, Shelton, Smithson, Sullivan.--10.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 2064** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 2104 by Ballenger of the Senate and Sanders of the House was read and considered.

Representative Sanders moved that **SB 2104** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2104 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McDaniel, McPeak, Moore, Morgan, Morrisette, Murphey, 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, Steele, Terrill, Thompson,

Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Kiesel, Miller, Nations, Smithson, Sullivan, Trebilcock.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 2104** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 2211 by Jolley of the Senate and Cox of the House was read and considered.

Representative Cox moved that **SB 2211** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2211 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bailey, Banz, Billy, Buck, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--67.

Nay: Auffet, Brannon, Brown, Cannaday, Carey, Collins, Hilliard, Hoskin, Inman, Kiesel, Lamons, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Ortega, Pittman, Proctor, Pruett, Renegar, Russ, Scott, Shelton, Walker, Williams, Wright (John).--27.

Excused: Blackwell, Martin (Steve), Nations, Smithson, Steele, Sullivan, Trebilcock.--7.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Luttrell,

Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--63.

Nay: Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Hamilton, Hilliard, Hoskin, Inman, Kiesel, Kouplen, Lamons, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Ortega, Pittman, Proctor, Pruett, Renegar, Russ, Scott, Shelton, Shumate, Walker, Williams, Wright (John).--32.

Excused: Auffet, Nations, Smithson, Steele, Sullivan, Trebilcock.--6.

The emergency failed.

SB 2211 was referred for engrossment.

GENERAL ORDER

SB 2296 by Wyrick of the Senate and Duncan of the House was read and considered.

Coauthored by Representative(s) Roan

Representative Duncan moved that **SB 2296** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2296 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Lamons, Nations, Smithson, Steele, Sullivan, Trebilcock.--6.

The measure passed.

SB 2296 was referred for engrossment.

GENERAL ORDER

SB 2126 by Leftwich et al of the Senate and Terrill of the House was read and considered.

Representative Terrill moved that **SB 2126** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2126 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Denney, 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), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, 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, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Dank, Nations, Smithson, Steele, Sullivan, Trebilcock.--6.

The measure passed.

SB 2126 was referred for engrossment.

GENERAL ORDER

SB 1303 by Coates of the Senate and Liebmann of the House was read and considered.

Representative Liebmann moved that **SB 1303** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1303 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, 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, Kiesel, Kirby, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--86.

Nay: Collins, Kern, Key, Morrissette, Murphey, Reynolds, Ritze, Shelton, Wesselhoft, Wright (John).--10.

Excused: Nations, Smithson, Steele, Sullivan, Trebilcock.--5.

The measure passed.

SB 1303 was referred for engrossment.

GENERAL ORDER

SB 1329 by Bass et al of the Senate and Hoskin et al of the House was read and considered.

Coauthored by Representative(s) Luttrell, Walker

Representative Hoskin moved that **SB 1329** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1329 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, 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), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Nay: Cooksey, Nelson.--2.

Excused: Nations, Smithson, Sullivan, Trebilcock.--4.

The measure passed.

SB 1329 was referred for engrossment.

GENERAL ORDER

SB 1817 by Crain of the Senate and Holland of the House was read and considered.

Representative Holland moved that **SB 1817** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1817 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, 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), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz,

Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Steele, Terrill, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--92.

Nay: Hamilton, Morrissette, Wright (John).--3.

Excused: Nations, Shumate, Smithson, Sullivan, Thompson, Trebilcock.--6.

The measure passed.

SB 1817 was referred for engrossment.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Miller, the **CCR** on **HB 2363** was rejected and further conference requested. The Speaker named the same conferees:

HB 2363 – GCCA

MESSAGES FROM THE SENATE

Advising the signing of and transmitting for signature Enrolled **SCR 54**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

Returning enrolled measures

Announcing that Enrolled **HBs 2593, 2624, 2644, 2828, 2895, 2964, 2968, 3230** and **HJR 1065** 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

Announcing the passage of **HBs 1479, 2277, 2571**, Coauthored by Representatives Walker, Luttrell, Morgan, **2579, 2626, 2678, 2697**, Coauthored by Senators Gumm, Ivester, **2946** and **3220**, Coauthored by Senator Jolley.

The above-numbered measures were referred for enrollment.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 2004**, Coauthored by Senator Johnson (Constance), **2306, 2541, 2595, 2615, 2720, 2777, 2920**, Coauthored by Senator Marlatt and Representatives Pittman, Shelton, Walker, **2958**, Coauthored by Senator Gumm and Representative Fields, **2963, 3032**, Coauthored by Senators Corn, Johnson (Constance), Garrison and Representative Morrissette, **3052**, Coauthored by Senators Garrison, Gumm, Leftwich and Representatives Cox, Inman, Pittman, Shelton, **3289**, Coauthored by Representative Pittman, **3292**, Coauthored by Representatives Kern, Pittman, **3311, 3339, 3341**, Coauthored by Senator Stanislawski and Representative Ritze, **3342, 3379, 3380**, Coauthored by Senator Stanislawski and Representative Johnson, **3382** and **3393** (Emergency Failed).

Senate amendments were read on the above numbered measures.

Returning CCR

Returning **HB 2445** together with conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

The above-numbered measure, as amended by the conference committee report, was referred for enrollment.

Conference requested

Advising rejection of **HAs** to **SBs 1592, 1954, 2007** and **2179** and requesting conference thereon, the Senate naming conferees later.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HB 3202** passed.

HB 3202 was referred for enrollment.

APPOINTMENT

The following appointment was announced:

April 13, 2010 – Representative Scott appointed by House Minority Leader Morgan as a Member of the Health Care Workforce Resources Board, replacing Representative Hilliard. (74 O. S. § 3200.2)

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 15, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 4:45 p.m., to reconvene Thursday, April 15, 2010, at 9:00 a.m.