

# HOUSE JOURNAL

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

**of the State of Oklahoma**

**Forty-seventh Legislative Day, Wednesday, April 21, 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 Reverend Elwyn Rogers, First Assembly of God, Marlow.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HAs to SBs 805, 1379, 1606, 1637, 1686, 1756, 1784, 1887, 1905, 1919, 2046, 2199, 2236, 2303, 2318** and **SJR 61 and 66** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HBs 1889, 2319, 2332, 2717, 2852** and **3314** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCRs 1047** and **1053** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HR 1086** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

**GENERAL ORDER**

**SB 1872** by Coates of the Senate and Jordan of the House was read and considered.

Coauthored by Representative(s) Moore

Representative Jordan moved to amend **SB 1872** by inserting a new Section 2, and renumbering subsequent sections, which amendment was declared adopted.

Representative Jordan moved that **SB 1872** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1872** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faight, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, 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, Schwartz, Sears, Shannon, Shelton, Shoemake, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--87.

Nay: Sherrer, Shumate.--2.

Excused: Billy, Christian, Enns, Harrison, Jett, Key, Kiesel, Kirby, Morrissette, Scott, Terrill, Williams.--12.

The measure passed.

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

Aye: Armes, Banz, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Faight, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Russ, Sanders, Schwartz, Sears, Shannon, Steele, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--55.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Lamons, Luttrell, McAffrey, Nations, Pittman,

Proctor, Pruett, Renegar, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--31.

Excused: Billy, Blackwell, Christian, Enns, Harrison, Key, Kiesel, Kirby, Kouplen, McPeak, Morgan, Morrissette, Scott, Sullivan, Terrill.--15.

The emergency failed.

Representative Jordan served notice to reconsider the vote whereby the emergency failed.

### **GENERAL ORDER**

**SB 1761** by Coffee of the Senate and Benge of the House was read and considered.

Coauthored by Representative(s) Fields

Representative DeWitt moved that **SB 1761** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1761** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faught, Fields, Hamilton, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kouplen, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--76.

Nay: Carey, Collins, Glenn, Hilliard, Hoskin, Inman, Lamons, McAffrey, Morgan, Pittman, Proctor, Rousselot, Scott, Sherrer, Williams.--15.

Excused: Billy, Christian, Enns, Harrison, Key, Kiesel, Kirby, Miller, Morrissette, Trebilcock.--10.

The measure passed.

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

Aye: Banz, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Faught, Fields, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Moore, Murphey, Nelson, Ortega, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Schwartz, Sears, Shannon, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--48.

Nay: Auffet, Brannon, Brown, Buck, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), Nations, Pittman, Proctor, Pruett, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--29.

Excused: Armes, Bailey, Billy, Blackwell, Cannaday, Christian, Coody, Enns, Harrison, Hickman, Key, Kiesel, Kirby, Kouplen, McNiel, McPeak, Miller, Morgan, Morrisette, Osborn, Renegar, Russ, Shumate, Sullivan.--24.

The emergency failed.

**SB 1761** was referred for engrossment.

## **RECONSIDERATION**

Representative Johnson moved to reconsider the vote whereby **SB 2041** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Faught, Fields, Glenn, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Randy), McNiel, McPeak, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Russ, Sanders, Schwartz, Sears, Shannon, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--60.

Nay: Auffet, Bailey, Buck, Cannaday, Carey, Collins, Dorman, Hamilton, Hilliard, Hoskin, Inman, Lamons, McAffrey, McDaniel (Jeannie), Morgan, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Williams.--28.

Excused: Billy, Blackwell, Brannon, Brown, Christian, Enns, Harrison, Key, Kiesel, Kirby, Kouplen, Martin (Steve), Morrisette.--13.

Representative Johnson moved to rescind the Third Reading of **SB 2041**, which motion was declared adopted.

Representative Johnson moved to rescind the vote whereby **SB 2041** was advanced from General Order, which motion was declared adopted upon roll as follows:

Aye: Armes, Banz, Blackwell, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Faught, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Murphey, Osborn, Ownbey, Peters, Peterson, Richardson, Ritze, Russ, Sanders, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--51.

Nay: Bailey, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Lamons, McAffrey, McDaniel (Jeannie), Morgan, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Shoemake, Smithson, Williams.--28.

Excused: Auffet, Billy, Buck, Christian, Enns, Fields, Harrison, Jett, Kiesel, Kirby, Kouplen, McPeak, Miller, Morrissette, Nelson, Ortega, Reynolds, Schwartz, Sherrer, Shumate, Walker, Watson.--22.

Representative Johnson moved to reconsider the vote whereby the amendment to strike the title and enacting clause failed.

Representative Brown moved to table the Johnson reconsideration motion, which tabling motion failed of adoption upon a division of the question.

Representative Johnson pressed his motion to reconsider the vote whereby the amendment failed, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Blackwell, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Randy), McNiel, Moore, Murphey, Nelson, Ortega, Ownbey, Peters, Peterson, Richardson, Russ, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--53.

Nay: Bailey, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Lamons, McAffrey, McDaniel (Jeannie), McPeak, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Williams.--29.

Excused: Auffet, Billy, Buck, Christian, Cox, Enns, Harrison, Kiesel, Kirby, Kouplen, Martin (Steve), Miller, Morgan, Morrissette, Nations, Osborn, Reynolds, Ritze, Walker.--19.

Representative Johnson moved to amend **SB 2041** by striking the title and enacting clause, which amendment was declared adopted.

Representative Johnson moved that **SB 2041** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 2041** was read at length for the third time.

Representative Peters moved to advance the question.

Representative Lamons moved to table the Peters motion, which tabling motion failed of adoption.

Representative Peters pressed his motion to advance the question, which motion was declared adopted upon a division of the question.

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

Aye: Armes, Banz, Blackwell, Cannaday, Christian, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Duncan, Faught, Fields, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Peters, Peterson, Reynolds, Richardson, Ritze, Russ, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--57.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Carey, Collins, Denney, Dorman, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lamons, McAffrey, McDaniel (Jeannie), Morgan, Nations, Pittman, Proctor, Pruett, Renegar, Roan, Rouselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Williams.--33.

Excused: Billy, Enns, Harrison, Hickman, Kiesel, McPeak, Morrissette, Osborn, Ownbey, Sanders, Thompson.--11.

The measure passed.

**SB 2041** was referred for engrossment.

### **GENERAL ORDER**

**SB 2088** by Coffee of the Senate and Benge of the House was read and considered.

Coauthored by Representative(s) Fields

Representative Sullivan moved that **SB 2088** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 2088** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Harrison, 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, Miller, Moore, Morgan, Nations, Nelson, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Reynolds, Richardson, Ritze, Roan, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--87.

Nay: Brown, Glenn, Hamilton, Hickman, McPeak, Murphey, Renegar, Rousselot, Williams.--9.

Excused: Billy, Morrissette, Osborn, Ownbey, Thompson.--5.

The measure passed.

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

Aye: Armes, Banz, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Holland, Jackson, Jett, Jones, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Miller, Nelson, Ortega, Osborn, Peters, Peterson, Richardson, Ritze, Russ, Sanders, Schwartz, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Wright (John), Mr. Speaker.--50.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Inman, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Murphey, Nations, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Williams.--37.

Excused: Billy, Johnson, Key, Kiesel, Kouplen, Moore, Morrissette, Ownbey, Pittman, Reynolds, Sears, Shannon, Thompson, Wesselhoft.--14.

The emergency failed.

Representative Sullivan served notice to reconsider the vote whereby the emergency failed.

**GENERAL ORDER**

**SB 1616** by Crain of the Senate and Cox et al of the House was read and considered.

Coauthored by Representative(s) Hoskin

Representative Cox moved that **SB 1616** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1616** was read at length for the third time.

Representative Inman requested a ruling of the Presiding Officer as to whether **SB 1616** contained a fee increase or a tax increase for the purpose of determining the constitutional majority required for passage of the measure.

The Presiding Officer stated that the question was a constitutional issue and because the Chair does not rule on such issues the point was not well taken.

Representative Dorman raised a point of order stating that the members as legislators may not raise taxes without a two-thirds vote and therefore the members would need to know whether **SB 1616** contains a tax increase.

The Presiding Officer stated that he had made his ruling and therefore the point was not well taken.

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

Aye: Auffet, Bailey, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Collins, Cox, Denney, DeWitt, Dorman, Glenn, Hamilton, Hickman, Hilliard, Jett, Jones, Kiesel, Liebmann, Luttrell, McDaniel (Jeannie), McNiel, McPeak, Moore, Morgan, Nations, Pittman, Pruett, Renegar, Richardson, Roan, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Walker, Mr. Speaker.--44.

Nay: Armes, Banz, Carey, Christian, Coody, Cooksey, Dank, Derby, Duncan, Enns, Faught, Fields, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), Miller, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Proctor, Reynolds, Ritze, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Terrill, Thompson, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John).--53.

Excused: Harrison, Morrissette, Ownbey, Williams.--4.

The measure failed.

Representative Cox served notice to reconsider the vote whereby **SB 1616** failed.

## GENERAL ORDER

**SB 2022** by Leftwich et al of the Senate and Tibbs of the House was read and considered.

Coauthored by Representative(s) McCullough

Remove Senator Leftwich as principal Senate author and substitute with Senator Nichols

Coauthored by Senator Leftwich

Representative Tibbs 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, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faight, Fields, Glenn, Hamilton, 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), McNeil, McPeak, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--85.

Excused: Banz, Blackwell, Cox, Enns, Harrison, Kiesel, Morgan, Morrissette, Nations, Ownbey, Richardson, Ritze, Scott, Sherrer, Shoemake, Thompson.--16.

Representative Tibbs moved to amend **SB 2022**, by restoring the stricken title and enacting clause; Page 2, Section 1, Line 8, by deleting after the period “.” and before the word “court” the word “The” and inserting in lieu thereof the words “Upon application of the victim, the”; and Page 2, Section 1, Line 9, by inserting before the word “Before” the following language:

“Such monitoring by the victim shall be limited to the ability of the victim to make computer or cellular inquiries to determine if the defendant is within a specified distance of locations, excluding the residence or workplace of the defendant, or to receive a computer or a cellular generated signal if the defendant comes within a specified distance of the victim. The court shall conduct an annual review of the monitoring order to determine if such order to monitor the location of the defendant is still necessary.”,

which amendment was declared adopted.

Representative Tibbs moved that **SB 2022** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 2022** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Kern, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McNiell, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--88.

Nay: Buck, Faight, Jordan, Key, McDaniel (Randy), Reynolds, Shumate, Wright (John).--8.

Excused: Kirby, Morrissette, Osborn, Ownbey, Shelton.--5.

The measure passed.

**SB 2022** was referred for engrossment.

**MESSAGES FROM THE SENATE**

Announcing the passage of and returning engrossed measures as amended: **HBs 2295**, Remove Senator Burrage as principal Senate author and substitute with Senator Schulz and Coauthored by Senator Ivester, **2310, 2321, 2331, 2567**, Coauthored by Senator Anderson and Representative Pittman, **2650**, Coauthored by Senator Coates, **2698, 2774**, Coauthored by Senators Easley, Leftwich, Myers, **2890, 2919**, Coauthored by Senators Corn, Easley, Coates and Representatives Williams, Cox, Wright (Harold), **2935, 2965**, Coauthored by Senator Gumm, **2983, 3024**, Coauthored by Senators Stanislawski, Paddack, **3035, 3061**, Coauthored by Senator Gumm and Representative Ortega, **3123**, Coauthored by Senators Gumm, Ivester and Representatives Buck, Wesselhoft, Walker, **3166, 3213** and **HJRs 1056**, Coauthored by Senator Brogdon and **1084**.

Senate amendments were read on the above numbered measures.

### **Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 1685, 1921 and 2008**.

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

### **Transmitting engrossed measure**

Announcing the passage of engrossed **SCR 51**.

The measure was introduced and read.

**SCR 51** – By Bingman, Gumm, Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Halligan, Ivester, Johnson (Mike), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick of the Senate and Bengé of the House.

A Concurrent Resolution requesting the United States Environmental Protection Agency to allow for cost-benefit information during implementation of revised air quality standards; and directing distribution.

### **MOTION**

Representative Jones moved that the House stand in recess until 1:00 p.m., which was the order.

### **Speaker Pro Tempore Steele Presiding**

### **GENERAL ORDER**

**SB 1640** by Halligan of the Senate and Williams et al of the House was read and considered.

Representative Williams moved that **SB 1640** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1640** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Auffet, Bailey, Billy, Blackwell, Brannon, Buck, Cannaday, Carey, Collins, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Fields, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Nations, Nelson, Ortega, Peters, Proctor, Pruett, Renegar, Roan, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Smithson, Steele, Terrill, Thomsen, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--68.

Nay: Cooksey, Duncan, Harrison, Kern, McAffrey, Murphey, Peterson, Reynolds, Ritze, Tibbs, Wesselhoft.--11.

Excused: Armes, Banz, Brown, Christian, Enns, Faught, Glenn, Hamilton, Jett, Kiesel, Miller, Morrisette, Osborn, Ownbey, Pittman, Richardson, Rousselot, Shelton, Shoemake, Shumate, Sullivan, Thompson.--22.

The measure and emergency passed.

**SB 1640** was referred for engrossment.

**RECONSIDERATION**

Representative Nelson moved to reconsider the vote whereby the emergency failed on **SB 1941**, which motion prevailed upon roll call as follows:

Aye: Auffet, Bailey, Billy, Brannon, Buck, Cannaday, Carey, Christian, Coody, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Roan, Russ, Sanders, Sears, Shannon, Sherrer, Smithson, Steele, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--71.

Nay: Collins, McAffrey, Reynolds.--3.

Excused: Armes, Banz, Blackwell, Brown, Cooksey, Derby, Glenn, Hamilton, Kern, Kiesel, Martin (Steve), McPeak, Miller, Morrisette, Osborn, Ownbey, Renegar, Richardson, Ritze, Rousselot, Schwartz, Scott, Shelton, Shoemake, Shumate, Sullivan, Thompson.--27.

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

Aye: Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Carey, Christian, Coody, Cooksey, Dank, Derby, DeWitt, Dorman, Enns, Faught, Fields, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Kern, Key, Kirby, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), Moore, Morgan, Murphey, Nations, Nelson, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Roan, Russ, Sanders, Scott, Shannon, Sherrer, Shumate, Smithson, Steele, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--71.

Nay: Cannaday, Collins, Duncan, McPeak, Reynolds, Ritze, Shelton.--7.

Excused: Armes, Cox, Denney, Glenn, Hamilton, Jordan, Kiesel, McAffrey, McNiel, Miller, Morrisette, Osborn, Ownbey, Richardson, Rousselot, Schwartz, Sears, Shoemake, Sullivan, Terrill, Thompson, Trebilcock, Williams.--23.

The emergency passed.

**SB 1941** was referred for engrossment.

## GENERAL ORDER

**SB 1612** by Anderson et al of the Senate and McDaniel (Jeannie) of the House was read and considered.

Coauthored by Representative(s) Tibbs, Billy

Representative McDaniel (Jeannie) moved that **SB 1612** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1612** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jones, Jordan, Joyner, Kirby, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Nations, Nelson, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Russ, Sanders, Scott, Sears, Shannon, Sherrer, Shumate, Smithson, Steele, Terrill, Thomsen, Tibbs, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--77.

Nay: Cooksey, Duncan, Kern, Key, Murphey, Reynolds, Ritze, Wesselhoft.--8.

Excused: Armes, Glenn, Jackson, Jett, Kiesel, Miller, Morrissette, Osborn, Ownbey, Rousselot, Schwartz, Shelton, Shoemake, Sullivan, Thompson, Trebilcock.--16.

The measure and emergency passed.

**SB 1612** was referred for engrossment.

## **RECONSIDERATION**

Representative Miller moved to reconsider the vote whereby the emergency failed on **HB 2363**, which motion prevailed upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--86.

Nay: Reynolds, Ritze.--2.

Excused: Blackwell, Enns, Jett, Kiesel, Martin (Steve), McPeak, Morrissette, Ownbey, Renegar, Shoemake, Sullivan, Walker, Williams.--13.

The roll was called on the emergency and resulted as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Terrill, Thompson, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--86.

Excused: Blackwell, Enns, Jett, Jordan, Kiesel, Kouplen, Martin (Steve), Morrissette, Ownbey, Renegar, Sanders, Shoemake, Sullivan, Thomsen, Williams.--15.

The emergency passed.

**HB 2363**, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

### **RECALLED FROM ENGROSSMENT**

Upon request of Representative McDaniel (Jeannie), **SB 1612** was recalled from engrossment for further consideration.

Representative McDaniel (Jeannie) moved to rescind the vote whereby the emergency passed on **SB 1612**, which motion was declared adopted upon a division of the question.

Representative Reynolds raised a point of order as to whether it was in order to be considering **SB 1612** because notice had been served on the measure and the emergency.

The Presiding Officer stated that the members who had originally served notice on the measure and emergency had withdrawn their notice to reconsider.

The Presiding Officer stated pursuant to House Rule 9.10, a motion to reconsider a vote may be offered at any time during the final three (3) days of the deadline period for consideration of measures on Third Reading and therefore a motion to reconsider the vote was in order.

Representative McDaniel (Jeannie) moved to reconsider the vote whereby **SB 1612** passed, which motion was declared adopted upon roll call as follows:

Aye: Auffet, Bailey, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Dank, Denney, Derby, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Nations, Nelson, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Roussetot, Sanders, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--76.

Nay: Cooksey, Duncan, Kern, Key, Murphey, Reynolds, Ritze, Wesselhoft.--8.

Excused: Armes, Banz, Cox, DeWitt, Kiesel, Kirby, Martin (Steve), McCullough, Moore, Morgan, Morrissette, Ortega, Ownbey, Russ, Sears, Sullivan, Terrill.--17.

Representative McDaniel (Jeannie) moved to rescind the Third Reading of **SB 1612**, which motion was declared adopted.

Representative McDaniel (Jeannie) moved to rescind the vote whereby **SB 1612** was advanced from General Order, which motion was declared adopted.

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

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Dank, Denney, Derby, DeWitt, Dorman, Enns, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Key, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--84.

Nay: Cooksey, Duncan, Kern, McCullough, Reynolds, Ritze, Wesselhoft.--7.

Excused: Cox, Faught, Harrison, Joyner, Kiesel, Kirby, Morrissette, Ownbey, Schwartz, Sullivan.--10.

Representative McDaniel (Jeannie) moved to amend **SB 1612** 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 McDaniel (Jeannie) moved that **SB 1612** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1612** 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, Cox, Dank, Denney, DeWitt, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Joyner, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--81.

Nay: Cooksey, Derby, Duncan, Kern, Murphey, Reynolds, Ritze, Russ, Sanders, Shannon, Williams.--11.

Excused: Dorman, Jordan, Key, Kirby, McPeak, Miller, Ownbey, Schwartz, Sullivan.--9.

The measure and emergency passed.

**SB 1612** was again referred for engrossment.

## GENERAL ORDER

**SB 2033** by Coffee et al of the Senate and Benge of the House was read and considered.

Representative Peters moved that **SB 2033** be advanced from General Order, which motion was declared adopted upon a division of the question.

## THIRD READING

**SB 2033** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Blackwell, Buck, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Richardson, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Mr. Speaker.--61.

Nay: Auffet, Bailey, Banz, Brannon, Brown, Cannaday, Carey, Collins, Dorman, Fought, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kern, Kiesel, Kouplen, McAffrey, McPeak, Morgan, Morrisette, Nations, Proctor, Pruett, Renegar, Ritze, Roan, Russ, Shelton, Sherrer, Smithson, Walker, Wesselhoft, Williams, Wright (John).--37.

Excused: Christian, Ownbey, Reynolds.--3.

The measure passed.

Representative Sears served notice to reconsider the vote whereby **SB 2033** passed.

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

Aye: Armes, Banz, Billy, Blackwell, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Miller, Murphey, Nelson, Osborn, Peters, Peterson, Richardson, Sanders, Schwartz, Sears,

Shannon, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Mr. Speaker.--50.

Nay: Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Faught, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Key, Kiesel, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Russ, Scott, Shelton, Shoemake, Smithson, Walker, Wesselhoft, Wright (John).--41.

Excused: Auffet, Christian, Kern, McNiell, Moore, Morgan, Ortega, Ownbey, Sherrer, Williams.--10.

The emergency failed.

Representative Sears served notice to reconsider the vote whereby the emergency failed.

## **CCR SUBMITTED**

The conference committee report was read on the following measure:

**HB 1741**

## **MESSAGES FROM THE SENATE**

Announcing that Enrolled **HBs 1889, 2319, 2332, 2717, 2852** and **3314** 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.

Announcing that Enrolled **HCRs 1047** and **1053** have been signed by the Presiding Officer of Senate, in open session.

The above measures were ordered filed with the Secretary of State.

## **Returning engrossed measures**

Announcing the passage of **HBs 1006**, Coauthored by Representatives Glenn, Luttrell, Scott, **2328, 2569**, Coauthored by Senators Sykes, Brogdon, Russell and Representatives Blackwell, Jones, **2621, 2800, 3241**, Coauthored by Representative Pittman, **3259** and **HCR 1059**, Coauthored by Senator Ivester and all other Senators.

The above-numbered measures were referred for enrollment.

**Conference requested**

Advising rejection of **HAs to SBs 1956, 1962 and 2258** and requesting conference thereon, the Senate naming conferees later.

**Conferees named**

Advising the Senate naming conferees as follows:

**SB 1914 – GCCA**

**Returning CCR**

Returning **HB 2363** (2nd CCR) 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.

**Transmitting CCR**

Transmitting the following measure, together with the conference committee report thereon, advising adoption of conference committee report and passage of measure as amended.

**SB 1442**

Conference committee report was read on the above-numbered measure.

**Adjournment consent requested**

Pursuant to Article 5, Section 30 of the Oklahoma Constitution, the Senate requests the Honorable House of Representatives to consent to the adjournment of the Senate for more than three days beginning Thursday, April 22, 2010 and ending Monday, April 26, 2010.

**MESSAGES FROM THE GOVERNOR**

Advising of his approval of **HBs 1479, 2626, 2697 and 2946** on April 20, 2010.

**MOTION**

Representative Jones moved pursuant to Article 5, Section 30 of the Oklahoma Constitution that the House grant the request of the Honorable Senate to adjourn for more than three (3) days beginning Thursday, April 22, 2010 and ending Monday, April 26, 2010, which was the order.

**Representative Hickman Presiding****GENERAL ORDER**

**SB 2083** by Coffee et al of the Senate and Bengé of the House was read and considered.

Representative Sears moved that **SB 2083** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 2083** was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Faught, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kern, Key, Kiesel, Kouplen, Luttrell, McAffrey, McPeak, Morgan, Morrisette, Nations, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Wesselhoft, Williams.--43.

Excused: Ownbey.--1.

The measure passed.

Representative Sears served notice to reconsider the vote whereby **SB 2083** 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, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Richardson, Sanders, Schwartz, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Mr. Speaker.--52.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Faught, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kern, Key, Kouplun, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morrissette, Nations, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Russ, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Walker, Wesselhoft, Williams, Wright (John).--45.

Excused: Kiesel, Kirby, Morgan, Ownbey.--4.

The emergency failed.

Representative Sears served notice to reconsider the vote whereby the emergency failed.

## GENERAL ORDER

**SB 1973** by Coffee et al of the Senate and Sullivan of the House was read and considered.

Coauthored by Representative(s) McCullough, Derby

Representative Luttrell moved to amend **SB 1973** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was withdrawn.

Representative Sullivan moved that **SB 1973** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1973** 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, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Russ,

Sanders, Schwartz, Sears, Shannon, 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, Kiesel, Kouplen, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Pittman, Proctor, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Smithson, Williams.--33.

Excused: Johnson, Nations, Ownbey, Walker.--4.

The measure passed.

**SB 1973** was referred for engrossment.

### **GENERAL ORDER**

**SB 1862** by Coffee of the Senate and Benge of the House was read and considered.

Coauthored by Representative(s) Sullivan

Speaker Benge moved to amend **SB 1862** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted upon a division of the question.

Representative Denney moved that **SB 1862** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1862** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Hamilton, Hickman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Pruett, Reynolds, Richardson, Ritze, Rousselot, Sanders, Schwartz, Sears, Shannon, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--64.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Fought, Fields, Glenn, Harrison, Hilliard, Holland, Hoskin, Inman, Jett, Kiesel, Kouplen, Luttrell, McPeak, Morgan, Morrissette, Proctor, Renegar, Roan, Russ, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--35.

Excused: Nations, Ownbey.--2.

The measure passed.

**SB 1862** was referred for engrossment.

### GENERAL ORDER

**SB 1960** by Coates et al of the Senate and Shannon of the House was read and considered.

Coauthored by Representative(s) Morgan, Banz, Wright (John)

Representative Morgan moved that **SB 1960** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1960** 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, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Duncan, Jett, Kern, Murphey, Reynolds, Steele, Wesselhoft.--7.

Excused: Nations, Ownbey.--2.

The measure and emergency passed.

**SB 1960** was referred for engrossment.

**GENERAL ORDER**

**SB 1040** by Schulz of the Senate and Armes of the House was read and considered.

Representative Armes moved to amend **SB 1040** by striking the title and enacting clause, which amendment was declared adopted.

Representative Armes moved that **SB 1040** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 1040** 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, 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, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

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

Excused: Brannon, Kirby, Nations, Ownbey, Scott, Shoemake.--6.

The measure passed.

**SB 1040** was referred for engrossment.

**GENERAL ORDER**

**SB 1928** by Newberry of the Senate and Jordan of the House was read and considered.

Representative Jordan moved that **SB 1928** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 1928** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, 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, Murphey, Nelson, Ortega, Osborn, 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.--93.

Nay: Buck, Hamilton, Morrissette, Shelton.--4.

Excused: Kirby, Nations, Ownbey, Shoemake.--4.

The measure passed.

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

Aye: Banz, Blackwell, Christian, Coody, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Reynolds, Richardson, Ritze, Russ, Sanders, Schwartz, Sears, Shannon, Steele, Thompson, Thomsen, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--54.

Nay: Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Kouplen, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Smithson, Walker, Williams.--31.

Excused: Armes, Auffet, Bailey, Billy, Brannon, Cooksey, Kiesel, Kirby, Nations, Ownbey, Pittman, Shoemake, Shumate, Sullivan, Terrill, Tibbs.--16.

The emergency failed.

Representative Jordan served notice to reconsider the vote whereby the emergency failed.

**GENERAL ORDER**

**SB 820** by Nichols of the Senate and Terrill of the House was read and considered.

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

Aye: Armes, Auffet, Banz, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Murphey, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Reynolds, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--80.

Excused: Bailey, Billy, Buck, Derby, Glenn, Jett, Key, Kirby, McAffrey, Miller, Morrissette, Nations, Nelson, Ownbey, Pittman, Renegar, Richardson, Ritze, Shelton, Sullivan, Trebilcock.--21.

Representative Terrill moved to amend **SB 820**, Page 4, Section 1, Line 3 by adding after the word "provide" and before the word "funding" the language " , upon the request of an official horsemen's representative organization for a breed,"; and Line 6 by adding after the word "stock" and before the period "." the language "of the particular breed of horse represented by the requesting organization", which amendment was declared adopted.

Representative Terrill moved that **SB 820** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 820** 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, DeWitt, Dorman, Duncan, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Inman, Jackson, Jones, Jordan, Joyner, Kern, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McPeak, Miller, Morgan, Morrissette, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Mr. Speaker.--74.

Nay: Cooksey, Denney, Derby, Faught, Holland, Jett, Johnson, Key, Kouplen, McCullough, McDaniel (Randy), McNiel, Moore, Murphey, Reynolds, Ritze, Russ, Schwartz, Shannon, Thompson, Wesselhoft, Williams, Wright (John).--23.

Excused: Kiesel, Kirby, Nations, Ownbey.--4.

The measure passed.

**SB 820** was referred for engrossment.

### **.GENERAL ORDER**

**SB 859** by Bass of the Senate and Dorman of the House was read and considered.

Coauthored by Representative(s) Hoskin, Walker, Smithson, Tibbs, Roan, Brannon

Representative Dorman moved to amend **SB 859** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Dorman moved to amend the floor substitute, Page 15, Line 22 by inserting after the period “.” the following language: “Death benefits in the amount not to exceed Eighteen Thousand Dollars (\$18,000.00), but exclusive of any retirement benefit received by an electing beneficiary based upon creditable service performed by the deceased member, which are provided pursuant to this subsection may be assigned by the beneficiary to a person licensed as a funeral director or to a lawfully recognized business entity licensed as required by law to provide funeral services for the deceased member.”; and Page 16, Line 4, by inserting after the period “.” the following language: “Death benefits provided pursuant to this subsection may be assigned by the beneficiary to a person licensed as a funeral director or to a lawfully recognized business entity licensed as required by law to provide funeral services for the deceased member.”, which amendment was declared adopted.

Representative Dorman moved adoption of the floor substitute, as amended, which amendment was declared adopted.

Representative Dorman moved that **SB 859** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 859** 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, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Kirby, Nations, Ownbey.--3.

The measure and emergency passed.

**SB 859** was referred for engrossment.

### **GENERAL ORDER**

**SB 1772** by Anderson of the Senate and Martin (Scott) of the House was read and considered.

Coauthored by Representative(s) Nations, Collins

Representative Martin (Scott) moved that **SB 1772** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1772** 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, 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, Morrisette, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--93.

Nay: Duncan, Murphey, Reynolds, Ritze, Wright (John).--5.

Excused: Kirby, Nations, Ownbey.--3.

The measure passed.

**SB 1772** was referred for engrossment.

## GENERAL ORDER

**SB 1070** by Paddack of the Senate and Peters et al of the House was read and considered.

Representative Peters moved to amend **SB 1070** 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 to reconsider the vote whereby the floor substitute was adopted for purpose of further amending the floor substitute, which motion was declared adopted.

Representative Miller moved to amend the floor substitute by striking the title, which amendment was declared adopted.

Representative Peters moved adoption of the floor substitute, as amended, which amendment was declared adopted.

Representative Peters moved that **SB 1070** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1070** 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, Carey, Collins, Coody, Cox, Denney, Derby, DeWitt, Dorman, Enns, Fields, Glenn, Hilliard, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), McDaniel (Randy), McNiell, Miller, Morgan, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--63.

Nay: Buck, Cannaday, Christian, Cooksey, Dank, Duncan, Faught, Hamilton, Harrison, Hickman, Hoskin, Jett, Kern, Key, Kiesel, Kouplen, Martin (Steve), McAffrey,

McCullough, McDaniel (Jeannie), McPeak, Moore, Morrisette, Murphey, Nelson, Osborn, Reynolds, Ritze, Russ, Sears, Shelton, Terrill, Thompson, Thomsen, Wesselhoft.--35.

Excused: Inman, Nations, Ownbey.--3.

The measure passed.

**SB 1070** was referred for engrossment.

### **GENERAL ORDER**

**SB 2070** by Coates et al of the Senate and Shelton of the House was read and considered.

Representative Shelton moved that **SB 2070** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 2070** 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, Collins, Coody, Cox, Denney, DeWitt, Dorman, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McNiel, McPeak, Miller, Morgan, Morrisette, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--75.

Nay: Banz, Christian, Cooksey, Dank, Derby, Duncan, Enns, Faught, Holland, Key, McCullough, McDaniel (Randy), Moore, Murphey, Nelson, Osborn, Reynolds, Ritze, Thompson, Thomsen, Wesselhoft.--21.

Excused: McAffrey, Nations, Ownbey, Sanders, Terrill.--5.

The measure and emergency passed.

**SB 2070** was referred for engrossment.

## RECONSIDERATION

Representative Coody moved to reconsider the vote whereby the emergency failed on **SB 509**, which motion prevailed upon roll call as follows:

Aye: Armes, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), McDaniel (Jeannie), McDaniel (Randy), McNiell, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--80.

Nay: Collins, Dank, Duncan, McCullough, Reynolds, Ritze.--6.

Excused: Auffet, Buck, Enns, Faught, Harrison, Kouplen, Martin (Steve), McAffrey, McPeak, Miller, Nations, Ownbey, Russ, Scott, Sears.--15.

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

Aye: Armes, Bailey, Banz, Billy, Blackwell, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Rousselot, Sanders, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--78.

Nay: Auffet, Brannon, Brown, Buck, Collins, Derby, Duncan, Hoskin, Kiesel, McCullough, Reynolds, Ritze, Roan, Russ.--14.

Excused: Faught, Harrison, Kouplen, McAffrey, Nations, Nelson, Ownbey, Sears, Walker.--9.

The emergency passed.

**SB 509** was referred for engrossment.

**GENERAL ORDER**

**SB 2109** by Stanislawski of the Senate and Coody et al of the House was read and considered.

Coauthored by Representative(s) Derby

Representative Coody moved to amend **SB 2109** by striking the title and enacting clause, which amendment was declared adopted.

Representative Coody moved that **SB 2109** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 2109** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Buck, Christian, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Dorman, Duncan, Fields, Hamilton, Hickman, Hilliard, Holland, Jett, Johnson, Jones, Kern, Key, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Reynolds, Richardson, Ritze, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--66.

Nay: Auffet, Bailey, Brown, Cannaday, Carey, Collins, Enns, Faught, Glenn, Harrison, Hoskin, Inman, Jackson, Kiesel, Kouplen, McPeak, Proctor, Pruett, Renegar, Roan, Sherrer, Shoemake, Smithson, Walker, Williams.--25.

Excused: Brannon, Denney, Jordan, Joyner, McAffrey, Morrissette, Nations, Ownbey, Rousselot, Shelton.--10.

The measure passed.

Representative Coody served notice to reconsider the vote whereby **SB 2109** passed.

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

Aye: Armes, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Derby, Duncan, Fields, Hamilton, Hickman, Hilliard, Holland, Jett, Johnson, Jones, Jordan, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Richardson, Sanders, Schwartz, Sears, Shannon, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wright (Harold), Wright (John), Mr. Speaker.--51.

Nay: Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Enns, Glenn, Hoskin, Inman, Jackson, Kouplen, Lamons, Luttrell, McDaniel (Jeannie), McPeak, Morgan, Pittman, Proctor, Pruett, Renegar, Scott, Sherrer, Shoemake, Smithson, Walker, Williams.--28.

Excused: Auffet, Bailey, Denney, DeWitt, Faught, Harrison, Joyner, Kern, Kiesel, Kirby, McAffrey, Morrisette, Nations, Ownbey, Reynolds, Ritze, Roan, Rousselot, Russ, Shelton, Trebilcock, Wesselhoft.--22.

The emergency failed.

Representative Coody served notice to reconsider the vote whereby the emergency failed.

### **PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1442** was called up for consideration.

Upon motion of Representative Miller, the **CCR** on **SB 1442** was adopted.

**SB 1442**, 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, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, 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, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Excused: Denney, Hoskin, Joyner, Kiesel, McAffrey, Morrisette, Nations, Ownbey, Rousselot, Shelton, Trebilcock.--11.

The measure and emergency passed.

**SB 1442**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

### **MOTION**

Representative Jones moved that the House stand in recess until 8:00 p.m., which was the order.

**Representative Hickman Presiding****GENERAL ORDER**

**SB 2139** by Ford of the Senate and Coody et al of the House was read and considered.

Representative Coody moved that **SB 2139** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 2139** was read at length for the third time.

Representative Peters moved to advance the question.

Representative McPeak moved to table the Peters motion, which tabling motion failed of adoption.

Representative Peters pressed his motion to advance the question, which motion was declared adopted.

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

Aye: Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Enns, Hamilton, Hickman, Jackson, Jett, Johnson, Jones, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Miller, Murphey, Ortega, Osborn, Peters, Peterson, Reynolds, Richardson, Sanders, Sears, Shannon, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Wright (John).--43.

Nay: Armes, Auffet, Bailey, Banz, Brannon, Brown, Buck, Cannaday, Carey, Collins, Derby, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Harrison, Hilliard, Holland, Hoskin, Inman, Jordan, Kirby, Kouplen, Lamons, Luttrell, McDaniel (Jeannie), McNiel, McPeak, Moore, Morgan, Nelson, Pittman, Proctor, Pruett, Renegar, Ritze, Roan, Rousselot, Russ, Schwartz, Scott, Sherrer, Shumate, Smithson, Walker.--47.

Excused: Joyner, Kiesel, McAffrey, Morrisette, Nations, Ownbey, Shelton, Shoemake, Trebilcock, Williams, Mr. Speaker.--11.

The measure failed.

Representative Coody served notice to reconsider the vote whereby **SB 2139** failed.

## GENERAL ORDER

**SB 1712** by Anderson of the Senate and Denney et al of the House was read and considered.

Remove Representative Denney as principal House author and substitute with Representative Jackson

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

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Fields, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jordan, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruet, Renegar, Richardson, Ritze, Roan, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wright (John).--76.

Excused: Buck, Christian, Faught, Glenn, Harrison, Jones, Joyner, Kiesel, McAffrey, Miller, Morrissette, Nations, Ownbey, Reynolds, Rousselot, Russ, Shelton, Shoemake, Shumate, Sullivan, Trebilcock, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--25.

Representative Denney moved to amend **SB 1712** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Ortega moved to table the Denney amendment, which tabling motion failed of adoption upon a division of the question.

Representative Denney pressed adoption of the floor substitute, which amendment was declared adopted upon a division of the question.

Representative Jackson moved that **SB 1712** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 1712** was read at length for the third time.

Representative Peters moved to advance the question, which motion was declared adopted.

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

Aye: Armes, Blackwell, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Enns, Glenn, Hamilton, Hilliard, Inman, Jackson, Jett, Johnson, Jones, Jordan, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Nelson, Osborn, Peters, Peterson, Pittman, Proctor, Renegar, Richardson, Sanders, Scott, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Tibbs, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--59.

Nay: Auffet, Banz, Billy, Brannon, Buck, Cannaday, Christian, Derby, Dorman, Duncan, Faught, Fields, Harrison, Hickman, Holland, Kern, Key, Kouplen, McPeak, Murphey, Ortega, Pruett, Reynolds, Ritze, Roan, Rousselot, Russ, Schwartz, Sears, Thomsen, Walker.--31.

Excused: Bailey, Brown, Hoskin, Joyner, Kiesel, Morrissette, Nations, Ownbey, Shoemake, Trebilcock, Wesselhoft.--11.

The measure passed.

Representative Reynolds served notice to reconsider the vote whereby **SB 1712** passed.

Representative Jackson moved that the vote on the bill be the vote on the emergency, which motion was declared adopted.

The emergency failed.

## **GENERAL ORDER**

**SB 1762** by Leftwich of the Senate and Terrill of the House was read and considered.

Coauthored by Representative(s) Kern

Representative Collins moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment.

Representative Terrill moved to table the Collins motion.

Representative Collins raised a point of order stating that **SB 1762** was removed from the Floor Calendar during the course of its amendment cycle and was subsequently placed back on the Floor Calendar without notice causing him to miss the opportunity to offer a timely filed amendment.

Representative Terrill withdrew his motion to table the Collins motion.

Representative Collins withdrew his point of order and pressed his motion to suspend House rules for the purpose of offering an untimely filed floor amendment, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Dank, Denney, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Kern, Key, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Murphey, Nelson, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--81.

Nay: Banz, Billy, Cooksey, Derby, Duncan, Holland, Johnson, Martin (Steve), Ortega, Richardson, Sullivan.--11.

Excused: Bailey, Joyner, McCullough, Moore, Morrisette, Nations, Ownbey, Shoemake, Trebilcock.--9.

Representative Collins moved to amend **SB 1762**, Page 1, Section 1 by inserting a new subsection B to read as follows:

“B. It shall be unlawful for any person owning or operating a hired bus or limousine service vehicle licensed as a ‘motor carrier of persons or property’, as defined in the Motor Carrier Act of 1995, Section 230.23 et seq. of Title 47 of the Oklahoma Statutes, to knowingly allow a minor or minors, under the age of twenty-one (21) years, to be present in a hired bus or limousine service vehicle if any alcoholic beverages, including low-point beer as defined by Section 163.19 of Title 37 of the Oklahoma Statutes are present in the bus or vehicle.” and by relettering subsequent subsections, which amendment was declared adopted.

Representative Terrill moved that **SB 1762** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1762** 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, 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, Kern, Key, Kiesel, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, 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, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Excused: Bailey, Joyner, Kirby, Morrissette, Nations, Ownbey, Shoemake, Trebilcock.--8.

The measure passed.

**SB 1762** was referred for engrossment.

### **GENERAL ORDER**

**SB 1337** by Sykes et al of the Senate and Terrill et al of the House was read and considered.

Representative Lamons moved to amend **SB 1337** by inserting a new Section 1, and by renumbering subsequent sections, which amendment was declared adopted.

Representative Terrill moved that **SB 1337** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 1337** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Buck, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Harrison, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Miller, Moore, Morgan, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Richardson, Roan, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--73.

Nay: Auffet, Brannon, Brown, Cannaday, Carey, Collins, Glenn, Hamilton, Hickman, Kern, Key, McPeak, Murphey, Renegar, Reynolds, Ritze, Rousselot, Sherrer, Smithson, Walker, Wesselhoft.--21.

Excused: Bailey, Joyner, Morrissette, Nations, Ownbey, Shoemake, Trebilcock.--7.

The measure passed.

**SB 1337** was referred for engrossment.

## GENERAL ORDER

**SB 2204** by Ivester et al of the Senate and Dank et al of the House was read and considered.

Remove Representative Dank as principal House author and substitute with Representative Nelson

Coauthored by Representative(s) Dank, Tibbs, Inman

Representative Nelson moved to amend **SB 2204** by restoring the title and enacting clause, which amendment was declared adopted.

Representative Nelson moved that **SB 2204** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 2204** was read at length for the third time.

Representative Peters moved to advance the question, which motion was declared adopted.

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

Aye: Armes, Auffet, 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, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--89.

Nay: Key, McCullough, Murphey, Reynolds, Ritze.--5.

Excused: Bailey, Joyner, Morrissette, Nations, Ownbey, Shoemake, Trebilcock.--7.

The measure passed.

Representative Nelson served notice to reconsider the vote whereby **SB 2204** passed.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2710** were rejected upon motion of Representative Collins. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 2595** and **2963** were rejected upon motion of Representative Sears. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 2936** and **2939** were rejected upon motion of Representative Russ. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 3052** were rejected upon motion of Representative Kirby. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2584** were rejected upon motion of Representative Thomsen. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 2585** and **2850** were rejected upon motion of Representative Pruett. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2297** were rejected upon motion of Representative Duncan. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 3311** were rejected upon motion of Representative Martin (Scott). Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 3292** were rejected upon motion of Representative Peterson. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 3021** were rejected upon motion of Representative Scott. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 2004** and **2958** were rejected upon motion of Representative Wright (Harold). Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2844** were rejected upon motion of Representative Schwartz. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 2941** and **3393** were rejected upon motion of Representative Nelson. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2720** were rejected upon motion of Representative McCullough. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2701** were rejected upon motion of Representative McDaniel (Randy). Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 1611, 2650** and **2652** were rejected upon motion of Representative Sullivan. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HBs 2886** and **2888** were rejected upon motion of Representative Moore. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 3379, 3380, 3381, 3382, 3385** and **3387** were rejected upon motion of Representative Terrill. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

SAs to **HB 2310** were rejected upon motion of Representative Murphey. Conferees to be named later.

**PENDING CONSIDERATION OF CCR**

Upon motion of Representative Blackwell, the **2nd CCR** on **SB 828** was rejected and further conference requested. Conferees to be named later.

**MOTION**

Representative Kiesel asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 1712**, which was the order.

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 22, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 10:45 p.m., to reconvene Thursday, April 22, 2010, at 9:00 a.m.