

HOUSE JOURNAL

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Forty-eighth Legislative Day, Thursday, April 22, 2010

The House was called to order by Representative Peters.

The roll was called with 100 Members present.

The following Member was excused: Ownbey.—1.

Representative Peters 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 509, 820, 859, 1040, 1070, 1337, 1612, 1640, 1761, 1762, 1772, 1862, 1941, 1960, 1973, 2022, 2041 and 2070 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1006, 2328, 2363, 2569, 2621, 2800, 3241 and 3259 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1059 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

SB 2213 by Jolley et al of the Senate and Jones et al of the House was read and considered.

Coauthored by Representative(s) Derby

Representative Jones moved that **SB 2213** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2213 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, Blackwell, Brannon, Brown, Cannaday, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hilliard, Jackson, Johnson, Jones, Jordan, Joyner, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Miller, Moore, Morgan, Murphey, Osborn, Peters, Peterson, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--69.

Nay: Buck, Carey, Collins, Holland, Hoskin, Inman, Kern, Kiesel, Kouplen, McAffrey, Nations, Nelson, Proctor, Reynolds, Ritze, Wesselhoft.--16.

Excused: Billy, Christian, Denney, Dorman, Harrison, Hickman, Jett, Key, Kirby, McNiel, Morrissette, Ortega, Ownbey, Pittman, Schwartz, Thompson.--16.

The measure and emergency passed.

SB 2213 was referred for engrossment.

MOTION

Representative Jones moved that the House stand in recess until 9:30 a.m., which was the order.

Representative Peters Presiding

GENERAL ORDER

SB 1876 by Coates et al of the Senate and Hickman et al of the House was read and considered.

Representative Hickman 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, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hamilton, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roussetot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: McAffrey.--1.

Excused: Christian, Dorman, Glenn, Harrison, Hickman, McDaniel (Jeannie), McNeil, McPeak, Ownbey, Roan, Shelton, Walker.--12.

Representative Hickman moved to amend **SB 1876** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Hickman moved to amend the floor substitute by striking the title and enacting clause, which amendment was declared adopted.

Representative Reynolds raised a point of inquiry as to whether the amendment to strike the title and enacting clause was in order to consider without an additional suspension of the House Rules because the amendment to strike the title was amending an untimely main floor amendment.

The Presiding Officer stated that the amendment to strike the title and enacting clause was in order pursuant to House Rule 8.6(f).

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

Representative Hickman moved that **SB 1876** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1876 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Faight, Fields, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--86.

Nay: Auffet, Christian, Derby, Duncan, Glenn, Joyner, Murphey, Reynolds, Ritze, Rousselot, Schwartz.--11.

Excused: Harrison, Kouplen, Ownbey, Steele.--4.

The measure passed.

SB 1876 was referred for engrossment.

GENERAL ORDER

SB 1901 by Coates et al of the Senate and McDaniel (Randy) et al of the House was read and considered.

Coauthored by Representative(s) Thomsen, Brown, Shoemake, Scott

Representative McDaniel (Randy) moved that **SB 1901** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1901 was read at length for the third time.

Upon the request for debate on Third Reading and final passage of **SB 2207**, Representative Nelson moved to advance the question.

Representative Reynolds raised a point of order stating that the motion to advance the question was out of order because debate was already in progress.

The Presiding Officer stated that debate is not in progress until the first member is recognized to begin their debate and therefore the point was not well taken.

Representative Nelson withdrew his motion to advance the question.

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, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Miller, Moore, Morgan, Morrissette, Nations, 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, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--89.

Nay: Duncan, Kern, Murphey, Reynolds, Ritze.--5.

Excused: Enns, Harrison, McAffrey, Ownbey, Shoemake, Tibbs.--6.

Constitutional Priv: Wesselhoft.--1.

The measure passed.

SB 1901 was referred for engrossment.

GENERAL ORDER

SB 2018 by Sykes et al of the Senate and Johnson of the House was read and considered.

Representative Shelton moved to amend **SB 2018**, Page 5, Section 2, Line 2 by inserting after the word “persons” the following language:

“including, but not limited to, the Christian Knights of the Ku Klux Klan, Knights of the Ku Klux Klan and Aryan Brotherhood,”.

Representative Shelton moved to amend the floor amendment, by inserting after the word “persons” the following language:

“including, but not limited to, the Christian Knights of the Ku Klux Klan, Knights of the Ku Klux Klan, Aryan Brotherhood and any independent military organization that is neither recognized nor authorized by the Commander in Chief of the Militia for the State of Oklahoma,”, which amendment was declared adopted.

Representative Johnson moved adoption of the Shelton amendment, as amended.

Representative Reynolds moved to table the Shelton amendment, as amended, which motion failed of adoption upon roll call as follows:

Aye: Christian, Duncan, Key, Martin (Steve), McDaniel (Randy), Moore, Murphey, Osborn, Reynolds, Ritze, Russ, Schwartz.--12.

Nay: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, Derby, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Jeannie), McNiel, McPeak, Miller, Morgan, Morrissette, Nations, Nelson, Ortega, Peters, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--79.

Excused: Billy, Cox, DeWitt, Harrison, Jackson, McAffrey, Ownbey, Peterson, Tibbs, Trebilcock.--10.

Representative Johnson pressed his motion to adopt the amendment, as amended, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Key, Murphey, Reynolds, Ritze.--4.

Excused: Billy, Cox, Harrison, Jackson, McAffrey, Ownbey, Russ, Tibbs, Trebilcock.--9.

Representative Johnson moved that **SB 2018** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 2018 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, 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, 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, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Nay: Key.--1.

Excused: Ownbey, Tibbs.--2.

The measure passed.

SB 2018 was referred for engrossment.

Speaker Pro Tempore Steele Presiding

GENERAL ORDER

SB 1289 by Coates et al of the Senate and Morgan et al of the House was read and considered.

Coauthored by Representative(s) Dank

Representative Morgan moved that **SB 1289** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1289 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, 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, 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, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Cox, Ownbey, Tibbs.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1289** and ordered same returned to the Honorable Senate.

RECONSIDERATION

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

Representative Rousselot moved to table the Nelson motion, which tabling motion was declared adopted.

SB 2204 was referred for engrossment.

MOTION

Representative Blackwell asked unanimous consent that the Journal reflect that the Rules Committee voted today, April 22, to approve the principal author's request to strike the title and enacting clause on the following measure: **SB 1753** by Representative Terrill, to which objection was heard.

Representative Blackwell pressed his motion, which motion was declared adopted.

GENERAL ORDER

SB 831 by Bingman et al of the Senate and Martin (Scott) of the House was read and considered.

Coauthored by Representative(s) Reynolds

Representative Martin (Scott) moved to amend **SB 831** 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 Martin (Scott) moved that **SB 831** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 831 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, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, McPeak, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Pruett, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--71.

Nay: Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Hamilton, Harrison, Hoskin, Inman, Lamons, McAffrey, McDaniel (Jeannie), Morgan, Morrissette, Nations, Pittman, Proctor, Renegar, Scott, Sherrer, Shumate, Walker, Williams.--25.

Excused: Billy, Ownbey, Shelton, Smithson, Thompson.--5.

The measure passed.

SB 831 was referred for engrossment.

GENERAL ORDER

SB 1714 by Justice of the Senate and Morrissette of the House was read and considered.

Representative Morgan moved to amend **SB 1714** by inserting a new Section 1, and by renumbering subsequent section, which amendment was declared adopted.

Representative Morrissette moved that **SB 1714** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1714 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, Dank, Denney, Derby, DeWitt,

Dorman, Duncan, Enns, Faight, 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, Miller, Moore, Morgan, Morrisette, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Cox, McPeak, Ownbey, Shelton, Smithson, Thompson.--6.

The measure passed.

SB 1714 was referred for engrossment.

RECONSIDERATION

Representative Nelson moved to reconsider the vote whereby **SB 2207** failed, which motion failed of adoption upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Coody, Cooksey, Dorman, Enns, Glenn, Hickman, Hilliard, Inman, Jackson, Jett, Jordan, Joyner, Kern, Kirby, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McNiel, Miller, Moore, Morgan, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Proctor, Roan, Rousselot, Russ, Sanders, Shannon, Shoemake, Steele, Sullivan, Tibbs, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--50.

Nay: Auffet, Bailey, Brannon, Buck, Cannaday, Collins, Dank, Derby, Duncan, Faight, Hamilton, Holland, Hoskin, Key, Kouplen, Lamons, McAffrey, McDaniel (Jeannie), McDaniel (Randy), McPeak, Morrisette, Murphey, Pittman, Pruett, Renegar, Reynolds, Ritze, Schwartz, Scott, Sears, Sherrer, Shumate, Thomsen, Trebilcock, Wesselhoft.--35.

Excused: Carey, Christian, Cox, Denney, DeWitt, Fields, Harrison, Johnson, Jones, Kiesel, Ownbey, Richardson, Shelton, Smithson, Terrill, Thompson.--16.

Representative Nelson moved to rescind the vote whereby the reconsideration motion failed.

Representative Reynolds raised a point of order stating that the motion to rescind was dilatory.

The Presiding Officer stated that the motion to rescind the vote to reconsider was not in order because when a motion to reconsider fails on a measure which itself previously failed, the failed motion to reconsider constitutes final action on the measure and therefore is not in order to consider further.

RECONSIDERATION

Representative Jett moved to reconsider the vote whereby **SB 1900** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--87.

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

Excused: Christian, DeWitt, Dorman, Enns, Ownbey, Pittman, Shelton, Smithson, Sullivan, Terrill, Thompson.--11.

Coauthored by Representative(s) Hoskin, Kiesel

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, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, 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, Morrissette, Nations, Nelson, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--88.

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

Excused: Christian, Harrison, Ownbey, Pittman, Shelton, Smithson, Thompson, Wright (Harold).--8.

The measure passed.

SB 1900 was referred for engrossment.

RECONSIDERATION

Representative Coody moved to reconsider the vote whereby **SB 2139** failed, which motion failed of adoption upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Buck, Coody, Cooksey, Cox, Denney, DeWitt, Enns, Hamilton, Hickman, Holland, Jackson, Jett, Johnson, Jones, Jordan, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McNiel, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Peters, Peterson, Russ, Sanders, Sears, Shannon, Shumate, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Watson, Wright (Harold), Wright (John), Mr. Speaker.--48.

Nay: Auffet, Bailey, Brannon, Brown, Cannaday, Carey, Christian, Collins, Derby, Dorman, Duncan, Faught, Fields, Glenn, Harrison, Hilliard, Hoskin, Inman, Kiesel, Kouplun, Lamons, Luttrell, McAffrey, McDaniel (Jeannie), McDaniel (Randy), McPeak, Morgan, Morrissette, Nations, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Scott, Sherrer, Shoemake, Walker, Wesselhoft, Williams.--43.

Excused: Dank, Joyner, Key, Ownbey, Pittman, Schwartz, Shelton, Smithson, Terrill, Thompson.--10.

GENERAL ORDER

SB 1384 by Rice of the Senate and Williams et al of the House was read and considered.

Representative Morrissette moved to amend **SB 1384** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Williams moved to table the Morrissette amendment, which tabling motion was declared adopted.

Representative Reynolds moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely filed floor amendment, which motion failed of adoption upon roll call as follows:

Aye: Banz, Billy, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Holland, Jett, Johnson, Jones, Jordan, Kern, Key, Liebmann, Martin (Steve), McCullough, McNiel, Miller, Moore, Murphey, Nelson, Osborn, Peters, Reynolds, Ritze, Russ, Sanders, Schwartz, Sears, Shannon, Steele, Thomsen, Tibbs, Trebilcock, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--45.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Dorman, Glenn, Hamilton, Harrison, Hilliard, Hoskin, Inman, Jackson, Kiesel, Kirby, Kouplun, Lamons, Luttrell, Martin (Scott), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McPeak, Morgan, Morrissette, Nations, Ortega, Peterson, Proctor, Pruett,

Renegar, Richardson, Roan, Rousselot, Scott, Sherrer, Shoemake, Shumate, Sullivan, Watson, Williams.--45.

Excused: Armes, Blackwell, Hickman, Joyner, Ownbey, Pittman, Shelton, Smithson, Terrill, Thompson, Walker.--11.

Representative Williams moved that **SB 1384** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1384 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, Bailey, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Jones, Jordan, Joyner, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Nations, Nelson, Ortega, Peters, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--80.

Nay: Banz, Coody, Cooksey, Duncan, Faight, Johnson, Kern, Key, McCullough, McDaniel (Randy), Murphey, Osborn, Peterson, Reynolds, Ritze, Wesselhoft.--16.

Excused: Ownbey, Pittman, Shelton, Smithson, Thompson.--5.

The measure passed.

SB 1384 was referred for engrossment.

GENERAL ORDER

SB 1251 by Wilson et al of the Senate and Brown et al of the House was read and considered.

Coauthored by Representative(s) Dorman

Representative Brown moved that **SB 1251** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1251 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, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Osborn, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Steele, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--94.

Excused: Nations, Ortega, Ownbey, Pittman, Shelton, Smithson, Thompson.--7.

The measure passed.

SB 1251 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to HBs 1458 and 2659 were rejected upon motion of Representative Sullivan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2573, 2574 and 2920 were rejected upon motion of Representative Trebilcock. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2625 were rejected upon motion of Representative Jones. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2686 were rejected upon motion of Representative Morrissette. Conferees to be named later.

Representative Hickman Presiding

PENDING CONSIDERATION OF SAs

SAs to **HB 2983** and **HJR 1056** were rejected upon motion of Representative Duncan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 3251** were rejected upon motion of Representative Tibbs. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 3338** were rejected upon motion of Representative Christian. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 3422** were rejected upon motion of Representative Miller, to which objection was heard.

Representative Reynolds moved pursuant to House Rule 8.14 to commit **HB 3422** to conference with instructions.

The Presiding Officer stated that House Rule 8.14 pertains to measures on General Order and because **HB 3422** resides on the House Calendar under Senate Amendments to House Bills the motion was ruled out of order.

Representative Miller pressed his motion to reject the SAs to **HB 3422**, which motion was declared adopted. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2567** were rejected upon motion of Representative Wesselhoft. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2295** were rejected upon motion of Representative Jordan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 2777 and 2998 were rejected upon motion of Representative Steele. Conferees to be named later.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Ritze, the CCR on SB 902 was rejected and further conference requested. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 3061 were rejected upon motion of Representative DeWitt. Conferees to be named later.

MOTION

Representative Bailey asked that the Journal reflect that had he been present in the Chamber yesterday, April 21, he would have voted aye on SB 1712, which was the order.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the measure and emergency passed on SB 461.

SB 461 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby SB 1284 passed.

SB 1284 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby SB 1331 failed.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **SB 1616** failed.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1628**.

SB 1628 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1662**.

SB 1662 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **SB 1712** passed.

SB 1712 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1857**.

SB 1857 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **SB 1864** passed.

The Presiding Officer signed, in open session, Engrossed **SB 1864** and ordered same returned to the Honorable Senate.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1871**.

SB 1871 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1872**.

SB 1872 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1928**.

SB 1928 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **SB 1964** passed.

SB 1964 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the measure passed and the emergency failed on **SB 2033**.

SB 2033 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the measure passed and the emergency failed on **SB 2083**.

SB 2083 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 2088**.

SB 2088 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the measure passed and the emergency failed on **SB 2109**.

SB 2109 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 2163**.

SB 2163 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 2319**.

SB 2319 was referred for engrossment.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 2330**.

SB 2330 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising of his approval of **HB 2529** on April 21, 2010.

REMARKS

Upon unanimous consent request of Representative Watson, the remarks by Reverend Elwyn Rogers were ordered printed in full as follows:

“I want to express my thanks to Representative Watson and you the House members for the opportunity to be the House Chaplain this week. I count it an honor to have been here with you.

Saint Augustine said, ‘It was pride that changed angels into devils; it is humility that makes men as angels.’ Of all the personal traits that could be sighted as necessary for leadership, humility probably would be hard pressed to make the list in our culture of self-assertion and self-aggrandizement. Yet it has been shown over and over again that humility has been a deciding factor between good leadership and great leadership. I know that there are those who would prefer humility to be restricted to special causes and to religious leaders. But it is humility that gives balance, not only to leadership, but to our lives. As John Baldon wrote in the Harvard Business Review, ‘Humility has the capacity to say I am something and I am nothing at the same time. I am accomplished, and at the same time, unfinished; talented and average; special, and better than no one; extraordinary and ordinary; popular and unknown; deserving of respect, and no more deserving than another.’ It is written in the Proverbs of God’s Word, ‘The fear of the Lord is the instruction for wisdom, and before honor comes humility’. May we all adhere the advice of God’s Word, ‘clothe yourselves with humility toward one another, for God is opposed to the proud, but gives grace to the humble’.”

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 26, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 12:00 p.m., to reconvene Monday, April 26, 2010, at 1:30 p.m.