

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Eighteenth Legislative Day, Wednesday, March 9, 2011

The House was called to order by Representative Denney.

The roll was called with 100 Members present.

The following Member was excused: McAffrey.—1.

Representative Denney declared a quorum present.

Prayer was offered by Reverend Sam Steele, Federated Church, Kingfisher. Reverend Steele was sponsored by Representative Sanders.

Upon motion of Representative Thomsen, Reverend Steele was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 1016, 1017, 1018, 1019, 1044, 1050, 1232, 1282, 1460, 1461, 1473, 1474, 1494, 1554, 1575, 1680, 1715, 2121 and 2140 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1011, 1012 and 1013 were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

GENERAL ORDER

HB 1665 by Osborn et al of the House and Jolley of the Senate was read and considered.

Coauthored by Representative(s) Roberts (Dustin), Kern, Tibbs

Representative Osborn moved that **HB 1665** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1665 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Dank, Derby, DeWitt, Dorman, Enns, Farley, Faught, Grau, Hall, Hardin, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Quinn, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--69.

Nay: Brown, Cannaday, Condit, Cox, Denney, Fourkiller, Glenn, Hickman, Hilliard, Hoskin, Inman, Lockhart, McDaniel (Jeannie), McPeak, Renegar, Roan, Russ, Sherrer, Walker, Williams.--20.

Excused: Hamilton, Key, McAffrey, McNiell, Morgan, Morrissette, Pruett, Scott, Shelton, Shumate, Trebilcock, Virgin.--12.

The measure passed.

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

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Dank, Derby, DeWitt, Enns, Farley, Faught, Grau, Hall, Hardin, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiell, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Brown, Cannaday, Condit, Cox, Denney, Fourkiller, Glenn, Hickman, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McDaniel (Jeannie), McPeak, Pittman, Reynolds, Ritze, Roan, Rousselot, Russ, Scott, Sherrer, Shoemake, Walker, Williams.--26.

Excused: Christian, Dorman, Hamilton, Key, McAffrey, McCullough, Morgan, Morrissette, Proctor, Renegar, Shelton, Shumate, Trebilcock, Virgin.--14.

The emergency failed.

HB 1665 was referred for engrossment.

GENERAL ORDER

HB 2114 by Hickman et al of the House and Marlatt et al of the Senate was read and considered.

Coauthored by Representative(s) Newell, Tibbs, Jackson, Nelson, Ortega, Holland

Representative Hickman moved that **HB 2114** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2114 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Jackson, Johnson, Jordan, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--87.

Nay: Pittman, Reynolds, Ritze, Shelton, Shumate.--5.

Excused: Dorman, Faught, Inman, Joyner, McAffrey, Morgan, Morrissette, Trebilcock, Williams.--9.

The measure and emergency passed.

HB 2114 was referred for engrossment.

MOTION

Representative Banz asked unanimous consent that the Journal reflect that the Rules Committee voted on March 9, 2011, to approve the principal authors' requests to strike the title on the following measures: **HB 1243** by Representative McDaniel (Randy), **HB 1354** by Representative Armes, **HB 2001** by Representative Dorman and **HB 2072** by Representative Key, which was the order.

MOTION

Representative Key asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1665**, on the bill and the emergency, which was the order.

GENERAL ORDER

HB 1669 by Osborn of the House and Justice of the Senate was read and considered.

Coauthored by Representative(s) McDaniel (Jeannie)

Representative Osborn moved that **HB 1669** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1669 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--98.

Excused: McAffrey, Morgan, Morrissette.--3.

The measure passed.

HB 1669 was referred for engrossment.

SECOND READING

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

SB 553 – Direct To Calendar

SB 970 – Direct To Joint Calendar

GENERAL ORDER

HB 1438 by Shannon of the House and Jolley of the Senate was read and considered.

Representative Shannon moved that **HB 1438** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1438 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--96.

Nay: Hamilton.--1.

Excused: Inman, McAffrey, Morgan, Morrissette.--4.

The measure passed.

HB 1438 was referred for engrossment.

RECONSIDERATION

Representative Holland moved to reconsider the vote whereby the emergency failed on **HB 1380**, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Roberts (Dustin), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--61.

Nay: Brown, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Kouplen, McDaniel (Jeannie), Proctor, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker.--19.

Excused: Bennett, Blackwell, Cannaday, Farley, Hardin, Inman, Lockhart, McAffrey, McPeak, Morgan, Morrissette, Newell, Pittman, Renegar, Reynolds, Ritze, Roberts (Sean), Scott, Stiles, Terrill, Williams.--21.

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

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--68.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McDaniel (Jeannie), McPeak, Pittman, Proctor, Pruett, Renegar, Reynolds, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker.--28.

Excused: McAffrey, Morgan, Morrissette, Terrill, Williams.--5.

The emergency passed.

HB 1380 was referred for engrossment.

GENERAL ORDER

HB 1664 by Osborn of the House and Sykes of the Senate was read and considered.

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

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Cannaday, Casey, Christian, Cockroft, Condit, Cooksey, Cox, Dank, Denney, Derby, Enns, Farley, Faught, Fourkiller, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Roussetot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--84.

Nay: Reynolds, Ritze.--2.

Excused: Brumbaugh, Coody, DeWitt, Dorman, Glenn, Grau, Johnson, McAffrey, Morgan, Morrissette, Renegar, Shumate, Stiles, Terrill, Wesselhoft.--15.

Upon request of Representative Sullivan, **HB 1664** was laid over.

GENERAL ORDER

HB 1648 by Newell of the House was read and considered.

Coauthored by Representative(s) Kern, Enns

Authored by Senator Russell (principal Senate author)

Representative Newell moved that **HB 1648** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1648 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Hall, Hardin, Hickman, Holland, Jackson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey,

Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Reynolds, Richardson, Ritze, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--67.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McDaniel (Jeannie), McPeak, Morrissette, Pittman, Proctor, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker, Williams.--28.

Excused: Casey, Grau, Johnson, McAffrey, Morgan, Roberts (Dustin).--6.

The measure passed.

HB 1648 was referred for engrossment.

MOTION

Representative Johnson asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 1648**, which was the order.

RESOLUTIONS

The following were introduced and read:

HCR 1006 – By Wesselhoft.

A Concurrent Resolution honoring the life of Corporal Frank Buckles.

HR 1015 – By McDaniel (Jeannie).

A Resolution recognizing the importance of finding the cause and cure for multiple sclerosis; expressing appreciation to the National Multiple Sclerosis Society Oklahoma for its work; proclaiming March 2011 as Multiple Sclerosis Awareness Month; and directing distribution.

MESSAGES FROM THE SENATE

Announcing the passage of engrossed **SBs 3, 16, 60, 82, 90, 92, 101, 121, 126, 138, 147, 156, 169, 175, 176, 186, 190, 194, 237, 247, 261, 263, 266, 267, 292, 294, 301, 305, 308, 310, 329, 331, 339, 347, 398, 416, 420, 494, 498, 499, 530, 547, 558, 591, 598, 602, 621, 668, 675, 708, 710, 728, 737, 742, 753, 761, 778, 780, 782, 785, 794, 801, 837, 840, 855** and **SJR 15, 24** and **31**. The measures were introduced and read for the first time.

SB 3 – By Mazzei and Holt of the Senate and McNeil of the House.

[income tax - income tax credits - modifying time period during which credits may be claimed - repealer - effective date - emergency]

SB 16 – By Barrington and Johnson (Constance) of the Senate and Shannon of the House.

An Act relating to county officers salaries; amending 19 O.S. 2001, Sections 180.63, as amended by Section 1, Chapter 362, O.S.L. 2010, and 180.75, as amended by Section 2, Chapter 362, O.S.L. 2010 (19 O.S. Supp. 2010, Sections 180.63 and 180.75), which relate to the increases in the basic salaries of county officers; making certain salary increases optional; and declaring an emergency.

SB 60 – By David and Fields of the Senate and Rousselot of the House.

An Act relating to the Joint Task Force on the Grand River Dam Authority; amending Section 3, Chapter 192, O.S.L. 2007 (82 O.S. Supp. 2010, Section 863.3), which relates to the task force; modifying membership of the task force; requiring certain biennial meetings; authorizing additional meetings; requiring certain annual report to the task force; terminating membership of certain task force members; requiring appointment of new members by certain date; providing for noncodification; and declaring an emergency.

SB 82 – By Stanislawski and Holt of the Senate and Peters of the House.

An Act relating to memorial highway designations; designating memorial highway and bridge; providing for codification; and declaring an emergency.

SB 90 – By Stanislawski of the Senate and Sullivan of the House.

[municipal sinking funds - levy for unpaid judgments]

SB 92 – By Justice of the Senate and Kouplen of the House.

An Act relating to poultry waste applicators; amending 2 O.S. 2001, Section 10-9.5, as amended by Section 1, Chapter 412, O.S.L. 2005 (2 O.S. Supp. 2010, Section 10-9.5), which relates to the Oklahoma Registered Poultry Feeding Operations Act; requiring poultry waste applicators to attend certain educational courses and training; modifying certain training requirements for operators of poultry feeding operations; amending 2 O.S. 2001, Sections 10-9.17 and 10-9.21, which relate to the Oklahoma Poultry Waste Applicators Certification Act; requiring compliance with certain educational courses and training requirements; specifying penalty for noncompliance; and providing an effective date.

SB 101 – By Ballenger of the Senate and Cannaday of the House.

[sales tax and special events - modifying definition - permits - effective date]

SB 121 – By Russell and Eason McIntyre of the Senate and Enns of the House.

[Department of Human Services Benefit Cards - photographs on cards - codification - effective date]

SB 126 – By Barrington of the Senate and Osborn of the House.

An Act relating to railroad crossings; amending 47 O.S. 2001, Section 11-702, as last amended by Section 1, Chapter 302, O.S.L. 2008 (47 O.S. Supp. 2010, Section 11-702), which relates to commercial motor vehicles and buses; modifying bus compliance for railroad crossing; and providing an effective date.

SB 138 – By Ballenger, Garrison, Johnson (Constance), Stanislawski and Bass of the Senate and Shoemake of the House.

An Act relating to personal identification; requiring the Department of Public Safety to provide space for certain emblem on driver licenses and identification cards; requiring presentation of certain documents; providing for codification; and providing an effective date.

SB 147 – By Barrington of the Senate and Holland of the House.

An Act relating to incorporation of towns; amending 11 O.S. 2001, Section 3-101, as amended by Section 2, Chapter 329, O.S.L. 2004 (11 O.S. Supp. 2010, Section 3-101), which relates to petitions for incorporation of towns; modifying signature requirements; amending 11 O.S. 2001, Section 41-104, which relates to plats; clarifying certain requirement; and declaring an emergency.

SB 156 – By Ivester of the Senate and McCullough of the House.

An Act relating to small claims procedure; amending 12 O.S. 2001, Sections 1751, as last amended by Section 1, Chapter 70, O.S.L. 2004, 1757, and 1759, as amended by Section 1, Chapter 122, O.S.L. 2005 (12 O.S. Supp. 2010, Sections 1751 and 1759), which relate to jurisdiction; expanding actions eligible for small claims docket; increasing allowable amount of certain fees; requiring certain disclaimer; modifying certain time period; increasing amount of claim for transfer of certain cases; updating language; and providing an effective date.

SB 169 – By Myers and Fields of the Senate and Armes of the House.

An Act relating to the Oklahoma Wheat Resources Act; amending 2 O.S. 2001, Sections 18-308 and 18-309, which relate to assessments and allocations; modifying certain assessment; and providing an effective date.

SB 175 – By Anderson and Barrington of the Senate and Jackson of the House.

[Nine-One-One system - personnel position - emergency wireless telephone fees - effective date]

SB 176 – By Paddack, Simpson, Johnson (Constance), Nichols and Barrington of the Senate and Cox of the House.

[royalty monies for the Southern Oklahoma Resource Center of Pauls Valley - updating statutory reference - modifying expenditures - effective date - emergency]

SB 186 – By Aldridge of the Senate and Faught of the House.

An Act relating to sunset; amending 74 O.S. 2001, Section 3906, as last amended by Section 2, Chapter 165, O.S.L. 2010 (74 O.S. Supp. 2010, Section 3906), which relates to termination of certain statutory entities; recreating certain entities; deleting certain entity; and modifying termination date.

SB 190 – By Aldridge of the Senate and Murphey of the House.

An Act relating to payment rate review; amending 74 O.S. 2001, Section 1306.3, which relates to the Payment Rate Review Task Force; requiring a final report to be submitted by certain date; providing that the Task Force shall cease to have force and effect of law as of certain date; and providing an effective date.

SB 194 – By Myers of the Senate and Vaughan of the House.

An Act relating to the retired teachers' benefits; amending 70 O.S. 2001, Section 17-105, as last amended by Section 2, Chapter 357, O.S.L. 2010 (70 O.S. Supp. 2010, Section 17-105), which relates to the Teachers' Retirement System of Oklahoma; authorizing modification of retirement benefit based upon postretirement remarriage; requiring medical examination; requiring proof of age; requiring actuarial adjustment of benefit amount; requiring Board of Trustees to promulgate rules; and declaring an emergency.

SB 237 – By David and Ivester of the Senate and Ritze of the House.

An Act relating to Uniform Controlled Dangerous Substances; amending 63 O.S. 2001, Section 2-407.1, as amended by Section 8, Chapter 396, O.S.L. 2004 (63 O.S. Supp. 2010, Section 2-407.1), which relates to prohibited uses of compounds, liquids, or chemicals; prohibiting certain uses and conduct related to certain substance; providing an effective date; and declaring an emergency.

SB 247 – By David of the Senate and Peters of the House.

An Act relating to foster family home certification; directing the Office of Juvenile Affairs to certify foster family homes that meet certain standards; providing for codification; and declaring an emergency.

SB 261 – By Mazzei of the Senate and Dank of the House.

[special license plates - Oklahoma Tax Commission - effective date]

SB 263 – By Paddack of the Senate and Thomsen of the House.

An Act relating to Council on Law Enforcement Education and Training; amending 59 O.S. 2001, Section 1750.3, as last amended by Section 2, Chapter 360, O.S.L. 2007 (59 O.S. Supp. 2010, Section 1750.3), which relates to powers and duties of director; modifying certain continuing education requirement; and providing an effective date.

SB 266 – By Aldridge of the Senate and Jordan of the House.

[municipal facilities fees - authorizing municipalities to adopt ordinances, resolutions, or regulations - collection of certain fees - defining term - codification - effective date]

SB 267 – By Holt and Mazzei of the Senate and Peterson of the House.

[Oklahoma Central Purchasing Act - modifying definition - effective date]

SB 292 – By Crain of the Senate and Mulready of the House.

[public retirement systems - Oklahoma Firefighters Pension and Retirement System Reform Act of 2011 - noncodification]

SB 294 – By Crain of the Senate and Mulready of the House.

[public retirement systems - Oklahoma Law Enforcement Retirement System - noncodification]

SB 301 – By Stanislawski of the Senate and Mulready of the House.

An Act relating to election system information; amending 26 O.S. 2001, Sections 4-120.3, as last amended by Section 10, Chapter 189, O.S.L. 2010 and 5-111 (26 O.S. Supp. 2010, Section 4-120.3), which relate to voter and candidate information; allowing any person to submit death certificate to election board for purposes of cancelling registration of deceased voter; allowing candidates to submit additional information on declaration of candidacy form and requiring such information to be made public; and providing an effective date.

SB 305 – By Crain of the Senate and Mulready of the House.

[public retirement systems - Oklahoma Public Employees - noncodification]

SB 308 – By Crain of the Senate and Mulready of the House.

[public retirement systems - Teachers' Retirement System - noncodification]

SB 310 – By Crain of the Senate and Mulready of the House.

[public retirement systems - Uniform Retirement System for Justices and Judges - noncodification]

SB 329 – By Johnson (Rob) of the Senate and Cox of the House.

[nursing homes - Legislature to conduct study - specifying scope - codification - effective date]

SB 331 – By Johnson (Rob) of the Senate and Jordan of the House.

An Act relating to fraudulent claims; amending 62 O.S. 2001, Sections 372, as amended by Section 8, Chapter 367, O.S.L. 2008, and 373 (62 O.S. Supp. 2010, Section 372), which relate to liability of public officers and taxpayer instituted lawsuits; modifying certain liability; modifying number of persons required to institute certain action; deleting certain penalty; providing for return of certain property under specified circumstances; providing for payment of certain fees and costs; and providing an effective date.

SB 339 – By Branan of the Senate and Shannon of the House.

[outdoor advertising - outdoor sign standards - vegetation management activities - effective date]

SB 347 – By Mazzei of the Senate and McDaniel (Randy) of the House.

[forfeiture of retirement benefits - requiring forfeiture upon conviction of certain crimes - specifying circumstances - requiring notice - providing procedures - codification - emergency]

SB 398 – By Stanislawski of the Senate and Martin (Steve) of the House.

An Act relating to telephone solicitation; amending 15 O.S. 2001, Section 755.2, which relates to unsolicited calls by automatic dialing device; expanding voidable contract options for using certain text message device; amending 15 O.S. 2001, Section 775A.1, which relates to Legislative findings; clarifying certain findings; amending 15 O.S. 2001, Section 775A.2, which relates to definitions; modifying certain definitions; amending Section 2, Chapter 72, O.S.L. 2002, as amended by Section 1, Chapter 357, O.S.L. 2003 (15 O.S. Supp. 2010, Section 775B.2), which relates to definitions in the Telemarketer Restriction Act; expanding certain definitions to include cellular telephone text messages; amending Section 3, Chapter 72, O.S.L. 2002 (15 O.S. Supp. 2010, Section 775B.3), which relates to telemarketing registry; expanding scope of registry to prohibit unsolicited text messaging; amending Section 4, Chapter 72, O.S.L. 2002, as amended by Section 2, Chapter 357, O.S.L. 2003 (15 O.S. Supp. 2010, Section 775B.4), which relates to no-telemarketer-sales-call registry; expanding scope of registry; amending Section 6, Chapter 72, O.S.L. 2002, as amended by Section 3, Chapter 357, O.S.L. 2003 (15 O.S. Supp. 2010, Section 775B.6), which relates to violations; including unsolicited text messaging in certain violation; expanding certain exception to violation; providing an effective date; and declaring an emergency.

SB 416 – By Paddock of the Senate and Tibbs of the House.

An Act relating to schools; amending 70 O.S. 2001, Section 3311, as last amended by Section 1, Chapter 131, O.S.L. 2009 (70 O.S. Supp. 2010, Section 3311), which relates to the Council on Law Enforcement Education and Training; adding certain duties to the Council; and providing an effective date.

SB 420 – By Fields of the Senate and McNiell of the House.

An Act relating to agriculture; stating legislative intent that an international airport in Oklahoma apply and receive approval from the United States Department of Agriculture and the United States Customs and Border Patrol to provide international and domestic livestock import and export functions; requiring certain certification; providing for report; providing for codification; and providing an effective date.

SB 494 – By Barrington and Sparks of the Senate and McNiell of the House.

An Act relating to trespass; amending Section 4, Chapter 268, O.S.L. 2006, as last amended by Section 2, Chapter 458, O.S.L. 2009 (21 O.S. Supp. 2010, Section 1835.2), which relates to trespassing upon private lands; adding statutory reference; creating the

Oklahoma Private Lands and Public Recreation Act; providing short title; defining terms; allowing prima facie evidence to be used in certain circumstances; stating certain prohibitions; providing for penalties; allowing any law enforcement official to issue citation to persons in violation of certain law; providing for restitution; stating certain offenses to be aggravated in certain circumstances; providing penalty for aggravated violation; authorizing certain licenses to be revoked for certain reasons; exempting certain property owners from certain duty; providing exceptions; defining term; providing scope of applicability; clarifying liability; providing for codification; providing an effective date; and declaring an emergency.

SB 498 – By Johnson (Rob) of the Senate and Trebilcock of the House.

An Act relating to court reporters; amending 20 O.S. 2001, Section 106.9, as last amended by Section 3, Chapter 84, O.S.L. 2007 (20 O.S. Supp. 2010, Section 106.9), which relates to court reporter salaries; allowing certain courts to set salary rate for temporary court reporters; and providing an effective date.

SB 499 – By Bingman of the Senate and Shannon of the House.

An Act relating to oversize motor vehicles; amending 47 O.S. 2001, Section 14-118, as last amended by Section 1, Chapter 55, O.S.L. 2007 (47 O.S. Supp. 2010, Section 14-118), which relates to motor carrier permits; modifying certain speed limit for special mobilized machinery; and providing an effective date.

SB 530 – By Burrage, Shortey and Fields of the Senate and Armes of the House.

An Act relating to agricultural liens; establishing procedures for foreclosure upon certain lien; specifying contents of certain notice; requiring posting of certain notice at specified locations; providing for mailing of certain notice; authorizing certain persons to purchase certain property; providing time restriction for certain proceedings; defining terms; construing provisions; prohibiting use of certain foreclosure method for certain purpose; granting lien rights to certain persons; establishing procedures for certain lien; providing time limitation for enforcement of certain lien; creating the Livestock Owner's Lien Act of 2011; providing short title; defining terms; creating certain lien right; providing requirements for continuity of certain lien; providing for automatic perfection of certain lien; establishing lien requirements for certain commingled property; providing for transfer of certain lien upon payment of certain consideration; establishing priority of certain lien; stating effect on certain title; prohibiting requirement of waiver of certain lien; providing exceptions; providing for expiration of certain lien; providing for enforcement of certain lien right; establishing requirements for commencement of certain proceedings; construing provisions; repealing 4 O.S. 2001, Section 194, which relates to enforcement of lien; providing for codification; and providing an effective date.

SB 547 – By Sykes of the Senate and Ritze of the House.

An Act relating to elective abortion coverage; prohibiting certain coverage; providing for exceptions; defining term; providing for the provision of certain coverage; prohibiting certain discount; requiring certain entities to provide an option to choose or reject certain coverage; clarifying scope of act; repealing Section 12, Chapter 161, O.S.L. 2007 (63 O.S. Supp. 2010, Section 1-741.2), which relates to coverage for abortions; providing for codification; and providing an effective date.

SB 558 – By Russell of the Senate and Bennett of the House.

An Act relating to insurance coverage of military retirees; prohibiting an employer from requiring certain retirees from participating in the health insurance plan; requiring proof of certain coverage; providing for codification; and providing an effective date.

SB 591 – By Bingman of the Senate and Faught of the House.

An Act relating to recycling; creating the Oklahoma Recycling Task Force; stating purpose; stating requirements; stating membership; requiring appointment by certain date; stating termination; requiring report by certain date; providing for noncodification; and declaring an emergency.

SB 598 – By Bingman of the Senate and Watson of the House.

An Act relating to cities and towns; creating the Oklahoma Municipal Energy Independence Act; establishing a municipal energy district authority; appointing certain persons to certain positions; establishing time and place for certain meetings; specifying general powers and duties of the authority; establishing certain boundaries; authorizing the authority to collect certain repayments of certain loans; stating parameters for eligibility; providing for grants for certain purposes; stating certain parameters for participation in certain program; providing for codification; and providing an effective date.

SB 602 – By Sykes, Marlatt, Treat, Allen, David, Shortey, Brinkley, Fields and Brecheen of the Senate and Banz of the House.

An Act relating to election dates and deadlines; creating the Let the Troops Vote Act; providing short title; amending 26 O.S. 2001, Sections 1-102, as amended by Section 2, Chapter 162, O.S.L. 2003, 1-108, as last amended by Section 6, Chapter 53, O.S.L. 2004, 3-101, as last amended by Section 1, Chapter 224, O.S.L. 2005, 4-119, as amended by Section 7, Chapter 485, O.S.L. 2003, 5-110, as last amended by Section 8, Chapter 53, O.S.L. 2004, 12-103, as last amended by Section 3, Chapter 369, O.S.L. 2004, 12-106, 12-108 and 12-113, as last amended by Sections 4 and 5, Chapter 369, O.S.L. 2004, 12-116, as amended by Section 6, Chapter 369, O.S.L. 2004, 13-102, as amended by Section 19, Chapter 545, O.S.L. 2004, 14-115.5, as amended by Section 22, Chapter 545, O.S.L. 2004, 14-118, as last amended by Section 1, Chapter 149, O.S.L. 2010, 20-101, as amended by Section 1, Chapter 174, O.S.L. 2003 and 20-102, as amended by Section 24, Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2010, Sections 1-102, 1-108, 3-101, 4-119, 5-110, 12-103, 12-108, 12-113, 12-116, 13-102, 14-115.5, 14-118, 20-101 and 20-102), which relate to election dates and procedures; modifying time period during which recognized political parties may be formed; changing dates upon which special elections may be held; modifying time period during which changes of political affiliation may be processed and approved; modifying period during which declarations of candidacy filed; requiring certain proclamation to prescribe filing and election dates that permit compliance with certain provisions; modifying time period during which occurrence of vacancy requires calling of special election; modifying time period after which special statewide election may be held after call; specifying filing period for certain municipal offices; modifying date of submission of list of nominees to absentee voting board; providing for transmission of absentee ballots; modifying date upon which Presidential Preferential Primary election held; eliminating procedure for return of certain funds; amending 11 O.S. 2001, Section 16-102, as amended by Section 25, Chapter 545, O.S.L. 2004 (11 O.S. Supp. 2010, Section 16-102), which relates to municipal elections; specifying filing period for certain municipal elections; repealing Section 9, Chapter 485, O.S.L. 2003, as amended by Section 21, Chapter 545, O.S.L. 2004 (26 O.S. Supp. 2010, Section 14-104.1), which relates to absentee ballots; providing for noncodification; and providing an effective date.

SB 621 – By Aldridge of the Senate and Banz of the House.

[Constitutional amendment - Senate confirmation of judicial appointments - ballot title - directing filing]

SB 668 – By David and Ivester of the Senate and Peterson of the House.

[Oklahoma Board of Licensed Alcohol and Drug Counselors - recovery of certain costs - effective date]

SB 675 – By Jolley and Johnson (Constance) of the Senate and Derby of the House.

[regulation of physical therapy - Physical Therapy Practice Act - legislative intent - modifying definitions - clarifying scope of act - effective date]

SB 708 – By Jolley and Sykes of the Senate and Nelson and Hickman of the House.

[local government capital improvements - development fees - procedures for accounting - codification - effective date]

SB 710 – By Stanislawski of the Senate and Shannon of the House.

An Act relating to the Oklahoma Department of Transportation; amending 69 O.S. 2001, Section 1510, as amended by Section 1, Chapter 218, O.S.L. 2006 (69 O.S. Supp. 2010, Section 1510), which relates to special maintenance projects; modifying limitation for certain special maintenance projects; and declaring an emergency.

SB 728 – By Mazzei of the Senate and Dank of the House.

[sales tax - termination of exemptions - limiting exemptions - codification - effective date - emergency]

SB 737 – By Jolley of the Senate and DeWitt of the House.

An Act relating to election precincts and subprecincts; amending 26 O.S. 2001, Sections 3-116, 3-118 and 3-119, as last amended by Section 20, Chapter 1, O.S.L. 2005 (26 O.S. Supp. 2010, Section 3-119), which relate to precincts and subprecincts; modifying basis for precinct boundary lines; providing exception; clarifying language; and declaring an emergency.

SB 742 – By Barrington, Simpson and Brecheen of the Senate and Hardin of the House.

An Act relating to motor vehicles; amending Section 16, Chapter 418, O.S.L. 2004, as last amended by Section 1, Chapter 402, O.S.L. 2008 (47 O.S. Supp. 2010, Section 11-1116), which relates to rules for off-highway vehicles; modifying authorization for certain road use for certain vehicles; providing reference for definitions; and declaring an emergency.

SB 753 – By Jolley and Johnson (Constance) of the Senate and Liebmann of the House.

[Oklahoma State Capitol Centennial Act - creating the Oklahoma Capitol Centennial Rehabilitation and Modernization Commission - codification - emergency]

SB 761 – By Jolley of the Senate and Sullivan of the House.

An Act relating to medical treatment for injured employees; amending 85 O.S. 2001, Section 14, as last amended by Section 4, Chapter 452, O.S.L. 2010 (85 O.S. Supp. 2010, Section 14), which relates to medical attention; requiring certain plan to follow certain guidelines; and providing an effective date.

SB 778 – By Aldridge of the Senate and Sullivan of the House.

An Act relating to insurance adjusters; creating the Independent Insurance Adjusters Licensing Act; providing short title; defining terms; specifying who can act as an independent insurance adjuster; providing exceptions to licensure; allowing temporary emergency licensure or registration of an independent insurance adjuster under certain conditions; specifying length of emergency licensure or registration; authorizing Insurance Commissioner to determine amount of licensure or registration fee; requiring the Commissioner to make certain findings; allowing resident of Canada to be licensed if

certain conditions are met; requiring certain entity applying for certain license to make application on certain form and in certain manner; requiring fingerprints and criminal history record checks; providing procedures related to the collection and transmission of such fingerprints; requiring certain information to be treated as confidential; specifying conditions for issuance of an independent insurance adjusters license; authorizing an independent adjuster to qualify for a license in certain lines of authority; allowing for renewal of such license; specifying license fees; authorizing waiver of license renewal requirement under certain circumstances; subjecting an independent adjuster to certain laws; specifying content of the license; authorizing the Commissioner to contract for the performance of certain functions; requiring written examination; providing exceptions; providing for nonrefundable examination fee; exempting persons licensed in another state from completing certain prelicensing requirements; providing procedures for licensure of a person licensed in another state; stating conditions for receipt of a nonresident independent adjuster license; requiring nonresident independent adjuster licensee to maintain licensure in home state; allowing a resident of Canada to be licensed as a nonresident independent adjuster under certain conditions; providing for optional apprentice independent adjuster license; providing application process for such license; requiring the Commissioner to make certain findings; subjecting the apprentice independent adjuster license to certain terms and conditions; authorizing the Commissioner to take certain actions in response to certain causes; requiring notification in the case of denial of application or renewal of a license; authorizing certain hearing; allowing certain license to be denied under certain conditions; providing for civil penalty; authorizing the Commissioner to enforce certain provisions; requiring continuing education; providing exceptions; requiring an independent adjuster to maintain copies of certain contracts; specifying professional conduct of an independent adjuster; requiring the independent adjuster to report certain actions; authorizing the Commissioner to promulgate certain rules; providing for codification; and providing an effective date.

SB 780 – By Aldridge of the Senate and Sullivan of the House.

An Act relating to insurance; creating the Oklahoma Home Service Contract Act; providing short title; stating purpose; providing exemptions; specifying certain agreements are not insurance; defining terms; requiring provider to provide certain information before the issuance of home service contracts; requiring providers to register with the Insurance Commissioner; providing for registration fee; specifying forms of financial securities; specifying that providers are not subject to the Service Warranty Insurance Act; specifying requirements of service contracts; allowing the Commissioner to conduct certain examinations; authorizing the Commissioner to take certain actions; providing procedures relating to enforcement; allowing the Commissioner to bring certain actions; providing penalties; providing for codification; and providing an effective date.

SB 782 – By Mazzei of the Senate and McDaniel (Randy) of the House.

An Act relating to the Oklahoma Pension Legislation Actuarial Analysis Act; amending Section 9, Chapter 292, O.S.L. 2006, as amended by Section 10, Chapter 367, O.S.L. 2007 (62 O.S. Supp. 2010, Section 3109), which relates to actuarial investigations; modifying date; providing an effective date; and declaring an emergency.

SB 785 – By Aldridge of the Senate and Martin (Steve) of the House.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 904, as last amended by Section 1, Chapter 158, O.S.L. 2006 (47 O.S. Supp. 2010, Section 904), which relates to the payment of cost of removal and storage of certain vehicles; clarifying that an additional release from certain vehicle owner is not necessary under certain conditions;

amending 47 O.S. 2001, Section 953.1, as last amended by Section 2, Chapter 158, O.S.L. 2006 (47 O.S. Supp. 2010, Section 953.1), which relates to maximum fees and charges made by wrecker or towing service; clarifying that an additional release is not necessary under certain conditions; and providing an effective date.

SB 794 – By Mazzei and Brecheen of the Senate and McDaniel (Randy) of the House.

An Act relating to the Oklahoma Public Employees Retirement System; amending 74 O.S. 2001, Section 913.4, as last amended by Section 2, Chapter 435, O.S.L. 2010 (74 O.S. Supp. 2010, Section 913.4), which relates to elected officials retirement; providing exception; requiring certain rate and retirement benefit for certain elected officials; modifying normal retirement date for certain elected officials; modifying early retirement percentages for certain elected officials; modifying eligibility date to receive survivor and retirement benefits for certain elected officials; providing an effective date; and declaring an emergency.

SB 801 – By Jolley of the Senate and Key of the House.

An Act relating to insurance coverage of portable electronics; defining terms; requiring vendor to hold certain license to offer policy of portable electronics insurance; requiring vendor to provide list of certain locations; requiring certain written materials to be made available to prospective customers; specifying content of the written materials; specifying time period when portable electronics insurance may be offered; providing exceptions to licensure; providing for certain training; allowing charges for certain coverage to be billed and collected by the vendor; requiring certain charges to be separately itemized; specifying procedures related to the collection of certain funds; allowing the vendor to receive certain compensation; providing penalties; specifying conditions for the insurer to terminate the policy; requiring certain notices; requiring application for licensure to be made with the Insurance Commissioner; specifying information to be provided in the application for licensure; specifying term of the initial license; providing for fees; providing for codification; and providing an effective date.

SB 837 – By Jolley of the Senate and Sullivan of the House.

An Act relating to discrimination; amending 25 O.S. 2001, Sections 1101, 1301, as amended by Section 1, Chapter 74, O.S.L. 2010, 1302, 1303, 1304, 1305, 1306, 1308, 1309, 1310, 1402, 1451, 1452, 1453, 1506.9, 1702, 1703, 1704 and 1705 (25 O.S. Supp. 2010, Section 1301), which relate to discriminatory practices in employment, housing, and public accommodations; providing exclusive remedies; making reference to federal laws; deleting purpose; clarifying language; amending definitions; deleting obsolete language; providing certain undue hardship exceptions; expanding act to cover genetic information discrimination; applying law to employment applicants; changing handicap references to disability throughout; creating cause of action; abolishing certain common law remedies; providing for legal standing; setting period to file charge; providing for issuance of Notice of Right to Sue; allowing party to request Notice of Right to Sue under certain circumstances; requiring Notice of Right to Sue prior to commencing civil action; providing for venue; allowing jury trial; providing certain defense; specifying damages; restricting certain remedy; providing for attorney fee; setting period for filing of action in district court; repealing 25 O.S. 2001, Section 1901, which relates to handicap discrimination; providing for codification; and providing an effective date.

SB 840 – By Aldridge of the Senate and McDaniel (Randy) of the House.

An Act relating to the Oklahoma Public Employees Retirement System; amending 74 O.S. 2001, Section 904, which relates to proceedings against the Oklahoma Public Employees Retirement System; specifying that certain proceedings shall be brought in

Oklahoma County; authorizing hearing examiner to conduct certain hearing and make certain findings; requiring the Board to enter final orders in certain matters; granting the Board certain jurisdiction; amending Section 28, Chapter 536, O.S.L. 2004 (74 O.S. Supp. 2010, Section 920B), which relates to remittance of retirement contributions; specifying that employee contributions shall be considered trust funds and shall be promptly remitted; increasing amount of certain late charge; repealing 74 O.S. 2001, Section 1701.1, which relates to untimely posting of certain deferred compensation contributions; providing an effective date; and declaring an emergency.

SB 855 – By Halligan of the Senate and Denney of the House.

An Act relating to crimes; making certain conduct unlawful; defining terms; providing exceptions; providing disciplinary measures; stating penalty; providing for codification; and providing an effective date.

SJR 15 – By Johnson (Rob) and Shortey of the Senate and Jackson of the House.

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by adding a new Section 36 to Article II; prohibiting certain preferential treatment or discrimination; stating applicability of act; construing provisions; defining term; providing remedies; providing ballot title; and directing filing.

SJR 24 – By Paddack and Fields of the Senate and Martin (Scott) of the House.

A Joint Resolution directing certain state agencies to submit report stating progress of implementing state policy for water reuse by certain date; stating requirements of report; and directing distribution.

SJR 31 – By Paddack and Fields of the Senate and Hilliard of the House.

A Joint Resolution directing the Oklahoma Water Resources Board to identify and prioritize water conservation measures for inclusion in certain Oklahoma Comprehensive Water Plan; directing Board to develop recommendations for water conservation goals; and directing distribution.

MOTION

Representative Sullivan moved that the House stand in recess until 1:30 p.m., which was the order.

Speaker Pro Tempore Hickman Presiding

ENGROSSED AND ENROLLED MEASURE

HCR 1005 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

HB 1486 by Morrisette of the House and Justice of the Senate was read and considered.

Representative Morrisette moved that **HB 1486** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1486 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Cannaday, Casey, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morrisette, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--77.

Nay: Brumbaugh, Christian, Cockroft, Hall, Kern, Martin (Steve), McCullough, Moore, Mulready, Murphey, Nelson, Peterson, Reynolds, Ritze, Roberts (Sean), Russ, Terrill, Thomsen, Tibbs, Wesselhoft.--20.

Excused: Blackwell, Dorman, McAffrey, Morgan.--4.

The measure and emergency passed.

HB 1486 was referred for engrossment.

GENERAL ORDER

HB 1888 by Peterson et al of the House and Jolley of the Senate was read and considered.

Coauthored by Representative(s) Billy, Farley, Kern, Nollan, Cooksey, Hamilton, Banz, Tibbs, Brumbaugh

Representative Peterson moved that **HB 1888** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1888 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, McPeak, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Nay: McDaniel (Jeannie), Virgin.--2.

Excused: McAffrey, Morgan, Roan, Shelton, Shumate.--5.

The measure passed.

HB 1888 was referred for engrossment.

GENERAL ORDER

HB 1008 by McNiel et al of the House and Mazzei of the Senate was read and considered.

Coauthored by Representative(s) Walker

Representative Reynolds moved to amend **HB 1008** by deleting Sections 1 and 2 and by inserting the following language:

“SECTION 2. REPEALER Section 2, Chapter 417, O.S.L. 2008, as amended by Section 26, Chapter 327, O.S.L. 2010 (68 O.S. Supp. 2010, Section 2357.302), is hereby repealed.”; and

“SECTION 3. REPEALER Section 3, Chapter 417, O.S.L. 2008, as amended by Section 27, Chapter 327, O.S.L. 2010 (68 O.S. Supp. 2010, Section 2357.303), is hereby repealed.”.

Representative McNiel moved to table the Reynolds amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Casey, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Enns, Grau, Hall, Hickman, Holland, Jackson, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Quinn, Richardson, Sanders, Schwartz, Scott, Sears, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wright, Mr. Speaker.--48.

Nay: Bennett, Blackwell, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Derby, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Johnson, Kern, Key, Lockhart, McPeak, Morrissette, Murphey, Proctor, Pruett, Renegar, Reynolds, Ritze, Rousselot, Russ, Shelton, Sherrer, Terrill, Virgin, Wesselhoft, Williams.--36.

Excused: Brown, Farley, Hardin, Kouplen, McAffrey, McDaniel (Jeannie), Morgan, Newell, Peterson, Pittman, Roan, Roberts (Dustin), Roberts (Sean), Shoemake, Shumate, Stiles, Walker.--17.

Representative McNiel moved that **HB 1008** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1008 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Blackwell, Cannaday, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Fourkiller, Grau, Hall, Hickman, Hilliard, Hoskin, Inman, Jackson, Jordan, Joyner, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McNiel, McPeak, Morgan, Mulready, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roberts (Dustin), Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shumate, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--69.

Nay: Bennett, Billy, Brown, Brumbaugh, Casey, Christian, Cockroft, Cox, Faught, Glenn, Hamilton, Hardin, Holland, Johnson, Kern, McDaniel (Randy), Moore, Morrissette, Murphey, Newell, Reynolds, Ritze, Roan, Roberts (Sean), Rousselot, Shelton, Terrill, Wesselhoft.--28.

Excused: Key, Kouplen, McAffrey, Shoemake.--4.

The measure passed.

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

Aye: Armes, Banz, Blackwell, Coody, Cooksey, Cox, Dank, Denney, Derby, Enns, Farley, Hall, Hickman, Hilliard, Holland, Jackson, Johnson, Jordan, Joyner, Liebmann, Martin (Scott), Martin (Steve), McCullough, McNeil, Morgan, Mulready, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Walker, Watson, Williams, Wright, Mr. Speaker.--52.

Nay: Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Dorman, Faught, Fourkiller, Glenn, Grau, Hardin, Hoskin, Inman, Kern, Key, Kirby, Lockhart, McDaniel (Randy), McPeak, Moore, Morrisette, Murphey, Pittman, Proctor, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Scott, Shelton, Sherrer, Stiles, Terrill, Virgin, Wesselhoft.--42.

Excused: DeWitt, Hamilton, Kouplen, McAffrey, McDaniel (Jeannie), Shoemake, Shumate.--7.

The emergency failed.

HB 1008 was referred for engrossment.

GENERAL ORDER

HB 2136 by Steele et al of the House and Newberry of the Senate was read and considered.

Coauthored by Representative(s) Roan, Dorman, Walker, Virgin, Stiles

Speaker Steele moved that **HB 2136** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2136 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Stiles,

Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--97.

Excused: DeWitt, McAffrey, Shoemake, Shumate.--4.

The measure passed.

HB 2136 was referred for engrossment.

GENERAL ORDER

HB 1086 by Murphey et al of the House and Jolley of the Senate was read and considered.

Coauthored by Representative(s) Grau, Kern, Nollan

Representative Murphey moved that **HB 1086** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1086 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--93.

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

Excused: DeWitt, McAffrey, Shoemake, Shumate.--4.

The measure and emergency passed.

HB 1086 was referred for engrossment.

GENERAL ORDER

HB 1207 by Murphey of the House was read and considered.

Coauthored by Representative(s) Cockroft

Authored by Senator Sykes (principal Senate author)

Representative Murphey moved to amend **HB 1207** by removing Section 3 and renumbering subsequent sections, which amendment was declared adopted.

Representative Murphey moved to reconsider the vote whereby the amendment was adopted, which motion was declared adopted.

Representative Morgan moved to amend the Murphey amendment by striking the language in the Murphey amendment and by adding on Page 4, Section 2, Line 3 a new subsection F to read as follows:

“Nothing in this section shall apply to driver license renewal applications.”,

which amendment was declared adopted.

Representative Murphey moved adoption of the amendment, as amended, which amendment was declared adopted.

Representative Murphey moved that **HB 1207** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1207 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Nay: Morrissette, Peters, Shelton.--3.

Excused: Cox, DeWitt, Inman, McAffrey, McPeak, Shumate, Terrill.--7.

The measure passed.

HB 1207 was referred for engrossment.

GENERAL ORDER

HB 1209 by Kirby et al of the House and Marlatt of the Senate was read and considered.

Coauthored by Representative(s) Ritze, Nollan, Cox

Representative Kirby moved that **HB 1209** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1209 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--96.

Excused: Blackwell, Dank, DeWitt, McAffrey, Shumate.--5.

The measure and emergency passed.

HB 1209 was referred for engrossment.

GENERAL ORDER

HB 1664 by Osborn of the House and Sykes of the Senate as read, considered and laid over on Page 504 was considered further.

Representative Osborn moved to amend **HB 1664**, Page 3, Section 1, Lines 11-12 by striking “and” and inserting “and the principal authors of the bill” after the word “Representatives” and before the word “whether”; Lines 18-19 by striking the word “and” and inserting “and the principal authors of the bill” after the word “Representatives” and before the “.” and Page 4, Section 1, Lines 8-17 by deleting paragraph 3 in its entirety, which amendment was declared adopted.

Representative Osborn moved that **HB 1664** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1664 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Nay: Hamilton, Shelton.--2.

Excused: Dank, DeWitt, McAffrey, McPeak, Shumate.--5.

The measure passed.

HB 1664 was referred for engrossment.

GENERAL ORDER

HB 1675 by Billy of the House and Jolley of the Senate was read and considered.

Representative Billy moved that **HB 1675** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1675 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Nay: Hamilton, Morrissette.--2.

Excused: Armes, Dank, DeWitt, McAffrey, McPeak.--5.

The measure passed.

HB 1675 was referred for engrossment.

MOTION

Representative Key asked that the Journal reflect that had he been present in the Chamber, he would have voted nay on **HB 1008**, which was the order.

GENERAL ORDER

HB 1812 by Shannon of the House and Stanislawski of the Senate was read and considered.

Remove Representative Shannon as principal House author and substitute with Representative Morgan

Representative Shannon moved that **HB 1812** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1812 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--96.

Nay: McCullough.--1.

Excused: Dank, DeWitt, McAffrey, Walker.--4.

The measure passed.

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

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Denney, Derby, Enns, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--60.

Nay: Bennett, Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McCullough, McDaniel (Jeannie), Morgan, Morrisette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Sherrer, Shoemake, Shumate, Virgin, Walker, Williams.--32.

Excused: Christian, Dank, DeWitt, Key, McAffrey, McPeak, Quinn, Shelton, Stiles.--9.

The emergency failed.

HB 1812 was referred for engrossment.

GENERAL ORDER

HB 1746 by Nelson et al of the House as read and postponed on March 8, 2011, on Page 478 was considered further.

Coauthored by Representative(s) Kern, Derby, Hall

Authored by Senator Jolley (principal Senate author)

Representative Morgan moved to amend **HB 1746** by inserting a new Section 3 to read as follows, and by renumbering subsequent sections:

“SECTION 3. AMENDATORY Section 1, Chapter 132, O.S.L. 2003, as renumbered by Section 64, Chapter 441, O.S.L. 2009 (62 O.S. Supp. 2010, Section 34.86), is amended to read as follows:

Section 34.86 The Legislature shall present measures that provide full funding for the support of common education to the Governor pursuant to Section 11 of Article VI of the Oklahoma Constitution for the Governor’s consideration at least twenty-five (25) days prior to the date established by subsection E of Section 6-101 of Title 70 of the Oklahoma Statutes, but not later than April 1, in order for the boards of education of the school districts of this state to make decisions on teacher contracts. If the Legislature fails to comply with the provisions of this section by April 1, each member of the Legislature shall have one day’s pay deducted from the member’s salary for each day of noncompliance.”

Representative Brown moved to amend the Morgan amendment by adding after the language “each member of the Legislature” and before the word “shall” the language “voting in opposition to education funding”, which amendment was declared adopted.

Representative Nelson asked a ruling of the Presiding Officer as to whether the Morgan amendment, as amended, was germane to **HB 1746**.

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

Representative Peters moved that **HB 1746** be advanced from General Order, which motion was declared adopted upon a division of the question.

THIRD READING

HB 1746 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Billy, Brumbaugh, Christian, Cox, Denney, Derby, Enns, Grau, Hall, Holland, Johnson, Kern, Liebmann, McCullough, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Peterson, Roberts (Sean), Rousselot, Sanders, Sullivan, Terrill, Tibbs, Vaughan, Wesselhoft, Wright, Mr. Speaker.--32.

Nay: Armes, Banz, Bennett, Blackwell, Brown, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, DeWitt, Dorman, Farley, Faught, Fourkiller, Glenn, Hamilton, Hardin, Hickman, Hilliard, Hoskin, Inman, Jackson, Jordan, Joyner, Key, Kirby, Kouplen, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Nollan, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Russ, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Stiles, Thomsen, Trebilcock, Virgin, Walker, Watson, Williams.--64.

Excused: Dank, McAffrey, Pittman, Sears, Shumate.--5.

The measure failed.

Representative Nelson served notice to reconsider the vote whereby **HB 1746** failed.

RECONSIDERATION

Representative Cox moved to reconsider the vote whereby **HB 1397** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Brown, Brumbaugh, Casey, Cockroft, Coody, Cox, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Nollan, Osborn, Ownbey, Peters, Peterson, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Sears, Sherrer, Stiles, Sullivan, Thomsen, Tibbs, Vaughan, Walker, Watson, Wright, Mr. Speaker.--61.

Nay: Bennett, Blackwell, Cannaday, Condit, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, Morrissette, Pittman, Proctor, Reynolds, Ritze, Trebilcock.--17.

Excused: Billy, Christian, Cooksey, Dank, Fourkiller, Joyner, McAffrey, McPeak, Morgan, Newell, Ortega, Quinn, Rousselot, Schwartz, Scott, Shannon, Shelton, Shoemake, Shumate, Terrill, Virgin, Wesselhoft, Williams.--23.

Representative Cox moved to rescind the Third Reading of **HB 1397**, which motion was declared adopted.

Representative Cox moved to rescind the previously adopted motion to advance **HB 1397** from General Order, which motion was declared adopted.

Representative Cox moved to suspend House Rules 8.5 and 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, Billy, Blackwell, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Faught, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peterson, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Stiles, Sullivan, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wright, Mr. Speaker.--69.

Nay: Brumbaugh, Cannaday, Kouplen, McPeak, Reynolds, Ritze.--6.

Excused: Banz, Bennett, Brown, Condit, Dank, Enns, Farley, Fourkiller, Glenn, Inman, Kirby, Lockhart, McAffrey, McDaniel (Jeannie), Morrissette, Peters, Pittman, Quinn, Rousselot, Scott, Shelton, Shoemake, Shumate, Terrill, Wesselhoft, Williams.--26.

Representative Faught moved to amend **HB 1397** by deleting Section 12 and inserting a new Section 12 to read as follows:

“SECTION 12. AMENDATORY 63 O.S. 2001, Section 1-321, as amended by Section 61, Chapter 116, O.S.L. 2006 (63 O.S. Supp. 2010, Section 1-321), is amended to read as follows:

Section 1-321. (a) A certificate or record registered under this article may be amended only in accordance with this article and regulations thereunder adopted by the State Board of Health to protect the integrity and accuracy of vital statistics records.

(b) A certificate that is amended under this section shall be marked "amended", except as provided in subsection (d) of this section. The date of amendment and a summary description of the evidence submitted in support of the amendment shall be endorsed on or made a part of the record. The Board shall prescribe by regulation the conditions under which additions or minor corrections shall be made to birth certificates within one (1) year after the date of birth without the certificate being considered as amended.

(c) Upon receipt of a certified copy of a court order, from a court of competent jurisdiction, changing the name of a person born in this state and upon request of such person or his parent, guardian, or legal representative, the State Commissioner of Health shall amend the certificate of birth to reflect the new name.

(d) When a child is born out of wedlock, the Commissioner shall amend a certificate of birth to show paternity, if paternity is not currently shown on the birth certificate, in the following situations:

(1) Upon request and receipt of a sworn acknowledgment of paternity of a child born out of wedlock signed by both parents; or

(2) Upon receipt of a certified copy of a court order establishing paternity.

(e) For a child born out of wedlock, the Commissioner shall also change the surname of the child on the certificate:

(1) To the specified surname upon receipt of acknowledgment of paternity signed by both parents or upon receipt of a certified copy of a court order directing such name be

changed. Such certificate amended pursuant to this subsection shall not be marked "amended"; or

(2) To the surname of the mother on the birth certificate in the event the acknowledgment of paternity is rescinded.

(f) The State Board of Health shall have the power and duty to promulgate rules for situations in which the State Registrar of Vital Statistics receives false information regarding the identity of a parent.”

and by deleting Section 38 in its entirety, and by renumbering subsequent sections.”

Representative Reynolds raised a point of order as to whether consideration of the Faught amendment should be postponed until a fiscal summary for the amendment could be published.

Based on House Precedent 8.10-2. from (2009), the Presiding Officer posed the same question to Appropriations and Budget Chairperson, Representative Sears. Representative Sears advised the Presiding Officer that in his informed opinion the amendment did not have a fiscal impact and that publication of a fiscal analysis was not required.

Representative Faught pressed adoption of the amendment, which amendment was declared adopted.

Representative Cox moved that **HB 1397** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1397 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--98.

Excused: Dank, Kirby, McAffrey.--3.

The measure passed.

HB 1397 was referred for engrossment.

GENERAL ORDER

HB 1828 by Trebilcock of the House and Johnson (Rob) of the Senate was read and considered.

Representative Trebilcock moved that **HB 1828** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1828 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--95.

Nay: Nelson.--1.

Excused: Dank, Kirby, McAffrey, McNiell, Shumate.--5.

The measure passed.

HB 1828 was referred for engrossment.

GENERAL ORDER

HB 1663 by Osborn of the House and Ford of the Senate was read and considered.

Coauthored by Representative(s) Kern

Representative Osborn moved that **HB 1663** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1663 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiél, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--82.

Nay: Brown, Grau, Hilliard, Hoskin, Inman, McDaniel (Jeannie), McPeak, Morrissette, Pittman, Roan, Scott, Shelton, Sherrer, Virgin, Williams.--15.

Excused: Dank, Kirby, McAffrey, Shumate.--4.

The measure and emergency passed.

HB 1663 was referred for engrossment.

RECONSIDERATION

Representative Dorman moved to reconsider the vote whereby **HB 2001** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Bennett, Blackwell, Brown, Cannaday, Casey, Christian, Condit, Coody, Denney, Derby, Dorman, Enns, Farley, Fourkiller, Glenn, Grau, Hamilton, Hardin, Hickman, Hilliard, Hoskin, Inman, Jordan, Key, Kouplén, Lockhart, Martin (Scott), McDaniel (Jeannie), McPeak, Morgan, Morrissette, Murphey, Newell, Ortega, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Rousselot, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Trebilcock, Virgin, Walker, Watson, Williams, Mr. Speaker.--62.

Nay: Banz, Billy, Brumbaugh, Cockroft, Cooksey, Cox, DeWitt, Faught, Hall, Holland, Jackson, Johnson, Joyner, Kern, Liebmann, Martin (Steve), McCullough, McDaniel (Randy), Moore, Mulready, Nelson, Nollan, Osborn, Peters, Peterson, Reynolds, Ritze, Roberts (Sean), Russ, Schwartz, Tibbs, Wright.--32.

Excused: Dank, Kirby, McAffrey, McNiél, Vaughan, Wesselhoft.--6.

Constitutional Priv: Ownbey.--1.

Representative Dorman moved to rescind the Third Reading of **HB 2001**, which motion was declared adopted.

Representative Dorman moved to rescind the previously adopted motion to advance **HB 2001** from General Order, which motion was declared adopted.

Representative Dorman moved to amend **HB 2001** by striking the title, which amendment was declared adopted.

Representative Dorman moved to amend **HB 2001**, Page 2, Section 1, Line 12 by inserting before the word "Two" the language "not more than", which amendment was declared adopted.

Representative Dorman moved that **HB 2001** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2001 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Bennett, Blackwell, Cannaday, Christian, Condit, Denney, Dorman, Farley, Fourkiller, Glenn, Grau, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, Lockhart, Martin (Scott), McDaniel (Jeannie), McPeak, Morgan, Morrissette, Mulready, Ortega, Pittman, Proctor, Pruett, Renegar, Roan, Roberts (Dustin), Rousselot, Sanders, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Trebilcock, Virgin, Walker, Williams.--44.

Nay: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Derby, DeWitt, Enns, Faught, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Liebmann, Martin (Steve), McCullough, McDaniel (Randy), Moore, Murphey, Nelson, Newell, Nollan, Osborn, Peters, Peterson, Quinn, Reynolds, Richardson, Ritze, Roberts (Sean), Russ, Schwartz, Sears, Shannon, Sullivan, Thomsen, Tibbs, Vaughan, Watson, Wright, Mr. Speaker.--50.

Excused: Brown, Dank, Kirby, McAffrey, McNiel, Wesselhoft.--6.

Constitutional Priv: Ownbey.--1.

The measure failed.

MESSAGE FROM THE SENATE

Announcing the passage of **HCR 1005**, Coauthored by all members of the Senate.

The above-numbered measure was referred for enrollment.

COMMITTEE REPORT

The following was reported by the committee named, ordered printed and placed on the Joint Calendar:

DO PASS:

HB 2169 – Joint Committee on Appropriations and Budget

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, March 10, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 5:30 p.m., to reconvene Thursday, March 10, 2011, at 9:00 a.m.