

# HOUSE JOURNAL

**First Regular Session of the Fifty-third Legislature**

**of the State of Oklahoma**

**Forty-third Legislative Day, Thursday, April 21, 2011**

The House was called to order by Speaker Steele.

The roll was called with 100 Members present.

The following Members were excused: Enns.—1.

The Speaker declared a quorum present.

Prayer was offered by Pastor Tom Vineyard, Windsor Hills Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HAs to SBs 105, 218, 239, 242, 247, 256, 324, 335, 363, 541, 608, 704, 709, 728, 729, 761, 780, 788, 844 and 878** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HBs 1308, 1348, 1360, 1398, 1593, 1604, 1675, 1736, 1776, 1798, 1800** and **HJR 1002** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCR 1016** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HR 1025** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

**CONFERENCE GRANTED**

Upon motion of Representative Sullivan, the House granted the request of the Honorable Senate for conference on the following measure and the Speaker named conferees:

**SB 267** – Conference Committee on General Government and Transportation

**Representative Denney Presiding****PENDING CONSIDERATION OF SAs**

**SAs to HB 1227** were called up for consideration.

Remove as coauthor Representative Roan

Coauthored by Representative(s) Ritze, Faught

Representative Derby raised a point of order as to whether the subject of the Senate Amendments was germane to the subject of **HB 1227** as required by House Rule 8.11.

The Presiding Officer ruled the point not well taken and the Senate amendments germane.

Representative Derby raised a point of inquiry as to whether it was appropriate for the Presiding Officer to determine the question of germaneness of Senate Amendments.

The Presiding Officer stated pursuant to Joint Rule 8.1 (e)(1) that it is within the jurisdiction of the chamber of origin to determine the question of germaneness of all amendments proposed by the opposite chamber and as such, the point was not well taken.

Representative Ownbey moved that the House concur in the **SAs to HB 1227**, to which objection was heard.

Representative Thomsen moved to table the **SAs to HB 1227**, which motion failed of adoption upon a division of the question.

Representative Ownbey pressed his motion that the House concur in the **SAs to HB 1227**, which motion was declared adopted upon a division of the question.

**HB 1227**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Coody, Cox, Dank, DeWitt, Dorman, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Inman, Johnson, Jordan, Kern, Key, Liebmann, Lockhart, Martin (Scott),

McAffrey, McDaniel (Jeannie), McDaniel (Randy), Moore, Morgan, Mulready, Nelson, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Pruett, Renegar, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Shannon, Sherrer, Stiles, Sullivan, Vaughan, Virgin, Watson, Wesselhoft, Wright, Mr. Speaker.--63.

Nay: Banz, Billy, Casey, Denney, Derby, Hamilton, Hilliard, Holland, Jackson, Joyner, Kirby, Kouplén, Martin (Steve), McCullough, McPeak, Morrissette, Murphey, Newell, Proctor, Quinn, Roan, Schwartz, Scott, Shoemake, Shumate, Terrill, Thomsen, Tibbs, Trebilcock, Walker.--30.

Excused: Cooksey, Enns, Hickman, Hoskin, McNiel, Osborn, Shelton, Williams.--8.

The measure passed.

Representative Ownbey served notice to reconsider the vote whereby **HB 1227** passed.

## **MOTION**

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

## **Speaker Pro Tempore Hickman Presiding**

## **GENERAL ORDER**

**SB 730** by Mazzei of the Senate and Dank of the House was read and considered.

Representative Dank moved that **SB 730** be advanced from General Order, which motion was declared adopted.

## **THIRD READING**

**SB 730** 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, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shannon,

Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--89.

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

Excused: Enns, Jordan, Kouplen, McCullough, Mulready, Osborn, Sanders, Thomsen, Trebilcock.--9.

The measure passed.

**SB 730** was referred for engrossment.

### **GENERAL ORDER**

**SB 38** by Jolley of the Senate and Schwartz of the House was read and considered.

Representative Schwartz moved that **SB 38** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 38** 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, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morgan, Morrissette, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Nay: Hamilton.--1.

Excused: Enns, Hilliard, Jordan, McCullough, Mulready, Osborn, Sanders, Thomsen, Trebilcock.--9.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 38** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 668** by David et al of the Senate and Peterson of the House was read and considered.

Representative Peterson moved that **SB 668** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 668** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Joyner, Kern, Key, Kirby, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Excused: Billy, DeWitt, Enns, Jordan, McCullough, Mulready, Osborn, Sanders, Shelton, Thomsen, Trebilcock.--11.

The measure passed.

**SB 668** was referred for engrossment.

## GENERAL ORDER

**SB 732** by Mazzei of the Senate and Dank of the House was read and considered.

Representative Dank moved that **SB 732** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 732** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught,

Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Murphey, Nelson, Newell, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--85.

Nay: Bennett, Christian, Key, McAffrey, Sherrer, Williams.--6.

Excused: Enns, Johnson, Jordan, McCullough, Mulready, Nollan, Osborn, Sanders, Thomsen, Trebilcock.--10.

The measure passed.

**SB 732** was referred for engrossment.

## GENERAL ORDER

**SB 299** by Jolley of the Senate and Enns of the House was read and considered.

Speaker Steele moved that **SB 299** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 299** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Brown, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Dorman, Farley, Faught, Hall, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Nelson, Newell, Ortega, Ownbey, Peters, Peterson, Pruett, Quinn, Renegar, Richardson, Roan, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--66.

Nay: Bennett, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Derby, Fourkiller, Glenn, Hamilton, Hardin, Kouplen, McAffrey, Morrisette, Murphey, Pittman, Proctor, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Shelton, Williams.--24.

Excused: DeWitt, Enns, Grau, Johnson, Jordan, McCullough, Mulready, Nollan, Osborn, Thomsen, Trebilcock.--11.

The measure passed.

**SB 299** was referred for engrossment.

## GENERAL ORDER

**SB 744** by Mazzei of the Senate and Dank of the House was read and considered.

Representative Dank moved that **SB 744** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**SB 744** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Brown, Coody, Cox, Dank, DeWitt, Hickman, Jackson, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, Morgan, Nelson, Newell, Ortega, Ownbey, Peters, Pruett, Richardson, Roan, Russ, Sears, Sullivan, Tibbs, Vaughan, Walker, Watson, Mr. Speaker.--32.

Nay: Armes, Bennett, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Cooksey, Denney, Derby, Dorman, Farley, Faught, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Joyner, Kern, Key, Kirby, Kouplen, Lockhart, McAffrey, McCullough, McPeak, Moore, Morrissette, Mulready, Murphey, Peterson, Pittman, Proctor, Quinn, Renegar, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Virgin, Wesselhoft, Williams, Wright.--59.

Excused: Enns, Grau, Inman, Johnson, Jordan, Nollan, Osborn, Sanders, Thomsen, Trebilcock.--10.

The measure failed.

Representative Dank served notice to reconsider the vote whereby **SB 744** failed.

**GENERAL ORDER**

**SB 499** by Bingman of the Senate and Shannon of the House was read and considered.

Representative Shannon moved that **SB 499** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 499** 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, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Ortega, 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, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--94.

Nay: Hamilton.--1.

Excused: Enns, Johnson, Nollan, Osborn, Thomsen, Trebilcock.--6.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 499** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 891** by Mazzei et al of the Senate and McDaniel (Randy) of the House was read and considered.

Representative McDaniel (Randy) moved to amend **SB 891**, Page 6, Section 2, Line 16 by deleting the word "January" and inserting in lieu thereof the word "July", which amendment was declared adopted.

Representative McDaniel (Randy) moved that **SB 891** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 891** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Glenn, Grau, Hall, Hamilton, Hickman, Holland, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Ortega, Ownbey, Peters, Peterson, Pittman, Pruett, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Watson, Wright, Mr. Speaker.--77.

Nay: Blackwell, Fourkiller, Hardin, Hilliard, Hoskin, Inman, McPeak, Morrisette, Proctor, Renegar, Roberts (Dustin), Scott, Shelton, Sherrer, Shumate, Walker, Williams.--17.

Excused: Enns, Johnson, Nollan, Osborn, Thomsen, Trebilcock, Wesselhoft.--7.

The measure passed.

**SB 891** was referred for engrossment.

### GENERAL ORDER

**SB 756** by Newberry of the Senate and McDaniel (Randy) of the House was read and considered.

Representative McDaniel (Randy) moved that **SB 756** be advanced from General Order, which motion was declared adopted.

### THIRD READING

**SB 756** 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, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar,

Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--93.

Excused: Enns, Hamilton, Johnson, Osborn, Quinn, Thomsen, Trebilcock, Wesselhoft.--8.

The measure passed.

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

Aye: Armes, Banz, Blackwell, Brumbaugh, Casey, Coody, Cooksey, Cox, Denney, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Peters, Peterson, Roberts (Dustin), Roberts (Sean), Russ, Schwartz, Shannon, Stiles, Sullivan, Tibbs, Vaughan, Watson, Mr. Speaker.--48.

Nay: Bennett, Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Key, Kouplen, McAffrey, McDaniel (Jeannie), McPeak, Morrisette, Pittman, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Terrill, Virgin, Walker, Williams.--32.

Excused: Billy, Christian, Cockroft, Dank, Derby, DeWitt, Enns, Hilliard, Kirby, Morgan, Osborn, Ownbey, Proctor, Quinn, Richardson, Sanders, Sears, Thomsen, Trebilcock, Wesselhoft, Wright.--21.

The emergency failed.

**SB 756** was referred for engrossment.

## **GENERAL ORDER**

**SB 794** by Mazzei et al of the Senate and McDaniel (Randy) of the House was read and considered.

Representative McDaniel (Randy) moved to amend **SB 794**, Page 18, Line 11 by inserting after the comma “,” following the numeral “2011” the following language:

“or with respect to members whose first participating service occurs on or after November 1, 2011, reaches a minimum age of sixty (60) years and who also reaches a normal retirement date pursuant to subparagraph (c) of this paragraph”;

Page 26, Line 11, by inserting after the word “birthday” and before the period “.” the following language:

“or the date upon which the elected or appointed official attains the age of sixty-two (62) and who has at least ten (10) years of elected or appointed service”;

Page 27, Line 3, by deleting the capitalized word “Any” and by inserting in lieu thereof the following language:

“Except for officials whose first elected or appointed service as an elected official occurs on or after November 1, 2011, and who retire at age sixty-two (62) with a minimum of ten (10) years of elected or appointed service, any”;

Page 27, Lines 17-18, by deleting all numerals and figures on both Lines 17 and 18;

and Page 31, Line 17 ½, by inserting a new Section 3, which amendment was declared adopted upon a division of the question.

Representative McDaniel (Randy) moved that **SB 794** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 794** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Farley, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Shannon, Stiles, Sullivan, Terrill, Tibbs, Vaughan, Virgin, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--71.

Nay: Brown, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Kouplen, McPeak, Morgan, Morrissette, Renegar, Reynolds, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Walker.--19.

Excused: Bennett, Christian, Enns, Faught, Jordan, Osborn, Ritze, Roan, Sears, Thomsen, Trebilcock.--11.

The measure passed.

**SB 794** was referred for engrossment.

**GENERAL ORDER**

**SB 708** by Jolley et al of the Senate and Nelson et al of the House was read and considered.

Coauthored by Representative(s) Stiles

Representative Jordan moved to amend **SB 708** by striking the title.

Representative Nelson raised a point of order that the Jordan amendment was not in order.

The Presiding Officer ruled the point well taken and the amendment out of order pursuant to House Rule 8.6(f).

Representative Nelson moved to amend **SB 708**, Page 3, Line 9, by inserting after the word "extent" and before the word "the" the words "and to the proportionate cost that";

Page 5, Line 10, by inserting before the word "estimates" the word "projected";

Page 6, Lines 1-2, by deleting all language beginning with the word "the" following the comma ";" on Line 1 through the comma ";" on Line 2;

Page 8, Line 4, by deleting the words and punctuation "reinstated, extended,"

Page 8, Line 16, by deleting the words "the applicable land-use category";

Page 8, Line 17, by inserting after the comma ";" the word "and";

Page 8, Line 17-18, by deleting the language "and the sequence of expenditure of development-fee funds";

Page 8, Line 19, by inserting after the word "purpose" and before the period ".", the following language: "except as hereinafter provided";

Page 11, Line 13, by deleting the word "separate";

Page 11, Line 19, by deleting the word "readily";

Page 12, Line 15, by deleting the word "fully" and by inserting in lieu thereof the word "substantially";

Page 14, Line 5, by inserting before the word "utilizing" the following language, "self-funding capital improvements by use of pay-back agreements";

Page 14, Line 6, by inserting after the comma ";" the following language "by borrowing or on a cash basis,";

Page 14, Line 7, by deleting the word "not";

Page 14, Line 7, by deleting the word "circumvents" and by inserting in lieu thereof the words "is consistent with";

which amendment was declared adopted.

Representative Nelson moved to amend **SB 708**, Page 6, Line 3, by adding after the word "funded" and before the semicolon ";" the following language:

"and the expanded or modified development has no additional impact on the public infrastructure system";

Page 14, Line 8 by deleting the words "as it"; and

Page 14, Line 8, by adding after the period “.” the following language:

“Nothing in this section shall limit, regulate, or prohibit a municipality from investing public resources in public infrastructure systems in anticipation of development, recovering those public resources through proportional reimbursement payments equal to the total cost of the public investment in those public infrastructure systems, and subsequently expending the proceeds from those reimbursement payments for any purpose determined by the jurisdiction.”.

Representative Nelson moved to amend the amendment by striking the first occurrence of the reference to Page 14, Line 8 and deleting that amendment and by inserting in lieu thereof the following language:

“Page 14, Line 8, by deleting the words “as it pertains” and by inserting in lieu thereof the words “to the extent such procedures pertain”, which amendment was declared adopted.

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

Representative Nelson moved that **SB 708** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**SB 708** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Inman, Jackson, Johnson, Kern, Key, Kirby, Liebmann, Martin (Scott), McAffrey, McDaniel (Randy), Moore, Mulready, Nelson, Ortega, Ownbey, Peters, Peterson, Quinn, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Scott, Sears, Stiles, Sullivan, Terrill, Tibbs, Walker, Wesselhoft, Williams, Wright, Mr. Speaker.--53.

Nay: Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Cox, Dorman, Glenn, Hilliard, Hoskin, Jordan, Joyner, Kouplen, Lockhart, Martin (Steve), McCullough, McDaniel (Jeannie), McNiel, McPeak, Morgan, Newell, Proctor, Renegar, Roan, Rousselot, Schwartz, Shannon, Shelton, Sherrer, Virgin, Watson.--34.

Excused: Enns, Fourkiller, Hamilton, Morrissette, Murphey, Nollan, Osborn, Pittman, Pruett, Shoemake, Shumate, Thomsen, Trebilcock, Vaughan.--14.

The measure passed.

Representative Nelson served notice to reconsider the vote whereby **SB 708** passed.

**GENERAL ORDER**

**SB 789** by Brecheen of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 789** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**SB 789** was read at length for the third time. On passage of the measure, the roll call was as follows:

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

Nay: Bennett, Christian, Key, Murphey, Reynolds, Ritze.--6.

Excused: Enns, McDaniel (Randy), Osborn, Pruett, Shumate, Thomsen, Trebilcock, Vaughan.--8.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 789** and ordered same returned to the Honorable Senate.

**RECONSIDERATION**

Representative Coody moved to reconsider the vote whereby **SB 109** failed.

Representative Cannaday moved to table the Coody motion, which tabling motion failed upon a division of the question.

Representative Coody pressed her motion to reconsider the vote whereby **SB 109** failed, which motion was declared adopted upon roll call as follows:

Aye: Armes, Billy, Blackwell, Casey, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Farley, Grau, Hall, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel,

Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peterson, Pittman, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Shumate, Sullivan, Tibbs, Watson, Wesselhoft, Wright, Mr. Speaker.--51.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Cockroft, Condit, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hardin, Hoskin, Inman, Key, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Peters, Proctor, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Stiles, Terrill, Virgin, Walker, Williams.--39.

Excused: Banz, Christian, Enns, Hilliard, Osborn, Pruett, Roberts (Dustin), Shoemake, Thomsen, Trebilcock, Vaughan.--11.

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

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

Aye: Banz, Billy, Blackwell, Brumbaugh, Coody, Cooksey, Cox, Dank, Denney, Derby, Hall, Hickman, Holland, Jackson, Johnson, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Moore, Mulready, Nelson, Newell, Ortega, Ownbey, Peters, Peterson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Shumate, Sullivan, Tibbs, Watson, Wesselhoft, Wright, Mr. Speaker.--45.

Nay: Armes, Bennett, Cannaday, Casey, Cockroft, Condit, DeWitt, Dorman, Farley, Faught, Fourkiller, Glenn, Grau, Hamilton, Hardin, Hoskin, Inman, Jordan, Key, Kouplen, Lockhart, McDaniel (Jeannie), McNiel, McPeak, Morrissette, Murphey, Proctor, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Stiles, Terrill, Walker, Williams.--41.

Excused: Brown, Christian, Enns, Hilliard, McAffrey, Morgan, Nollan, Osborn, Pittman, Pruett, Shoemake, Thomsen, Trebilcock, Vaughan, Virgin.--15.

The measure failed.

## RECONSIDERATION

Representative Ownbey moved to reconsider the vote whereby **HB 1227** passed.

Representative Nelson moved to table the Ownbey motion, which tabling motion was declared adopted upon a division of the question.

**HB 1227** was referred for enrollment.

**RECONSIDERATION**

Representative Nelson moved to reconsider the vote whereby **SB 708** passed.

Representative Ownbey moved to table the Nelson motion.

Representative Inman raised a point of order as to whether the reconsideration motion was in order for consideration on the same day notice was served.

The Presiding Officer ruled the point not well taken pursuant to current House Rules.

Representative Ownbey pressed his motion to table the Nelson reconsideration motion, which motion was declared adopted upon a division of the question.

**SB 708** was referred for engrossment.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1271** were rejected upon motion of Representative Coody. The Speaker named the Conference Committee on Health and Human Services.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 60**.

**SB 60** was referred for engrossment.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 587**.

The Presiding Officer signed, in open session, Engrossed **SB 587** and ordered same returned to the Honorable Senate.

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby **SB 658** passed.

**SB 658** was referred for engrossment.

**FIRST READING**

The following was introduced and read for the first time:

**HJR 1046** – By McCullough.

A Joint Resolution disapproving permanent rules of the Oklahoma Health Care Authority; and directing distribution.

**MESSAGES FROM THE GOVERNOR**

Advising of her approval of **HBs 1421, 1649, 1672** and **1686** on April 21, 2011.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Monday, April 25, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 4:55 p.m., to reconvene Monday, April 25, 2011, at 10:00 a.m.