HOUSE JOURNAL

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Sixteenth Legislative Day, Thursday, March 1, 2012

The House was called to order by Speaker Steele.

The roll was called with 94 Members present.

The following Members were excused: Bennett, Kouplen, Quinn, Shumate, Trebilcock.—5.

Vacancy: District 71, District 88.—2.

The Speaker declared a quorum present.

Prayer was offered by Pastor Bill Ledbetter, Fairview Baptist Church, Durant. Pastor Ledbetter was sponsored by Representative Faught.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HBs 2220, 2221, 2225, 2255, 2374, 2440, 2746 and **HJR 1091** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to **SJR 25** were reported correctly engrossed, properly signed, in open session, and the measure, as amended, was ordered returned to the Honorable Senate.

GENERAL ORDER

HB 2302 by Hilliard of the House and Simpson of the Senate was read and considered.

Representative Hilliard moved that **HB 2302** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2302 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Ritze, Roan, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Shelton, Sherrer, Shoemake, Terrill, Thomsen, Vaughan, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--73.

Excused: Banz, Bennett, Blackwell, Dank, Hamilton, Hickman, Key, Kirby, Kouplen, Morgan, Morrissette, Mulready, Pittman, Quinn, Renegar, Reynolds, Richardson, Roberts (Sean), Scott, Sears, Shannon, Shumate, Stiles, Tibbs, Trebilcock, Virgin.--26.

Vacancy: District 71, District 88.--2.

The measure passed.

HB 2302 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1026 was called up for consideration.

Upon unanimous consent request of Representative McDaniel (Jeannie), all Members of the House were added as coauthors.

Authored by Senator Eason McIntyre (principal Senate author)

Upon motion of Representative McDaniel (Jeannie), **HCR 1026** was considered and adopted.

HCR 1026 was referred for engrossment.

GENERAL ORDER

HB 2262 by Shannon of the House and Jolley of the Senate was read and considered.

Representative Shannon moved that **HB 2262** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2262 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Stiles, Terrill, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--87.

Excused: Bennett, Blackwell, Kouplen, McDaniel (Jeannie), McPeak, Morgan, Quinn, Richardson, Roberts (Sean), Shoemake, Shumate, Trebilcock.--12.

Vacancy: District 71, District 88.--2.

The measure and emergency passed.

HB 2262 was referred for engrossment.

GENERAL ORDER

HB 2389 by Liebmann of the House and Marlatt of the Senate was read and considered.

Representative Liebmann moved that **HB 2389** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2389 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, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Richardson, Roan, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Stiles, Thomsen, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--70.

Nay: Brown, Cannaday, Christian, Fourkiller, Glenn, Hoskin, Inman, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Proctor, Reynolds, Ritze, Shelton, Sherrer, Terrill.--17.

Excused: Bennett, Kouplen, McNiel, McPeak, Morgan, Quinn, Renegar, Roberts (Sean), Shoemake, Shumate, Trebilcock, Williams.--12.

Vacancy: District 71, District 88.--2.

The measure passed.

HB 2389 was referred for engrossment.

GENERAL ORDER

HB 2572 by Ownbey of the House and Simpson of the Senate was read and considered.

Coauthored by Representative(s) Dorman

Representative Wesselhoft moved that **HB 2572** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2572 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Blackwell, Condit, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Hamilton, Hardin, Hickman, Hilliard, Inman, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore,

Morrissette, Nelson, Nollan, Ortega, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Roan, Sears, Shelton, Thomsen, Vaughan, Virgin, Walker, Watson, Wright, Mr. Speaker.--45.

Nay: Banz, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Derby, Faught, Glenn, Grau, Hall, Holland, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, McCullough, McDaniel (Curtis), Mulready, Murphey, Newell, Osborn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Shannon, Sherrer, Shoemake, Stiles, Terrill, Wesselhoft, Williams.--43.

Excused: Bennett, Fourkiller, Kouplen, McPeak, Morgan, Pittman, Quinn, Richardson, Shumate, Tibbs, Trebilcock.--11.

Vacancy: District 71, District 88.--2.

The measure failed.

Representative Ownbey served notice to reconsider the vote whereby **HB 2572** failed.

MESSAGE FROM THE SENATE

Announcing the passage of **SBs 1065, 1142, 1152, 1159, 1213, 1228, 1230, 1254, 1299, 1380, 1457, 1715,** and **1817**.

The measures were introduced and read for the first time.

SB 1065 – By Stanislawski of the Senate and Derby of the House.

An Act relating to the Anti-Drug Diversion Act; amending 63 O.S. 2011, Section 2-309D, which relates to the central repository information; providing for disclosure of certain information to the public; limiting types of information to be disclosed; and providing an effective date.

SB 1142 – By Brecheen and Johnson (Constance) of the Senate and Roan of the House.

An Act relating to provisional driver licenses; amending 47 O.S. 2011, Section 6-212, which relates to reinstatement of suspended or revoked driver licenses; authorizing the Department of Public Safety to enter certain agreements with persons to allow limited driving privilege; requiring certain payments; providing for rules and procedures; and providing an effective date.

SB 1152 – By Brown of the Senate and Mulready of the House.

An Act relating to insurance; amending 36 O.S. 2011, Section 1204, which relates to unfair methods of competition or deceptive acts; modifying limit on value of certain property used as an inducement; and providing an effective date.

SB 1159 – By Adelson of the Senate and Sears of the House.

[Oklahoma Capital Investment Board - tax credits - effective date]

SB 1213 – By Brown of the Senate and Moore of the House.

An Act relating to compliance with Internal Revenue Service regulations; amending 47 O.S. 2011, Sections 2-303.1, 2-305.1A, 2-305.1B and 2-305.4, which relate to the Oklahoma Law Enforcement Retirement System; allowing assets of the System to be invested in certain funds or trusts; authorizing the use of electronic media under certain conditions; modifying definitions; providing that a Roth IRA is an Eligible Retirement Plan; authorizing a nonspouse designated beneficiary to directly roll over a distribution to a Roth IRA; modifying dates regarding certain distributions; specifying value of certain annuities; and declaring an emergency.

SB 1228 – By Stanislawski of the Senate and Coody of the House.

An Act relating to supplemental online education; amending 70 O.S. 2011, Section 1-111, which relates to duration of a school day; eliminating certain electronic student transfer requirement; providing an effective date; and declaring an emergency.

SB 1230 – By Mazzei of the Senate and Dank of the House.

[tax administration - suspension of license or permit - penalty - codification - effective date]

SB 1254 – By Allen of the Senate and Rousselot of the House.

[vehicle excise tax - exemptions - effective date]

SB 1299 – By Crain of the Senate and Sherrer of the House.

[transfer of property - Nontestamentary Transfer of Property Act - effective date]

SB 1380 – By Ivester, Sparks and Johnson (Constance) of the Senate and Roan of the House.

[Oklahoma Higher Learning Access Program - modifying eligibility for program - effective date - emergency]

SB 1457 – By Ellis of the Senate and Pruett of the House.

An Act relating to memorial bridge designations; designating the Aaron Harrison Scott Memorial Bridge; requiring certain markers; providing for codification; providing an effective date; and declaring an emergency.

SB 1715 – By Mazzei of the Senate and Dank of the House.

[insurance premium tax - tax credits - effective date - emergency]

SB 1817 – By Stanislawski of the Senate and Hickman of the House.

An Act relating to school administration; creating the Task Force on Creating Administrative Efficiencies; stating duties; providing for membership, appointment, designation of officers, quorum and staff support; prohibiting compensation and reimbursement; requiring report of findings and recommendations; providing for noncodification; providing an effective date; and declaring an emergency.

MESSAGE FROM THE GOVERNOR

Advising of her approval of **HB 2658** on March 1, 2012.

GENERAL ORDER

HB 2927 by Armes et al of the House and Marlatt of the Senate was read and considered.

Representative Armes moved that **HB 2927** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2927 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

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

Nay: Blackwell, Reynolds.--2.

Excused: Bennett, Kouplen, McNiel, McPeak, Morgan, Quinn, Richardson, Shumate, Tibbs, Trebilcock.--10.

Vacancy: District 71, District 88.--2.

The measure and emergency passed.

HB 2927 was referred for engrossment.

MESSAGE FROM THE SENATE

As approved by the Joint Committee on Appropriations and Budget, advising passage and transmitting for consideration engrossed **SB 1959**. The measure was introduced and read for the first time.

SB 1959 – By Jolley, Justice, Paddack and Sparks of the Senate and Sears and Martin (Scott) of the House.

An Act relating to revenue and taxation; amending 68 O.S. 2011, Section 1004, which relates to apportionment of gross production taxes; modifying apportionment of certain revenues; and declaring an emergency.

GENERAL ORDER

HB 2524 by Martin (Steve) et al of the House and Newberry of the Senate was read and considered.

Representative Martin (Steve) moved that **HB 2524** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2524 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, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--86.

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

Excused: Bennett, Kouplen, McPeak, Morgan, Nollan, Quinn, Shumate, Tibbs, Trebilcock.--9.

Vacancy: District 71, District 88.--2.

The measure passed.

HB 2524 was referred for engrossment.

GENERAL ORDER

HB 2267 by Cox et al of the House and Simpson et al of the Senate was read and considered.

Coauthored by Representative(s) Ritze

Representative Terrill moved to recommit **HB 2267** to the Public Health Committee.

Representative Cox moved to table the Terrill motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Billy, Brown, Cannaday, Condit, Coody, Cox, Dank, Denney, Dorman, Enns, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Liebmann, Lockhart, Martin (Scott), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, Morrissette, Nelson, Ortega, Ownbey, Peterson, Pittman, Proctor, Renegar, Roan, Roberts (Sean), Russ, Sears, Shelton, Sherrer, Vaughan, Virgin, Walker, Watson, Mr. Speaker.--43.

Nay: Brumbaugh, Casey, Christian, Cockroft, Cooksey, Derby, Faught, Glenn, Grau, Hall, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Martin (Steve), McDaniel (Randy), Moore, Mulready, Murphey, Newell, Peters, Pruett, Reynolds, Ritze, Sanders, Schwartz, Scott, Shannon, Stiles, Terrill, Thomsen, Wesselhoft, Williams, Wright.--37.

Excused: Armes, Banz, Bennett, Blackwell, DeWitt, Fourkiller, Kouplen, McPeak, Morgan, Nollan, Osborn, Quinn, Richardson, Roberts (Dustin), Rousselot, Shoemake, Shumate, Tibbs, Trebilcock.--19.

Vacancy: District 71, District 88.--2.

Representative Peters moved to amend **HB 2267**, Page 2, Section 1, Line 7 by adding the language “This section shall not allow governmental subdivisions to adopt and enforce more stringent local ordinances than apply to private dining and social clubs.”

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

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

Representative Derby moved to amend **HB 2267**, Page 1, Line 23-Page 2, Line 1, by striking “shall not” and inserting in lieu thereof “may” and by inserting “or more stringent” after the word “stringent” and before the word “than”.

Representative Hickman raised a point of order as to whether the Derby amendment was in order because the proposed amendment as submitted did not appear to amend an existing location within the bill.

The Presiding Officer stated that the amendment was timely filed and that the error would be treated as a scrivener's error. The Presiding Officer directed Representative Derby to inform the body as to where in the bill the amendment should have been placed.

Representative Derby stated that the amendment should be placed on Page 2, Section 1, Lines 5-6.

Representative Derby pressed adoption of the amendment, which amendment was declared adopted upon roll call as follows:

Aye: Armes, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Derby, Glenn, Grau, Hall, Jackson, Johnson, Jordan, Joyner, Kern, Key, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Newell, Nollan, Peters, Peterson, Pruett, Ritze, Rousselot, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Watson, Wesselhoft.--43.

Nay: Banz, Billy, Brown, Cannaday, Condit, Coody, Cox, Dank, Denney, DeWitt, Dorman, Enns, Fourkiller, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, McDaniel (Curtis), McDaniel (Jeannie), Morrissette, Ortega, Ownbey, Proctor, Renegar, Richardson, Roberts (Sean), Russ, Sherrer, Virgin, Walker, Mr. Speaker.--34.

Excused: Bennett, Cooksey, Faught, Kirby, Kouplen, Lockhart, McPeak, Morgan, Nelson, Osborn, Pittman, Quinn, Reynolds, Roan, Roberts (Dustin), Scott, Shelton, Shumate, Tibbs, Trebilcock, Williams, Wright.--22.

Vacancy: District 71, District 88.--2.

Representative Stiles moved to postpone indefinitely **HB 2267**.

Representative Blackwell moved to postpone **HB 2267** to a time certain of Monday, March 19, 2012, at 2:00 p.m.

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

Representative Stiles pressed his motion to postpone indefinitely **HB 2267**.

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

Representative Cox moved that **HB 2267** be advanced from General Order, which motion was declared adopted upon a division of the question.

THIRD READING

HB 2267 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Billy, Brown, Cannaday, Casey, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Grau, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Morrissette, Nelson, Nollan, Ortega, Ownbey, Pittman, Proctor, Renegar, Richardson,

Roan, Roberts (Sean), Scott, Sears, Shelton, Sherrer, Shoemake, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--57.

Nay: Armes, Blackwell, Brumbaugh, Christian, Cockroft, Faught, Glenn, Hall, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Moore, Mulready, Murphey, Newell, Peters, Peterson, Pruett, Ritze, Rousselot, Russ, Schwartz, Shannon, Stiles, Terrill, Wesselhoft.--30.

Excused: Bennett, Kouplen, McPeak, Morgan, Osborn, Quinn, Reynolds, Roberts (Dustin), Sanders, Shumate, Tibbs, Trebilcock.--12.

Vacancy: District 71, District 88.--2.

The measure passed.

Representative Stiles served notice to reconsider the vote whereby **HB 2267** passed.

Representative Armes Presiding

GENERAL ORDER

HB 2679 by Banz et al of the House and Jolley of the Senate was read and considered.

Coauthored by Representative(s) Hickman, Coody

Representative Banz moved that **HB 2679** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2679 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Faught, Hall, Hardin, Hickman, Hilliard, Holland, Jackson, Johnson, Joyner, Kern, Key, Liebmann, McCullough, McDaniel (Randy), Morgan, Mulready, Murphey, Nelson, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Pruett, Richardson, Roan, Roberts (Sean), Russ, Shoemake, Stiles, Thomsen, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--48.

Nay: Blackwell, Brown, Cannaday, Cockroft, Condit, Derby, Dorman, Fourkiller, Glenn, Grau, Hamilton, Hoskin, Inman, Jordan, Kirby, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Curtis), McDaniel (Jeannie), Moore, Morrissette, Newell, Proctor, Renegar, Roberts (Dustin), Rousselot, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Virgin, Walker, Williams.--36.

Excused: Bennett, Christian, Enns, Kouplen, McNiel, McPeak, Osborn, Quinn, Reynolds, Ritze, Scott, Shumate, Terrill, Tibbs, Trebilcock.--15.

Vacancy: District 71, District 88.--2.

The measure failed.

Representative Banz served notice to reconsider the vote whereby **HB 2679** failed.

RECONSIDERATION

Representative McDaniel (Jeannie) moved to reconsider the vote whereby **HB 2582** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Brown, Casey, Condit, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Fourkiller, Glenn, Hall, Hamilton, Hardin, Hickman, Hilliard, Hoskin, Inman, Jackson, Jordan, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), Moore, Morgan, Morrissette, Mulready, Nelson, Ortega, Ownbey, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sears, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--65.

Nay: Cockroft, Grau, Holland, Key, McCullough, Newell.--6.

Excused: Bennett, Blackwell, Brumbaugh, Cannaday, Christian, Derby, Enns, Faught, Johnson, Joyner, Kouplen, McNiel, McPeak, Murphey, Nollan, Osborn, Peters, Quinn, Reynolds, Ritze, Sanders, Schwartz, Scott, Shannon, Shumate, Tibbs, Trebilcock, Wesselhoft.--28.

Vacancy: District 71, District 88.--2.

Upon request of Representative McDaniel (Jeannie) **HB 2582** was laid over on Third Reading.

RECONSIDERATION

Representative Vaughan moved to reconsider the vote whereby **HB 2198** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Billy, Brumbaugh, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peterson, Proctor, Pruett, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ,

Sanders, Schwartz, Shannon, Sherrer, Shoemake, Stiles, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--67.

Nay: Terrill.--1.

Excused: Banz, Bennett, Blackwell, Brown, Cannaday, Casey, Christian, Dorman, Enns, Faught, Hamilton, Hilliard, Kern, Key, Kouplen, McPeak, Morgan, Morrissette, Osborn, Peters, Pittman, Quinn, Renegar, Reynolds, Ritze, Scott, Sears, Shelton, Shumate, Tibbs, Trebilcock.--31.

Vacancy: District 71, District 88.--2.

Upon request of Representative Vaughan, **HB 2198** was laid over on Third Reading.

GENERAL ORDER

HB 2833 by Martin (Scott) of the House was read and considered.

Authored by Senator Bingman (principal Senate author)

Representative Martin (Scott) moved that **HB 2833** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2833 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Faught, Glenn, Grau, Hall, Hickman, Hilliard, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Peters, Peterson, Pittman, Proctor, Richardson, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--71.

Nay: Brown, Hamilton, Hoskin, Inman, Lockhart, Morgan, Pruett, Roan, Shelton.--9.

Excused: Bennett, Blackwell, Cannaday, Christian, Enns, Fourkiller, Hardin, Kouplen, McPeak, Osborn, Ownbey, Quinn, Renegar, Reynolds, Ritze, Scott, Shumate, Tibbs, Trebilcock.--19.

Vacancy: District 71, District 88.--2.

The measure and emergency passed.

HB 2833 was referred for engrossment.

GENERAL ORDER

HB 2242 by Denney et al of the House and Halligan of the Senate was read and considered.

Representative Denney moved that **HB 2242** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2242 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, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--82.

Excused: Bennett, Cannaday, Christian, Enns, Hardin, Kouplen, McPeak, Osborn, Ownbey, Quinn, Renegar, Reynolds, Ritze, Scott, Shumate, Tibbs, Trebilcock.--17.

Vacancy: District 71, District 88.--2.

The measure passed.

HB 2242 was referred for engrossment.

GENERAL ORDER

HB 2994 by Newell of the House and Newberry of the Senate was read and considered.

Representative Newell moved that **HB 2994** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2994 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, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--81.

Nay: Wesselhoft.--1.

Excused: Bennett, Cannaday, Christian, Enns, Hardin, Kouplen, McPeak, Osborn, Ownbey, Quinn, Renegar, Reynolds, Ritze, Scott, Shumate, Tibbs, Trebilcock.--17.

Vacancy: District 71, District 88.--2.

The measure passed.

HB 2994 was referred for engrossment.

GENERAL ORDER

HB 2995 by Newell of the House and Ivester of the Senate was read and considered.

Representative Newell moved that **HB 2995** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2995 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, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Derby, DeWitt, Dorman, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Peters, Peterson, Pittman, Proctor, Pruett, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--81.

Excused: Bennett, Cannaday, Christian, Denney, Enns, Hardin, Kouplen, McPeak, Osborn, Ownbey, Quinn, Renegar, Reynolds, Ritze, Scott, Shumate, Tibbs, Trebilcock.--18.

Vacancy: District 71, District 88.--2.

The measure passed.

HB 2995 was referred for engrossment.

GENERAL ORDER

HB 2287 by Virgin of the House and Sparks of the Senate was read and considered.

Representative Virgin moved that **HB 2287** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 2287 was read at length for the third time.

Upon request of Representative Virgin, **HB 2287** was laid over on Third Reading.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Banz, the **CCR** on **SB 91** was rejected and further conference requested. The Speaker named the same conferees:

SB 91 – Conference Committee on Government Modernization and Rules

POINT OF INQUIRY

Representative Nelson raised a point of inquiry as to the precise time a bill becomes property of the House and cannot be withdrawn by its author. **HB 2287** had been advanced from General Order and was on Third Reading when Representative Virgin requested that the measure be withdrawn from consideration.

The Presiding Officer stated that pursuant to House Rule 10.4(b) it is the prerogative of the principal author to withdraw a measure from consideration at any time prior to the vote on final passage.

Representative Banz Presiding

MOTION

Representative Sears asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2302**, which was the order.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

HB 2231 – Administrative Rules and Government Oversight, Authored by Senator Aldridge (principal Senate author)

HB 2366 – Economic Development, Tourism and Financial Services, Authored by Senator Coates (principal Senate author)

HB 2648 – General Government, Authored by Senator Brinkley (principal Senate author)

HB 2689 – Higher Education and Career Tech, Remove Representative Banz as principal House author, substitute with Representative Joyner, Coauthored by Representative(s) Banz, Pittman, and Authored by Senator Ellis (principal Senate author)

HB 2713 – Appropriations and Budget, Authored by Senator Anderson (principal Senate author)

HB 2755 – Appropriations and Budget, Authored by Senator Barrington (principal Senate author)

HB 2839 – Appropriations and Budget, Coauthored by Representative(s) Pittman

HB 2862 – General Government, Authored by Senator Burrage (principal Senate author)

HB 2867 – Appropriations and Budget, Authored by Senator Coates (principal Senate author)

HB 2900 – Higher Education and Career Tech, Authored by Senator Lerblance (principal Senate author)

HB 2901 – Government Modernization, Authored by Senator Ballenger (principal Senate author)

HB 2903 – Appropriations and Budget, Authored by Senator Wyrick (principal Senate author)

HB 2958 – Appropriations and Budget, Authored by Senator Crain (principal Senate author)

HB 3004 – General Government, Remove as author Representative(s) Kirby, and Authored by Senator Burrage (principal Senate author)

DO PASS, As Amended:

CS for **HB 1485** – Public Safety

CS for **HB 2246** – Public Safety, Authored by Senator Barrington (principal Senate author)

CS for **HB 2326** – Appropriations and Budget, Coauthored by Representative(s) Pruett, Cannaday, Pittman, Fourkiller, Scott, Kouplen, McNiel, and Authored by Senator Ellis (principal Senate author)

CS for **HB 2476** – Appropriations and Budget, Authored by Senator Johnson (Rob) (principal Senate author)

CS for **HB 2495** – Agriculture, Wildlife and Environment

CS for **HB 2496** – Appropriations and Budget, Authored by Senator Simpson (principal Senate author)

CS for **HB 2509** – Economic Development, Tourism and Financial Services, Authored by Senator Branan (principal Senate author)

CS for **HB 2516** – Common Education, Authored by Senator Ford (principal Senate author)

CS for **HB 2607** – Agriculture, Wildlife and Environment, Authored by Senator Schulz (principal Senate author)

CS for **HB 2676** – Common Education

CS for **HB 2677** – Higher Education and Career Tech, Coauthored by Representative(s) Pittman, Johnson

CS for **HB 2686** – Economic Development, Tourism and Financial Services, Authored by Senator Newberry (principal Senate author)

CS for **HB 2724** – Economic Development, Tourism and Financial Services, Authored by Senator Lerblance (principal Senate author)

HB 2726 – Appropriations and Budget, Coauthored by Representative(s) Dorman, and Authored by Senator Ivester (principal Senate author)

CS for **HB 2728** – Appropriations and Budget, Coauthored by Representative(s) Dorman, Hoskin, and Authored by Senator Sparks (principal Senate author)

HB 2740 – Appropriations and Budget, Authored by Senator David (principal Senate author)

CS for **HB 2741** – Appropriations and Budget, Authored by Senator Burrage (principal Senate author)

CS for **HB 2747** – Appropriations and Budget, Authored by Senator Ballenger (principal Senate author)

CS for **HB 2777** – Appropriations and Budget, Coauthored by Representative(s) Dorman

CS for **HB 2790** – Common Education, Authored by Senator Ford (principal Senate author)

HB 2804 – Appropriations and Budget, Authored by Senator David (principal Senate author)

CS for **HB 2808** – Public Safety, Authored by Senator David (principal Senate author)

CS for **HB 2836** – Agriculture, Wildlife and Environment

CS for **HB 2914** – Agriculture, Wildlife and Environment

CS for **HB 2952** – Economic Development, Tourism and Financial Services, Authored by Senator Anderson (principal Senate author)

HB 2975 – Appropriations and Budget, Coauthored by Representative(s) Pittman, and Authored by Senator Mazzei (principal Senate author)

CS for **HB 2978** – Appropriations and Budget, Coauthored by Representative(s) Pittman, and Authored by Senator Mazzei (principal Senate author)

CS for **HB 2980** – Appropriations and Budget, Authored by Senator Mazzei (principal Senate author)

CS for **HB 2999** – Higher Education and Career Tech, Authored by Senator Brecheen (principal Senate author)

CS for **HB 3032** – Appropriations and Budget, Coauthored by Representative(s) Dorman, and Authored by Senator Simpson (principal Senate author)

CS for **HB 3038** – Appropriations and Budget, Coauthored by Representative(s) Johnson, Liebmann, Moore, McCullough, Richardson, Kern, Wesselhoft, Reynolds, and Authored by Senator Jolley (principal Senate author)

CS for **HB 3058** – Appropriations and Budget, Coauthored by Representative(s) Dorman, and Authored by Senator Bingman (principal Senate author)

CS for **HB 3061** – Appropriations and Budget, Authored by Senator Jolley (principal Senate author)

CS for **HB 3069** – Appropriations and Budget, Coauthored by Representative(s) Pittman, and Authored by Senator Barrington (principal Senate author)

HB 3093 – Appropriations and Budget, Authored by Senator Fields (principal Senate author)

CS for **HB 3113** – Higher Education and Career Tech, Authored by Senator Anderson (principal Senate author)

CS for **HB 3119** – Common Education, Authored by Senator Stanislawski, (principal Senate author)

CS for **HB 3130** – Appropriations and Budget

HB 3132 – Appropriations and Budget, Remove Representative Nelson as principal House author, substitute with Representative Steele, Coauthored by Representative(s) Rousselot, Nelson, Ownbey, and Authored by Senator Treat (principal Senate author)

CS for **SB 447** – Public Safety, Coauthored by Representative(s) Peterson

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:00 a.m., Monday, March 5, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 12:55 p.m., to reconvene Monday, March 5, 2012, at 10:00 a.m.