

HOUSE JOURNAL

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Forty-sixth Legislative Day, Wednesday, April 25, 2012

The House was called to order by Speaker Steele.

The roll was called with 96 Members present.

The following Members were excused: Cox, Pittman.—2.

Vacancy: District 23, District 71, District 88.—3.

The Speaker declared a quorum present.

Prayer was offered by Pastor Kevin Clarkson, First Baptist Church of Moore.
Pastor Clarkson was sponsored by Representative Reynolds.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 448, 1001, 1247, 1280, 1355, 1366, 1434, 1535, 1627, 1628, 1875, 1935, 1951 and 1953 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 2516 and 2994 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HR 1054 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

FIRST READING

The following was introduced and read for the first time:

HJR 1129 – By Armes.

A Joint Resolution disapproving permanent rules of the Oklahoma Department of Agriculture, Food, and Forestry; and directing distribution.

GENERAL ORDER

SB 1796 by Jolley of the Senate and Sears of the House was read and considered.

Representative Sears moved that **SB 1796** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1796 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Shelton, Sherrer, Shoemake, Shumate, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wright, Mr. Speaker.--76.

Excused: Billy, Blackwell, Christian, Cox, Hamilton, Jackson, Kirby, McDaniel (Randy), McNeil, McPeak, Morgan, Morrisette, Ortega, Osborn, Pittman, Richardson, Schwartz, Scott, Shannon, Terrill, Wesselhoft, Williams.--22.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1796 was referred for engrossment.

GENERAL ORDER

SB 1111 by Fields of the Senate and Denney of the House was read and considered.

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

Remove Senator Fields as principal Senate author and substitute with Senator Simpson

Representative Ownbey moved to amend **SB 1111** by deleting Section 1 and by inserting in lieu thereof new Sections 1-5, and by renumbering subsequent sections, which amendment was declared adopted.

Representative Ownbey moved that **SB 1111** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1111 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Casey, Coody, Cooksey, Dank, Denney, DeWitt, Dorman, Grau, Hardin, Hickman, Hilliard, Johnson, Jordan, Liebmann, Martin (Steve), McDaniel (Jeannie), McNeil, Moore, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Pruett, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Thomsen, Vaughan, Virgin, Walker, Watson, Mr. Speaker.--40.

Nay: Bennett, Brown, Brumbaugh, Cannaday, Cockroft, Condit, Derby, Faught, Fourkiller, Glenn, Hall, Holland, Hoskin, Inman, Joyner, Kern, Key, Kirby, Kouplen, Martin (Scott), McCullough, McDaniel (Curtis), McPeak, Mulready, Murphey, Proctor, Quinn, Renegar, Reynolds, Ritze, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Trebilcock, Wesselhoft.--38.

Excused: Billy, Blackwell, Christian, Cox, Enns, Hamilton, Jackson, Lockhart, McDaniel (Randy), Morgan, Morrisette, Ortega, Pittman, Richardson, Roan, Schwartz, Scott, Shannon, Williams, Wright.--20.

Vacancy: District 23, District 71, District 88.--3.

The measure failed.

Representative Ownbey served notice to reconsider the vote whereby **SB 1111** failed.

MESSAGE FROM THE SENATE

Announcing the passage of **HBs 2381**, Coauthored by Senators Brinkley and Newberry, **2742, 2967**, Coauthored by Senator Ivester and **HJR 1093**, Coauthored by Senators Newberry and Ivester.

The above-numbered measures were referred for enrollment.

GENERAL ORDER

SB 1052 by Coates of the Senate and Liebmann of the House was read and considered.

Representative Liebmann moved that **SB 1052** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1052 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Brown, Brumbaugh, Casey, Cockroft, Coody, Dank, Denney, Derby, DeWitt, Enns, Faught, 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, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Thomsen, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--56.

Nay: Bennett, Cannaday, Christian, Condit, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Proctor, Renegar, Ritze, Roan, Roberts (Dustin), Rousselot, Shelton, Sherrer, Shoemake, Shumate, Terrill, Virgin, Walker.--29.

Excused: Billy, Blackwell, Cooksey, Cox, Dorman, Hardin, Morgan, Morrisette, Pittman, Reynolds, Richardson, Scott, Williams.--13.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

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

Aye: Armes, Banz, Blackwell, Brown, Brumbaugh, Casey, Coody, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Holland, Johnson, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), Martin (Steve), McDaniel (Randy), Moore, Murphey, Newell, Osborn, Peters, Peterson, Roberts (Sean), Sanders, Schwartz, Sears, Shannon, Thomsen, Walker, Watson, Wright, Mr. Speaker.--42.

Nay: Bennett, Cannaday, Condit, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Renegar, Ritze, Roan, Roberts (Dustin), Rousselot, Russ, Shelton, Sherrer, Shoemake, Shumate, Stiles, Virgin, Wesselhoft.--26.

Excused: Billy, Christian, Cockroft, Cooksey, Cox, Dorman, Inman, Jackson, Kern, Key, McCullough, McNeil, Morgan, Morrisette, Mulready, Nelson, Nollan, Ortega, Ownbey, Pittman, Proctor, Pruett, Quinn, Reynolds, Richardson, Scott, Terrill, Trebilcock, Vaughan, Williams.--30.

Vacancy: District 23, District 71, District 88.--3.

The emergency failed.

The Presiding Officer signed Engrossed **SB 1052** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1664 by Barrington of the Senate and Johnson of the House was read and considered.

Coauthored by Representative(s) Pittman

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

THIRD READING

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

Aye: Armes, Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, 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 (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey,

Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--85.

Nay: Hamilton.--1.

Excused: Banz, Billy, Cockroft, Cox, Morgan, Morrissette, Ortega, Pittman, Richardson, Sanders, Scott, Williams.--12.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

SB 1664 was referred for engrossment.

GENERAL ORDER

SB 1234 by Mazzei of the Senate and Dank of the House was read and considered.

Representative Dank moved that **SB 1234** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1234 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Blackwell, Brumbaugh, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Grau, Hall, Hickman, Hilliard, Holland, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNeil, Moore, Mulready, Murphey, Nelson, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Richardson, Roan, Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--68.

Nay: Bennett, Brown, Cannaday, Christian, Glenn, Hamilton, Hardin, Hoskin, Key, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Newell, Proctor, Renegar, Reynolds, Ritze, Roberts (Dustin), Shelton, Sherrer, Shumate.--21.

Excused: Billy, Cox, Fourkiller, Morgan, Morrisette, Pittman, Quinn, Scott, Williams.--9.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

SB 1234 was referred for engrossment.

GENERAL ORDER

SB 1436 by Mazzei et al of the Senate and Dank et al of the House was read and considered.

Coauthored by Representative(s) Cox, Mulready, Hall, Grau, Cockroft, Sanders, Enns

Representative Dank moved that **SB 1436** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1436 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, Dank, Denney, Derby, DeWitt, Enns, 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 (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemaker, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--88.

Nay: Hamilton, Renegar.--2.

Excused: Billy, Cox, Dorman, Morrisette, Pittman, Quinn, Shumate, Williams.--8.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1436 was referred for engrossment.

ENGROSSED AND ENROLLED MEASURES

HBs 2381, 2742, 2967 and **HJR 1093** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

GENERAL ORDER

SB 1040 by Marlatt et al of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Cannaday, Cockroft

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

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

Aye: Armes, Banz, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, Enns, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Sean), Rousselot, Sanders, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--78.

Excused: Bennett, Billy, Christian, Cox, DeWitt, Dorman, Fourkiller, Key, McDaniel (Jeannie), Morrissette, Ownbey, Pittman, Reynolds, Ritze, Roberts (Dustin), Russ, Schwartz, Shelton, Stiles, Williams.--20.

Vacancy: District 23, District 71, District 88.--3.

Representative Armes moved to amend **SB 1040** by deleting Sections 1 and 2 and by inserting new Sections 1 and 2, which amendment was declared adopted.

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

THIRD READING

SB 1040 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, 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 (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--90.

Excused: Bennett, Billy, Cox, Glenn, Morrissette, Pittman, Shelton, Wesselhoft.--8.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

SB 1040 was referred for engrossment.

MOTION

Representative Banz asked unanimous consent that the Journal reflect that the Rules Committee voted by unanimous consent Tuesday, April 24, 2012, to approve the principal author's request to strike the title on the following measure: **SB 1040** by Representative Armes, which was the order.

GENERAL ORDER

SB 1523 by Johnson (Rob) of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 1523** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1523 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, Dank, Denney, Derby, Dorman, Enns, Faught, Fourkiller, Glenn, Hall, 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), McNiell, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--87.

Nay: Grau, Hamilton, Reynolds, Ritze.--4.

Excused: Billy, Cox, DeWitt, Kouplen, Morrissette, Pittman, Richardson.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1523 was referred for engrossment.

GENERAL ORDER

SB 1811 by Johnson (Rob) of the Senate and Enns of the House was read and considered.

Representative Enns moved that **SB 1811** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1811 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, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, 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), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds,

Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Excused: Billy, Cannaday, Cox, Key, McPeak, Morrissette, Pittman.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1811** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SJR 52 by Mazzei et al of the Senate and Dank of the House was read and considered.

Coauthored by Representative(s) McDaniel (Randy)

Representative Dank moved that **SJR 52** be advanced from General Order, which motion was declared adopted.

THIRD READING

SJR 52 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, 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), McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--89.

Excused: Billy, Cox, Kouplen, McNiel, Morrissette, Pittman, Renegar, Sherrer, Virgin.--9.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SJR 52 was referred for engrossment.

Speaker Pro Tempore Hickman Presiding

GENERAL ORDER

SB 1797 by Jolley of the Senate and Denney of the House was read and considered.

Representative Holland moved to amend **SB 1797**, Page 3, Section 1, Lines 1-3 by deleting all of Paragraph 2, and by renumbering the subsequent paragraphs; Line 17 by deleting the period “.” and inserting after the word “teacher” the language “in kindergarten through grade six; and”; and Line 18 by inserting a new paragraph 7 to read as follows:

“7. One member appointed by the Governor, with the advice and consent of the Senate, who shall be an active classroom teacher in grades seven through twelve.”,

which amendment was declared adopted.

Representative Denney moved that **SB 1797** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1797 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Billy, Brown, Cannaday, Cockroft, Condit, Coody, Cooksey, Denney, Derby, DeWitt, Dorman, Fourkiller, Glenn, Hall, Hamilton, Hickman, Hilliard, Johnson, Jordan, Joyner, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, Morgan, Murphey, Nelson, Nollan, Ortega, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Sean), Rousselot, Russ, Sanders, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Watson, Wright, Mr. Speaker.--61.

Nay: Banz, Bennett, Blackwell, Brumbaugh, Casey, Christian, Dank, Enns, Hardin, Holland, Jackson, Kern, Key, McDaniel (Randy), Moore, Newell, Reynolds, Ritze, Schwartz, Terrill, Walker, Wesselhoft.--22.

Excused: Armes, Cox, Faught, Grau, Hoskin, Inman, Kouplen, McPeak, Morrissette, Mulready, Osborn, Pittman, Quinn, Roberts (Dustin), Williams.--15.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1797 was referred for engrossment.

GENERAL ORDER

SB 1083 by Barrington et al of the Senate and Nelson et al of the House was read and considered.

Representative Nelson moved that **SB 1083** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1083 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Brown, Cannaday, Casey, Condit, Coody, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Glenn, Hall, Hamilton, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), Mulready, Nelson, Nollan, Osborn, Peters, Peterson, Proctor, Renegar, Richardson, Roan, Roberts (Dustin), Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wright, Mr. Speaker.--67.

Nay: Bennett, Blackwell, Brumbaugh, Christian, Cockroft, Grau, Hardin, McDaniel (Randy), Moore, Murphey, Newell, Reynolds, Ritze, Roberts (Sean), Russ, Wesselhoft.--16.

Excused: Cooksey, Cox, Fourkiller, Key, McDaniel (Curtis), McNiell, McPeak, Morgan, Morrissette, Ortega, Ownbey, Pittman, Pruett, Quinn, Williams.--15.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1083** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1325 by Crain et al of the Senate and Richardson of the House was read and considered.

Representative Richardson moved that **SB 1325** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1325 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Cannaday, Condit, Coody, DeWitt, Dorman, Hickman, Hilliard, Hoskin, Inman, Jordan, Kouplen, Martin (Steve), McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Ownbey, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Rousselot, Russ, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker, Wesselhoft, Mr. Speaker.--35.

Nay: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Casey, Christian, Cockroft, Cooksey, Dank, Denney, Derby, Enns, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Holland, Jackson, Johnson, Joyner, Kern, Key, Liebmann, Lockhart, Martin (Scott), McCullough, McDaniel (Randy), Moore, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Peters, Peterson, Reynolds, Ritze, Roberts (Sean), Sanders, Schwartz, Sears, Shannon, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Watson, Wright.--54.

Excused: Cox, Fourkiller, Kirby, Morgan, Morrissette, Ortega, Pittman, Quinn, Williams.--9.

Vacancy: District 23, District 71, District 88.--3.

The measure failed.

GENERAL ORDER

SB 1734 by Sykes of the Senate and Jordan et al of the House was read and considered.

Coauthored by Representative(s) Kern, Nollan

Representative Jordan moved that **SB 1734** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1734 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, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--91.

Excused: Cox, Johnson, Morrisette, Ortega, Pittman, Quinn, Williams.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1734** and ordered same returned to the Honorable Senate.

MESSAGE FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 1222, 1952**, Coauthored by Representative Walker and Senators Marlatt, Brecheen, **2390, 2391**, Coauthored by Senator Stanislawski, **2394**, Coauthored by Senator Marlatt, **2447**, Coauthored by Senator Allen, **2469, 2520, 2522**, Coauthored by Representatives Moore, Russ, Mulready, Faught and Senators Shortey, Sykes and Russell, **2524, 2525, 2561**, Coauthored by Representatives Hamilton, Johnson and Senator Shortey, **2563**, Coauthored by Representatives Fourkiller and Walker (Emergency Failed), **2616, 2787, 2790, 2921**, Coauthored by Senator Allen, **3049**, Coauthored by Senator Marlatt, **3056, 3058**, Coauthored by Representative Cox and Senators Crain, Ivester, McAffrey, Stanislawski, Brinkley and **HJR 1001**, Coauthored by Representative Tibbs and Senators Holt, Jolley and **1082**, Coauthored by Senators Allen, Childers, David, Garrison and Shortey.

Senate amendments were read on the above-numbered measures.

GENERAL ORDER

SB 1525 by Jolley et al of the Senate and Armes of the House was read and considered.

Representative Armes moved that **SB 1525** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1525 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, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lockhart, Martin (Scott), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Shannon, Shelton, Sherrer, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--82.

Nay: Ritze.--1.

Excused: Brumbaugh, Cox, Johnson, Liebmann, Martin (Steve), Morrisette, Ortega, Pittman, Quinn, Reynolds, Roan, Rousselot, Sears, Shoemake, Williams.--15.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1525 was referred for engrossment.

GENERAL ORDER

SB 1690 by Sykes of the Senate and Derby of the House was read and considered.

Coauthored by Representative(s) Cox

Representative Derby moved that **SB 1690** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1690 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, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--84.

Nay: Morgan, Reynolds, Sherrer.--3.

Excused: Armes, Cox, Glenn, Hamilton, Johnson, Morrissette, Ortega, Pittman, Quinn, Rousselot, Shoemake.--11.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1690 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to HB 2330 were rejected upon motion of Representative Moore. The Speaker named the Conference Committee on General Government and Transportation.

PENDING CONSIDERATION OF SAs

SAs to HB 2242 were rejected upon motion of Representative Denney. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to HB 2254 were rejected upon motion of Representative Sherrer. The Speaker named the Conference Committee on Public Safety, Judiciary and Military Affairs.

PENDING CONSIDERATION OF SAs

SAs to **HB 2286** were rejected upon motion of Representative Virgin. The Speaker named the Conference Committee on Public Safety, Judiciary and Military Affairs.

PENDING CONSIDERATION OF SAs

SAs to **HB 2288** were rejected upon motion of Representative Virgin. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to **HB 2300** were rejected upon motion of Representative Peterson. The Speaker named the Conference Committee on Health and Human Services.

PENDING CONSIDERATION OF SAs

SAs to **HB 2576** were rejected upon motion of Representative Ownbey. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to **HB 2577** were rejected upon motion of Representative Ownbey. The Speaker named the Conference Committee on General Government and Transportation.

PENDING CONSIDERATION OF SAs

SAs to **HB 2736** were rejected upon motion of Representative Peters. The Speaker named the Conference Committee on Health and Human Services.

PENDING CONSIDERATION OF SAs

SAs to **HB 3093** were rejected upon motion of Representative Williams. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to **HB 2494** were rejected upon motion of Representative Denney. The Speaker named the Conference Committee on Education.

PENDING CONSIDERATION OF SAs

SAs to HB 2621 were rejected upon motion of Representative Johnson. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to HB 2258 were rejected upon motion of Representative Sherrer. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to HB 2607 were rejected upon motion of Representative Blackwell. The Speaker named the Conference Committee on Natural Resources.

PENDING CONSIDERATION OF SAs

SAs to HB 2741 were rejected upon motion of Representative Peters. The Speaker named GCCA.

PENDING CONSIDERATION OF SAs

SAs to HB 3053 were rejected upon motion of Representative Murphey. The Speaker named the Conference Committee on Government Modernization and Rules.

PENDING CONSIDERATION OF SAs

SAs to HB 3079 were rejected upon motion of Representative Murphey. The Speaker named the Conference Committee on Government Modernization and Rules.

MOTION

Representative DeWitt moved that the House stand in recess until 1:45 p.m., which was the order.

Representative Peters Presiding**MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature enrolled **SBs 1060, 1505, 1601** and **1913**.

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

Returning enrolled measures

Announcing that enrolled **HBs 2381, 2516, 2742, 2967, 2994** and **HJR 1093** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Returning engrossed measures

Announcing the passage of **HBs 2090**, Coauthored by Senators Russell, Garrison, Johnson (Constance) and **2587**, Coauthored by Senator Garrison.

The above-numbered measures were referred for enrollment.

GENERAL ORDER

SB 1716 by Sparks et al of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Roberts (Sean), Cockroft, Dorman

Representative Armes moved that **SB 1716** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1716 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bennett, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Dank, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Hardin, Hickman, Holland, Jackson, Joyner, Kern, Key, Kouplen, Liebmann, Martin (Scott), Martin (Steve),

McDaniel (Randy), McNiell, McPeak, Morgan, Murphey, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Shoemake, Terrill, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Wright.--59.

Nay: Banz, Billy, Christian, Cooksey, Denney, Derby, Grau, Hall, Hamilton, Hilliard, Hoskin, Inman, Johnson, Jordan, Kirby, Lockhart, McCullough, McDaniel (Curtis), McDaniel (Jeannie), Moore, Morrisette, Mulready, Nollan, Proctor, Pruett, Reynolds, Russ, Scott, Shannon, Shelton, Sherrer, Shumate, Stiles, Thomsen, Virgin, Williams, Mr. Speaker.--37.

Excused: Cox, Pittman.--2.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1716 was referred for engrossment.

Speaker Pro Tempore Hickman Presiding

GENERAL ORDER

SB 1253 by Ivester of the Senate and Faught of the House was read and considered.

Coauthored by Representative(s) Ritze

Representative Faught moved to amend **SB 1253** by inserting a new Section 1, and by renumbering subsequent sections, which amendment was declared adopted.

Representative Faught moved that **SB 1253** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1253 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Faught, Hall, Hardin, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Moore, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Shannon, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--60.

Nay: Blackwell, Brown, Cannaday, Condit, Dorman, Fourkiller, Grau, Hamilton, Hickman, Hilliard, Hoskin, Inman, Key, Kouplen, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrisette, Mulready, Proctor, Pruett, Renegar, Roan, Scott, Sears, Shelton, Sherrer, Shoemake, Virgin, Walker, Williams.--32.

Excused: Cox, Glenn, Pittman, Richardson, Rousselot, Shumate.--6.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

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

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Faught, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Reynolds, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Wright, Mr. Speaker.--62.

Nay: Bennett, Brown, Cannaday, Condit, Fourkiller, Hamilton, Hilliard, Hoskin, Key, Kouplen, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrisette, Proctor, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Walker, Wesselhoft, Williams.--28.

Excused: Cox, Dorman, Glenn, Grau, Inman, Pittman, Richardson, Watson.--8.

Vacancy: District 23, District 71, District 88.--3.

The emergency failed.

SB 1253 was referred for engrossment.

MOTION

Representative Banz asked unanimous consent that the Journal reflect that the Rules Committee voted by unanimous consent today, April 25, 2012, to approve the principal author's request to strike the title on the following measure: **SB 1816** by Representative Quinn, which was the order.

GENERAL ORDER

SB 1071 by David et al of the Senate and Jackson et al of the House was read and considered.

Representative Inman moved to amend **SB 1071** by inserting a new Section 2, and by renumbering subsequent section, which amendment was declared adopted.

Representative Hoskin moved to amend **SB 1071** by inserting a new Section 2, and by renumbering subsequent section, which amendment was declared adopted.

Representative Jackson moved that **SB 1071** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1071 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, DeWitt, Enns, Faught, Fourkiller, Glenn, Hamilton, Hardin, Hickman, Hilliard, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, 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, Shelton, Sherrer, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--88.

Nay: Grau, Hall, Mulready, Reynolds, Ritze.--5.

Excused: Cox, Dorman, Holland, Pittman, Shoemake.--5.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1071 was referred for engrossment.

POINT OF INQUIRY

Representative Morgan raised a point of inquiry as to whether a member who had previously filed floor amendments on a measure but was not present when the measure was taken up for consideration would have the opportunity to offer proper motions to return the bill to an amendable status.

The Presiding Officer stated that it is the responsibility of the member to seek recognition for presentation of their amendment at the proper time and that a member could indeed offer proper motions to rescind actions taken on a measure.

GENERAL ORDER

SB 46 by Barrington et al of the Senate and Coody et al of the House was read and considered.

Coauthored by Representative(s) Lockhart, Bennett, Banz, McDaniel (Jeannie), Sherrer, Shelton, Walker, Mulready

Representative Coody moved to amend **SB 46**, Page 17, Section 1, Lines 9-10 by deleting the language “Six Thousand Dollars (\$6,000.00)” and inserting in lieu thereof the language “One Thousand Dollars (\$1,000.00)”; and Line 16 by deleting the language “Six Thousand Dollars (\$6,000.00)” and inserting in lieu thereof the language “One Thousand Dollars (\$1,000.00)”.

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

Aye: Armes, Bennett, Brown, Brumbaugh, Cannaday, Christian, Cockroft, Condit, Dorman, Faught, Fourkiller, Glenn, Hardin, Hoskin, Inman, Joyner, Kern, Key, Kirby, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Moore, Murphey, Newell, Peterson, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Russ, Schwartz, Scott, Shannon, Sherrer, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker.--45.

Nay: Banz, Billy, Casey, Coody, Cooksey, Dank, Denney, DeWitt, Enns, Grau, Hall, Hickman, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Mulready, Nelson, Ortega, Osborn, Ownbey, Peters, Quinn, Richardson, Roberts (Dustin), Sanders, Sears, Trebilcock, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--35.

Excused: Blackwell, Cox, Derby, Hamilton, Hilliard, Holland, Jackson, Johnson, Jordan, Kouplen, McPeak, Morgan, Morrisette, Nollan, Pittman, Roberts (Sean), Shelton, Shoemaker.--18.

Vacancy: District 23, District 71, District 88.--3.

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

Representative Coody moved that **SB 46** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 46 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, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Excused: Cox, Holland, Jackson, Lockhart, McNeil, Morgan, Pittman, Richardson.--8.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 46 was referred for engrossment.

MESSAGE FROM THE SENATE

Advising rejection of **HAs** to **SB 1943** and requesting conference thereon, the Senate naming conferees later.

ADJOURNMENT CONSENT REQUEST

Representative DeWitt moved that the House grant the request of the Honorable Senate to adjourn for more than three (3) days beginning Thursday, April 26, 2012, and ending Monday, April 30, 2012, pursuant to Article V, Section 30, which motion failed of adoption upon roll call as follows:

Aye: Armes, Banz, Brown, Casey, Cockroft, Coody, Dank, DeWitt, Enns, Glenn, Grau, Hall, Hickman, Hilliard, Johnson, Jordan, Liebmann, Martin (Steve), McCullough, McDaniel (Randy), McNeil, Mulready, Murphey, Nelson, Nollan, Ortega, Osborn,

Ownbey, Peters, Pruett, Richardson, Rousselot, Russ, Sears, Shannon, Sherrer, Shoemake, Shumate, Thomsen, Watson, Wright, Mr. Speaker.--42.

Nay: Bennett, Billy, Blackwell, Brumbaugh, Cannaday, Christian, Condit, Cooksey, Denney, Derby, Dorman, Faught, Fourkiller, Hamilton, Hardin, Hoskin, Inman, Joyner, Kern, Key, Kouplen, Lockhart, Martin (Scott), McDaniel (Curtis), McDaniel (Jeannie), McPeak, Moore, Morrissette, Newell, Peterson, Proctor, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Scott, Shelton, Stiles, Terrill, Trebilcock, Vaughan, Virgin, Wesselhoft, Williams.--49.

Excused: Cox, Holland, Jackson, Kirby, Morgan, Pittman, Walker.--7.

Vacancy: District 23, District 71, District 88.--3.

GENERAL ORDER

SB 1242 by Barrington of the Senate and Armes of the House was read and considered.

Representative Peters moved to amend **SB 1242** by inserting new Sections 1 through 5 and by renumbering subsequent sections, which amendment was declared adopted.

Representative Armes moved that **SB 1242** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1242 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, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Mulready, Murphey, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Shannon, Shoemake, Stiles, Terrill, Thomsen, Vaughan, Walker, Watson, Wright, Mr. Speaker.--56.

Nay: Bennett, Brown, Cannaday, Christian, Condit, Fourkiller, Glenn, Hilliard, Hoskin, Inman, Key, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Moore, Morrissette, Proctor, Renegar, Reynolds, Ritze, Roan, Scott, Shelton, Sherrer, Shumate, Trebilcock, Virgin, Wesselhoft, Williams.--30.

Excused: Cox, Dorman, Hamilton, Holland, Jackson, McNeil, Morgan, Nelson, Ortega, Pittman, Richardson, Schwartz.--12.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1242 was referred for engrossment.

MESSAGE FROM THE SENATE

Announcing the passage of **HBs 2266, 2669, 2903, 3091**, Coauthored by Representatives Denney, Sherrer and Senator Ivester, **HJR 1085**, Coauthored by Senator Fields and **HCR 1035**.

The above-numbered measures were referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 2155 were called up for consideration.

Upon motion of Representative Jordan, the House concurred in the **SAs to HB 2155** upon roll call as follows:

Aye: Banz, Casey, Coody, Cooksey, Dank, Derby, DeWitt, Faight, Hall, Hickman, Johnson, Jordan, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Murphey, Nelson, Newell, Peters, Russ, Sanders, Sears, Shannon, Stiles, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--35.

Nay: Brown, Brumbaugh, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hardin, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), Moore, Morrissette, Peterson, Proctor, Pruett, Quinn, Renegar, Roan, Rousselot, Scott, Sherrer, Shoemake, Shumate, Virgin, Walker, Williams.--31.

Excused: Armes, Bennett, Billy, Blackwell, Cannaday, Christian, Cockroft, Cox, Denney, Enns, Grau, Holland, Jackson, Joyner, McNeil, McPeak, Morgan, Mulready, Nollan, Ortega, Osborn, Ownbey, Pittman, Reynolds, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Schwartz, Shelton, Terrill, Thomsen.--32.

Vacancy: District 23, District 71, District 88.--3.

Representative Terrill raised a point of order as to whether consideration of **HB 2155** was in order pursuant to House Rule 6.10.

The Presiding Officer ruled that pursuant to House Precedent 14.2-1 (2007) the Chair would not rule on the constitutionality of a bill under consideration by the House.

Representative McDaniel (Randy) moved to advance the question.

Representative Terrill moved to table the McDaniel (Randy) motion, which tabling motion was declared adopted upon a division of the question.

HB 2155, 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, Banz, Blackwell, Casey, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hickman, Johnson, Jordan, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Murphey, Nelson, Newell, Ownbey, Peters, Richardson, Russ, Sanders, Sears, Shannon, Thomsen, Trebilcock, Vaughan, Watson, Wright, Mr. Speaker.--42.

Nay: Bennett, Billy, Brown, Brumbaugh, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hardin, Hilliard, Hoskin, Inman, Joyner, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McNeil, McPeak, Moore, Morgan, Morrissette, Mulready, Nollan, Ortega, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Schwartz, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Virgin, Walker, Wesselhoft, Williams.--50.

Excused: Cannaday, Cox, Holland, Jackson, Osborn, Pittman.--6.

Vacancy: District 23, District 71, District 88.--3.

The measure failed.

Representative Jordan served notice to reconsider the vote whereby **HB 2155** failed.

MOTION

Representative Reynolds moved to suspend House Rule 9.2(a) for the purpose of allowing immediate consideration by the House of **SB 1433**.

The Presiding Officer ruled that pursuant to House Precedent 9.2-1 (2005) motions placing new business before the House must be scheduled through the Majority Floor Leader and that pursuant to House Precedent 9.2-5 (2009) the Majority Floor Leader determines the daily, legislative schedule. As such, the Reynolds motion was ruled out of order.

Representative Terrill raised a point of inquiry as to whether the effect of the ruling was to prevent any new item of business from being brought up before the House.

The Presiding Officer stated that it is the custom of the House for the Majority Floor Leader to schedule motions placing new business before the House.

Representative Reynolds raised a point of inquiry as to whether the House Precedents established in previous years remained relevant to current House Rules.

The Presiding Officer stated that the relevant House Rules had not changed and that House Precedents are merely a record of actions previously taken by the House.

Representative Terrill raised a point of inquiry as to whether a motion properly scheduled through the Majority Floor Leader must be entertained.

The Presiding Officer stated that a motion placing new business before the House must be scheduled by the Majority Floor Leader for consideration prior to adjournment on that same day, except that it is the custom of the House for the Majority Floor Leader to schedule the daily, legislative business of the House.

Representative Reynolds moved to appeal the ruling of the Presiding Officer but failed to receive the required 15 seconds.

Representative Christian raised a point of inquiry as to whether a motion to vacate the chair must be scheduled through the Majority Floor Leader, to which the Presiding Officer responded in the affirmative.

ADJOURNMENT CONSENT REQUEST

Representative DeWitt moved that the House grant the request of the Honorable Senate to adjourn for more than three (3) days beginning Thursday, April 26, 2012, and ending Monday, April 30, 2012, pursuant to Article V, Section 30, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Cockroft, Coody, Cooksey, Dank, Denney, DeWitt, Enns, Fourkiller, Glenn, Hall, Hickman, Hilliard, Hoskin, Inman, Johnson, Jordan, Joyner, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Morgan, Mulready, Murphey, Nelson, Ortega, Ownbey, Peters, Pruett, Renegar, Richardson, Roan, Rousselot, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Vaughan, Virgin, Wright, Mr. Speaker.--54.

Nay: Blackwell, Casey, Christian, Derby, Dorman, Faught, Hamilton, Kern, Kirby, Moore, Ritze, Russ, Terrill, Thomsen, Trebilcock, Wesselhoft, Williams.--17.

Excused: Bennett, Brown, Cannaday, Condit, Cox, Grau, Hardin, Holland, Jackson, Key, McNeil, Morrissette, Newell, Nollan, Osborn, Peterson, Pittman, Proctor, Quinn, Reynolds, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Scott, Walker, Watson.--27.

Vacancy: District 23, District 71, District 88.--3.

RECONSIDERATION

Representative Armes moved to reconsider the vote whereby **HJR 1119** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Casey, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Grau, Hall, Hardin, Hickman, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Quinn, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shoemake, Thomsen, Trebilcock, Vaughan, Virgin, Watson, Wright, Mr. Speaker.--52.

Nay: Bennett, Brown, Brumbaugh, Christian, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morrisette, Murphey, Renegar, Reynolds, Ritze, Roan, Roberts (Sean), Scott, Shelton, Sherrer, Shumate, Stiles, Terrill, Walker, Williams.--31.

Excused: Cannaday, Cockroft, Condit, Cox, Dorman, Faught, Holland, Jackson, Osborn, Pittman, Proctor, Pruett, Richardson, Roberts (Dustin), Wesselhoft.--15.

Vacancy: District 23, District 71, District 88.--3.

THIRD READING

HJR 1119 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Casey, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Hickman, Hoskin, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Morgan, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wright, Mr. Speaker.--57.

Nay: Bennett, Brown, Brumbaugh, Christian, Cockroft, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Inman, Key, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Moore, Morrisette, Mulready, Murphey, Renegar, Reynolds, Ritze, Roberts (Sean), Shelton, Sherrer, Shumate, Stiles, Terrill, Wesselhoft, Williams.--32.

Excused: Cannaday, Condit, Cox, Holland, Jackson, Osborn, Pittman, Proctor, Roberts (Dustin).--9.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

HJR 1119 was referred for engrossment.

RECONSIDERATION

Representative Liebmann moved to reconsider the vote whereby **HJR 1116** failed, which motion prevailed upon roll call as follows:

Aye: Armes, Banz, Billy, Brown, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Grau, Hall, Hardin, Hickman, Hilliard, Inman, Johnson, Jordan, Joyner, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Nelson, Nollan, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Thomsen, Vaughan, Virgin, Watson, Wesselhoft, Mr. Speaker.--56.

Nay: Blackwell, Brumbaugh, Casey, Christian, Cockroft, McDaniel (Curtis), McPeak, Morrisette, Murphey, Newell, Renegar, Reynolds, Ritze, Stiles, Terrill, Williams.--16.

Excused: Bennett, Cannaday, Condit, Cox, Faught, Fourkiller, Glenn, Hamilton, Holland, Hoskin, Jackson, Kern, Key, Martin (Steve), Ortega, Osborn, Pittman, Proctor, Roan, Roberts (Dustin), Roberts (Sean), Shelton, Shumate, Trebilcock, Walker, Wright.--26.

Vacancy: District 23, District 71, District 88.--3.

THIRD READING

HJR 1116 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Brown, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Glenn, Grau, Hall, Hickman, Hilliard, Hoskin, Inman, Johnson, Jordan, Joyner, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Nelson, Nollan, Ortega, Ownbey, Peters, Peterson, Pruett, Renegar, Richardson, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Thomsen, Vaughan, Virgin, Walker, Watson, Wright, Mr. Speaker.--63.

Nay: Bennett, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Hamilton, Hardin, Kern, Key, McDaniel (Curtis), Morrisette, Murphey, Newell, Quinn, Reynolds, Ritze, Roan, Roberts (Sean), Stiles, Terrill, Wesselhoft, Williams.--23.

Excused: Cannaday, Condit, Cox, Fourkiller, Holland, Jackson, Martin (Steve), Osborn, Pittman, Proctor, Roberts (Dustin), Trebilcock.--12.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

HJR 1116 was referred for engrossment.

GENERAL ORDER

SB 1439 by Nichols of the Senate and Kirby of the House was read and considered.

Representative Terrill raised a point of inquiry as to whether it would be proper to substitute one bill in place of another bill scheduled by the Majority Floor Leader.

The Presiding Officer stated that this would not be a proper motion.

Representative Kirby moved that **SB 1439** be advanced from General Order, which motion was declared adopted upon a division of the question.

THIRD READING

SB 1439 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, Casey, Christian, Cockroft, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Grau, Hall, Hardin, Hickman, Hilliard, Inman, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplén, Liebmann, Lockhart, Martin (Scott), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Sean), Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--76.

Nay: Glenn, Hamilton, Hoskin, Morrissette, Reynolds, Ritze, Rousselot, Shelton, Sherrer, Williams.--10.

Excused: Cannaday, Condit, Cox, Fourkiller, Holland, Jackson, Martin (Steve), Osborn, Pittman, Proctor, Roberts (Dustin), Trebilcock.--12.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

SB 1439 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising of her approval of **HBs 2255, 2257, 2476, 2495, 2558, 2686, 2724, 2738, 2748, 2750, 2995, 3043** and **3074** on April 25, 2012.

COMMITTEE REPORTS

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

DO PASS:

HJR 1111 – Administrative Rules and Government Oversight

HJR 1114 – Administrative Rules and Government Oversight

HJR 1121 – Administrative Rules and Government Oversight, Authored by Senator Newberry (principal Senate author)

HJR 1122 – Administrative Rules and Government Oversight

HJR 1123 – Administrative Rules and Government Oversight

HJR 1124 – Administrative Rules and Government Oversight

DO PASS, As Amended:

CS for HJR 1118 – Administrative Rules and Government Oversight

CS for HJR 1120 – Administrative Rules and Government Oversight, Authored by Senator Anderson (principal Senate author)

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 26, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 7:20 p.m., to reconvene Thursday, April 26, 2012, at 9:00 a.m.