

# HOUSE JOURNAL

## First Regular Session of the Fiftieth Legislature of the State of Oklahoma

**Thirty-sixth Legislative Day, Tuesday, April 5, 2005**

The House was called to order by Speaker Pro Tempore Winchester.

The roll was called with 100 Members present.

The following Member was excused: Hastings.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Tony Alvarez, Harrah First Assembly of God Church, Harrah.

The Journal for the last legislative day was approved.

### ENGROSSED AND ENROLLED MEASURES

**HAs to SBs 698 and 779** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

### MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 293, 362, 476** and **477**.

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

**Conference requested**

Advising rejection of **HAs** to **SB 335** and requesting conference thereon, the Senate naming conferees later.

**RESOLUTION REFERRED**

The following was withdrawn from the Calendar and referred to committee:

**HR 1019** – Rules

**GENERAL ORDER**

**SB 259** by Cain of the Senate and Peters of the House was read and considered.

Representative Peters moved that **SB 259** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Peters, **SB 259** was placed on Third Reading and Final Passage.

**THIRD READING**

**SB 259** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Hastings, McMullen, Trebilcock.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 259** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 13** by Wyrick of the Senate and Lamons of the House was read and considered.

Coauthored by Representative(s) Nance, Sherrer, McDaniel

Representative Lamons moved that **SB 13** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Lamons, **SB 13** was placed on Third Reading and Final Passage.

## THIRD READING

**SB 13** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Excused: Hastings, Trebilcock.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 13** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 24** by Jolley of the Senate and Balkman et al of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Balkman moved that **SB 24** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Balkman, **SB 24** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 24** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Blackburn, Hastings, Trebilcock.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 24** and ordered same returned to the Honorable Senate.

### **GENERAL ORDER**

**SB 546** by Adelson et al of the Senate and Balkman of the House was read and considered.

Coauthored by Representative(s) Nance

Representative Balkman moved that **SB 546** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Balkman, **SB 546** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 546** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Young, Mr. Speaker.--98.

Nay: Wright.--1.

Excused: Hastings, Trebilcock.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 546** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 799** by Jolley of the Senate and Balkman et al of the House was read and considered.

Coauthored by Representative(s) Wesselhoft

Representative Worthen moved to amend **SB 799** by restoring the title, which amendment was declared adopted.

Representative Balkman moved that **SB 799** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Balkman, **SB 799** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 799** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson,

Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Nay: Auffet, Mass, Toure.--3.

Excused: Askins, Hastings, McCarter, Trebilcock, Wilt.--5.

The measure passed.

**SB 799** was referred for engrossment.

## **GENERAL ORDER**

**SB 45** by Hobson et al of the Senate and Askins of the House was read and considered.

Coauthored by Representative(s) Nance

Representative Askins moved that **SB 45** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Askins, **SB 45** was placed on Third Reading and Final Passage.

## **THIRD READING**

**SB 45** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Hastings, Nations, Trebilcock, Wilt.--4.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 45** and ordered same returned to the Honorable Senate.

## GENERAL ORDER

**SB 49** by Cain of the Senate and Denney of the House was read and considered.

Representative Denney moved to amend **SB 49** by restoring the title, which amendment was declared adopted.

Representative Denney moved that **SB 49** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Denney, **SB 49** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 49** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Winchester, Worthen, Young, Mr. Speaker.--93.

Nay: Brown, Reynolds, Wright.--3.

Excused: Case, Hastings, Nations, Trebilcock, Wilt.--5.

The measure passed.

**SB 49** was referred for engrossment.

**GENERAL ORDER**

**SB 326** by Paddock of the Senate and Hilliard of the House was read and considered.

Representative Hilliard moved that **SB 326** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Hilliard, **SB 326** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 326** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kiesel, Lamons, Liebmann, Lindley, Liotta, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Plunk, Pruett, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Thompson, Toure, Turner, Walker, Winchester, Worthen, Mr. Speaker.--85.

Nay: Blackwell, Cooksey, Duncan, Kern, Martin, Piatt, Reynolds, Terrill, Tibbs, Wesselhoft, Wilt, Wright, Young.--13.

Excused: Hastings, Nations, Trebilcock.--3.

The measure passed.

Representative Blackwell served notice to reconsider the vote whereby **SB 326** passed.

**GENERAL ORDER**

**SB 424** by Lawler of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Auffet, Billy, Dorman, Duncan, Hilliard, Kiesel, McMullen, Sherrer

Representative Armes moved that **SB 424** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Armes, **SB 424** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 424** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Hastings, Nations, Trebilcock.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 424** and ordered same returned to the Honorable Senate.

### **GENERAL ORDER**

**SB 440** by Myers et al of the Senate and DeWitt et al of the House was read and considered.

Coauthored by Representative(s) Blackburn, Covey, Dank, Duncan, Lindley, McCarter, Nance, Turner

Representative DeWitt moved to amend **SB 440** by restoring the title, which amendment was declared adopted.

Representative DeWitt moved that **SB 440** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative DeWitt, **SB 440** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 440** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Hastings, Nations, Trebilcock.--3.

The measure and emergency passed.

**SB 440** was referred for engrossment.

**GENERAL ORDER**

**SB 479** by Lawler of the Senate and McMullen of the House was read and considered.

Representative McMullen moved to amend **SB 479** by restoring the title, which amendment failed of adoption upon a division of the question.

Representative McMullen asked unanimous consent to suspend House Rule 8.7 to offer a floor amendment to strike the enacting clause, which was the order.

Representative McMullen moved to amend **SB 479** by striking the enacting clause, which amendment was declared adopted.

Representative McMullen moved that **SB 479** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative McMullen, **SB 479** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 479** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Nay: Kern.--1.

Excused: Hastings, Nations, Trebilcock.--3.

The measure passed.

**SB 479** was referred for engrossment.

### GENERAL ORDER

**SB 539** by Monson of the Senate and Roan of the House was read and considered.

Coauthored by Representative(s) Nance, Wesselhoft

Representative Roan moved that **SB 539** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roan, **SB 539** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 539** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hyman, Ingmire, Jackson, Jett,

Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruet, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Hastings, Hilliard, Nations, Trebilcock.--4.

The measure and emergency passed.

**SB 539** was referred for engrossment.

### GENERAL ORDER

**SB 653** by Coffee of the Senate and Smaligo of the House was read and considered.

Representative Smaligo moved that **SB 653** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Smaligo, **SB 653** was placed on Third Reading and Final Passage.

### THIRD READING

**SB 653** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruet, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--97.

Excused: Balkman, Hastings, Nations, Trebilcock.--4.

The measure passed.

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

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roan, Roggow, Smaligo, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--60.

Nay: Askins, Auffet, Blackburn, Brannon, Brown, Carey, Covey, Deutschendorf, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Kiesel, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morrisette, Plunk, Pruett, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Toure, Turner, Walker.--37.

Excused: Hastings, Morgan (Danny), Nations, Trebilcock.--4.

The emergency failed.

Representative Smaligo served notice to reconsider the vote whereby the emergency failed.

## GENERAL ORDER

**SB 708** by Wilson of the Senate and Cox et al of the House was read and considered.

Coauthored by Representative(s) Wright, Nance, Miller (Doug), Dank, Ingmire

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

Upon request of Representative Cox, **SB 708** was placed on Third Reading and Final Passage.

## THIRD READING

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

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller

(Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Excused: Hastings, Nations, Trebilcock.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 708** and ordered same returned to the Honorable Senate.

### **GENERAL ORDER**

**SB 725** by Aldridge et al of the Senate and Roan of the House was read and considered.

Coauthored by Representative(s) Brannon, Smithson, Nance, Hyman, Walker, Shoemake

Representative Roan moved that **SB 725** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Roan, **SB 725** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 725** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Young, Mr. Speaker.--95.

Nay: DePue, Sherrer, Wright.--3.

Excused: Hastings, Nations, Trebilcock.--3.

The measure and emergency passed.

**SB 725** was referred for engrossment.

## **MOTION**

Representative Hilliard asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 539**, 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:

**SB 28** – Public Safety and Homeland Security

**SB 368** – Health and Human Services

**SB 390** – Common Education, Coauthored by Representative(s) McDaniel

**SB 564** – Health and Human Services, Coauthored by Representative(s) Sherrer

**SB 647** – Health and Human Services

**SB 714** – Public Safety and Homeland Security

DO PASS, As Amended:

**SB 14** – Public Safety and Homeland Security, Coauthored by Representative(s) Roan

**SB 311** – Health and Human Services, Coauthored by Representative(s) Jackson, Sherrer, Shelton

**CS for SB 314** – Public Safety and Homeland Security

**CS for SB 366** – Common Education, Coauthored by Representative(s) Shelton, McDaniel

**CS for SB 399** – Common Education

**CS for SB 502** – Common Education

**CS for SB 569** – Common Education, Coauthored by Representative(s) Sullivan, Wright

**CS for SB 657** – Public Safety and Homeland Security, Remove Representative Roan as principal House author and substitute with Representative Hyman, and Coauthored by Representative(s) Roan

**CS for SB 668** – Common Education

**SB 690** – Health and Human Services, Coauthored by Representative(s) Sherrer, Hamilton, Shelton

**SB 901** – Public Safety and Homeland Security

**CS for SB 966** – Common Education, Coauthored by Representative(s) Kern

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, April 6, 2005, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 3:20 p.m., to reconvene Wednesday, April 6, 2005, at 1:30 p.m.