

HOUSE JOURNAL

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

Thirty-ninth Legislative Day, Monday, April 11, 2005

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Rusty Stowe, Exchange Avenue Baptist Church, Oklahoma City. Pastor Stowe is sponsored this week by Representative Hamilton.

Upon motion of Representative Miller (Doug), Pastor Stowe was confirmed as House Chaplain for this legislative week.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 400, 409, 435 and 610 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 **SB 265**.

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

Transmitting engrossed measures

Announcing the passage of the following engrossed measures.

The measures were introduced and read.

SCR 11 – By Jolley of the Senate and Dorman of the House.

A Concurrent Resolution supporting the National Anthem Project; commending the National Association for Music Education and the First Lady of the United States; calling upon all Oklahomans to respect the lyrics of the National Anthem; and directing distribution.

SCR 15 – By Morgan, Anderson and Jolley of the Senate and DePue of the House.

A Concurrent Resolution recognizing the historical significance of Guthrie, Oklahoma; designating Guthrie an Official Centennial Site; and directing distribution.

SCR 17 – By Rabon, Gumm, Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Harrison, Hobson, Johnson, Jolley, Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddock, Pruitt, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick of the Senate and Roan of the House.

A Concurrent Resolution congratulating Atoka, Oklahoma, for its inclusion on the “USA Today” weather map; commending Atoka, Oklahoma, for its other claims to fame; and directing distribution.

MOTION

Representative Kern asked that the Journal reflect that had she been present in the Chamber on Thursday, April 7, 2005, she would have voted aye on **SBs 265, 400, 409, 435** and **610**, which was the order.

GENERAL ORDER

SB 260 by Coates of the Senate and Thompson of the House was read and considered.

Representative Thompson moved that **SB 260** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Thompson, **SB 260** was placed on Third Reading and Final Passage.

THIRD READING

SB 260 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, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Gilbert, Glenn, Harrison, Hastings, 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, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Wright, Young, Mr. Speaker.--95.

Nay: Terrill, Worthen.--2.

Excused: Cox, Eddins, Hamilton, Trebilcock.--4.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 260** and ordered same returned to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

HCR 1014 was called up for consideration.

Upon unanimous consent request of Representative Lamons, all Members of the House were added as coauthors.

Upon motion of Representative Lamons, **HCR 1014** was considered and adopted.

HCR 1014 was referred for engrossment.

ENGROSSED AND ENROLLED MEASURES

HCR 1014 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

HCR 1016 was called up for consideration.

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

Upon motion of Representative Morgan (Danny), **HCR 1016** was considered and adopted.

HCR 1016 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1022 was called up for consideration.

Coauthored by Representative(s) Nations

Upon motion of Representative Banz, **HR 1022** was considered and adopted.

HR 1022 was referred for enrollment.

GENERAL ORDER

SB 41 by Wilcoxson et al of the Senate and Young of the House was read and considered.

Representative Young moved that **SB 41** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Young, **SB 41** was placed on Third Reading and Final Passage.

Upon unanimous consent request of Representative Young, **SB 41** was laid over.

GENERAL ORDER

SB 296 by Gumm of the Senate and Carey of the House was read and considered.

Representative Carey moved to amend **SB 296**, Section 3, Page 2, Line 22 through Page 3, Line 3 by striking the language “may add an amount equal to the amount of the service charge incurred, not to exceed four percent (4%) of the amount of the payment as a service charge for the acceptance and verification of the credit or debit card.” and by inserting in lieu thereof the following language:

“shall publicly post and collect a fee for the acceptance of the nationally recognized credit or debit card. The court fee shall be set by the Supreme Court of Oklahoma each time a fee schedule is promulgated by the Supreme Court of Oklahoma, not to exceed five percent (5%) of the amount of the payment. Any other costs or maintenance fees accrued for accepting or using credit or debit cards may be paid from the court fund.”,

which amendment was declared adopted upon a division of the question.

Representative Carey moved to amend **SB 296**, Page 10, Section 5, Lines 16-18 by striking the language “may add an amount equal to the amount of the service charge incurred, not to exceed four percent (4%) of the amount of the payment as a service charge for the acceptance and verification of the credit or debit card.” and by inserting in lieu thereof the following language:

“shall publicly post and collect a fee for the acceptance of the nationally recognized credit or debit card. The court fee shall be set by the Supreme Court of Oklahoma each time a fee schedule is promulgated by the Supreme Court of Oklahoma, not to exceed five percent (5%) of the amount of the payment. Any other costs or maintenance fees accrued for accepting or using credit or debit cards may be paid from the court fund.”,

which amendment was declared adopted.

Representative Carey moved that **SB 296** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Carey, **SB 296** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 296 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, Glenn, Hamilton, Harrison, Hastings, 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, 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, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Reynolds.--1.

Excused: Balkman, Gilbert, Perry, Trebilcock.--4.

The measure passed.

SB 296 was referred for engrossment.

GENERAL ORDER

SB 328 by Laster of the Senate and Morgan (Fred) of the House was read and considered.

Representative Morgan (Fred) moved that **SB 328** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Morgan (Fred), **SB 328** was placed on Third Reading and Final Passage.

THIRD READING

SB 328 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, Hastings, 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, Peters, Peterson (Pam), 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.

Excused: Balkman, Perry, Peterson (Ron), Trebilcock.--4.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 328** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 367 by Monson of the Senate and Deutschendorf of the House was read and considered.

Representative Deutschendorf moved that **SB 367** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Deutschendorf, **SB 367** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 367 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, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Covey, Cox, Dank, Denney, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Toure, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Mr. Speaker.--87.

Nay: Banz, Cooksey, DePue, Duncan, Liebmann, Liotta, Martin, Newport, Reynolds, Tibbs, Trebilcock, Wright, Young.--13.

Excused: Perry.--1.

The measure passed.

Representative Reynolds served notice to reconsider the vote whereby **SB 367** passed.

GENERAL ORDER

SB 458 by Riley of the Senate and Lamons of the House was read and considered.

Coauthored by Representative(s) Nance, Ingmire, Wright

Representative Lamons moved to amend **SB 458**, Page 1, Section 1, Line 3 by inserting after the word "Act" and before the comma ",", the language "and related juvenile justice issues", which amendment was declared adopted.

Representative Lamons moved that **SB 458** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Lamons, **SB 458** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 458 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, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, 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, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--99.

Nay: Reynolds.--1.

Excused: Deutschendorf.--1.

The measure and emergency passed.

SB 458 was referred for engrossment.

MOTION

Representative Balkman asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **SB 328**, which was the order.

GENERAL ORDER

SB 747 by Bass et al of the Senate and Carey et al of the House was read and considered.

Coauthored by Representative(s) Wesselhoft, Armes, Braddock, Deutschendorf, Blackburn, Askins, Lamons

Representative Rousselot moved that **SB 747** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Rousselot, **SB 747** was placed on Third Reading and Final Passage.

THIRD READING

SB 747 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, 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, Hastings, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--100.

Excused: Blackburn.--1.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 747** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 755 by Leftwich et al of the Senate and Nance et al of the House was read and considered.

Coauthored by Representative(s) Auffet, Balkman, Denney, Hilliard, Kiesel, McDaniel, McMullen, Peterson (Pam), Pruett, Sherrer, Shumate, Sullivan, Tibbs, Winchester

Representative Calvey moved to amend **SB 755** by striking the enacting clause, which amendment was declared adopted.

Representative Nance moved that **SB 755** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Nance, **SB 755** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 755 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, Hastings, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--101.

The measure and emergency passed.

SB 755 was referred for engrossment.

GENERAL ORDER

SB 763 by Leftwich of the Senate and Wilt of the House was read and considered.

Representative Wilt moved to amend **SB 763** by restoring the title, which amendment was declared adopted.

Representative Wilt moved to amend **SB 763** by inserting a new Section 12 and renumbering subsequent sections, which amendment was declared adopted. (Copies for Members)

Representative Wilt moved that **SB 763** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wilt, **SB 763** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 763 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, Hastings, 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, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Young, Mr. Speaker.--99.

Nay: Reynolds, Wright.--2.

The measure passed.

SB 763 was referred for engrossment.

MOTION

Representative DePue asked that the Journal reflect that had he been present in the Chamber on Thursday, April 7, 2005, he would have voted aye on **SBs 265, 400, 409, 435 and 610**, which was the order.

GENERAL ORDER

SB 777 by Barrington et al of the Senate and Coody et al of the House was read and considered.

Coauthored by Representative(s) Wesselhoft, Nance, Braddock

Representative Coody asked unanimous consent to suspend House Rule 8.7 for the purpose of offering a floor amendment to restore the title, which was the order.

Representative Coody moved to amend **SB 777** by restoring the title, which amendment was declared adopted.

Representative Coody moved that **SB 777** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Coody, **SB 777** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 777 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, Hastings, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--101.

The measure passed.

SB 777 was referred for engrossment.

GENERAL ORDER

SB 772 by Crain of the Senate and Terrill of the House was read and considered.

Coauthored by Representative(s) Wesselhoft

Representative Terrill moved that **SB 772** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Terrill, **SB 772** was placed on Third Reading and Final Passage.

THIRD READING

SB 772 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, Hastings, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--101.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 772** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 905 by Gumm of the Senate and Calvey et al of the House was read and considered.

Representative Calvey moved to amend **SB 905** by striking the enacting clause, which amendment was declared adopted.

Representative Calvey moved that **SB 905** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Calvey, **SB 905** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 905 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, Hastings, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--101.

The measure and emergency passed.

SB 905 was referred for engrossment.

GENERAL ORDER

SB 920 by Williamson of the Senate and Sullivan of the House was read and considered.

Representative Sullivan moved that **SB 920** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Sullivan, **SB 920** was placed on Third Reading and Final Passage.

THIRD READING

SB 920 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Hastings, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--55.

Nay: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Carey, Covey, Deutschendorf, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrissette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--45.

Excused: Calvey.--1.

The measure passed.

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

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hastings, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson,

Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--56.

Nay: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Carey, Covey, Deutschendorf, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrissette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--44.

Excused: Perry.--1.

The emergency failed.

The Presiding Officer signed Engrossed **SB 920** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 922 by Monson of the Senate and Cargill of the House was read and considered.

Representative Cargill moved that **SB 922** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Cargill, **SB 922** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

SB 922 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, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, 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), Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--98.

Nay: Blackburn, Liebmann.--2.

Excused: Piatt.--1.

The measure passed.

SB 922 was referred for engrossment.

GENERAL ORDER

SB 967 by Crain of the Senate and Sullivan of the House was read and considered.

Representative Sullivan moved that **SB 967** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Sullivan, **SB 967** was placed on Third Reading and Final Passage.

THIRD READING

SB 967 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, Hastings, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--101.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 967** and ordered same returned to the Honorable Senate.

THIRD READING

SB 41 by Wilcoxson et al of the Senate and Young of the House as read and placed on Third Reading and Final Passage on Page 1182 was considered further.

Representative Dorman asked unanimous consent to suspend House Rule 8.19 for the purpose of offering an amendment on Third Reading, to which objection was heard.

Representative Dorman pressed his motion, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Smaligo, Smithson, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--91.

Nay: Blackburn, Gilbert, Mass, Shelton, Staggs, Toure.--6.

Excused: Bengé, Case, Morrissette, Shumate.--4.

Representative Dorman asked unanimous consent to suspend House Rule 8.7 for the purpose of offering a floor amendment, to which objection was heard.

Representative Dorman pressed adoption of his motion, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, 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, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--94.

Nay: Gilbert, Mass, Staggs, Toure.--4.

Excused: Bengé, Blackburn, Shelton.--3.

Representative Dorman moved to amend **SB 41** by inserting a new Section 2, and renumbering subsequent section, which amendment was declared adopted. (Copies for Members)

Representative DeWitt asked unanimous consent to suspend House Rule 8.19 for the purpose of offering an amendment on Third Reading, to which objection was heard.

Representative DeWitt pressed his motion, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Billy, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Harrison, Hastings, Hickman, Hilliard, Hyman, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Nance, Nations, Perry, Peters, Peterson (Pam), Peterson (Ron), Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--89.

Nay: Gilbert, Mass, Morrissette, Shelton, Toure.--5.

Excused: Bengé, Bingman, Blackburn, Hamilton, Ingmire, Newport, Piatt.--7.

Representative DeWitt asked unanimous consent to suspend House Rule 8.7 for the purpose of offering a floor amendment, to which objection was heard.

Representative DeWitt pressed adoption of his motion, which motion was declared adopted upon roll call 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, Glenn, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McDaniel, McMullen, 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, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--93.

Nay: Gilbert, Hamilton, Mass, Shelton, Toure.--5.

Excused: McPeak, Roggow, Staggs.--3.

Representative DeWitt moved to amend **SB 41** by deleting Section 2 and inserting in lieu thereof new Sections 2, 3 and 4, which amendment was declared adopted. (Copies for Members)

SB 41 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, Benge, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Glenn, Harrison, Hastings, 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, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--96.

Nay: Blackburn, Gilbert, Hamilton, Sweeden, Toure.--5.

The measure passed.

SB 41 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1021 was called up for consideration.

Upon unanimous consent request of Representative Piatt, all Members of the House were added as coauthors.

Upon motion of Representative Sweeden, **HR 1021** was considered and adopted.

HR 1021 was referred for enrollment.

MEASURE REREFERRED

Upon motion of Representative Armes, **SB 556** was withdrawn from the Calendar and rereferred to the Rules Committee.

RESOLUTIONS

The following were introduced and read:

HCR 1019 – By Roggow of the House and Rabon of the Senate.

A Concurrent Resolution authorizing the Oklahoma Historical Society to spend certain funds to complete construction of a History Center; and directing distribution.

HCR 1020 – By Winchester of the House and Cain of the Senate.

A Concurrent Resolution recognizing a National Week of Hope in commemoration of the ten-year anniversary of the terrorist bombing in Oklahoma City; and directing distribution.

HR 1024 – By DeWitt.

A Resolution declaring April 19, 2005, as 4-H Day at the Legislature; and directing distribution.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **SB 326** passed.

SB 326 was referred for engrossment.

COMMITTEE REPORTS

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

DO PASS:

SB 604 – Environment and Natural Resources

DO PASS, As Amended:

SB 304 – Environment and Natural Resources

CS for SB 356 – Environment and Natural Resources

CS for SB 932 – Environment and Natural Resources

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Tuesday, April 12, 2005, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 3:55 p.m., to reconvene Tuesday, April 12, 2005, at 1:30 p.m.