

# HOUSE JOURNAL

**First Regular Session of the Fiftieth Legislature**

**of the State of Oklahoma**

**Forty-second Legislative Day, Thursday, April 14, 2005**

The House was called to order by Representative Liotta.

The roll was called with 100 Members present.

The following Member was excused: Morgan (Fred).—1.

Representative Liotta declared a quorum present.

Prayer was offered by Pastor Rusty Stowe, Exchange Avenue Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

## **ENGROSSED AND ENROLLED MEASURES**

**HAs to SBs 20, 238, 620, 720 and 944** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HBs 1516, 1564 and 1600** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **MESSAGES FROM THE SENATE**

Advising fourth reading of and transmitting for signature Enrolled **SB 363**.

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

**Returning enrolled measures**

Announcing that Enrolled **HB 1516, 1564, and 1600** 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 1608, 1668, 1695 and 1735** and **HCR 1017** - Coauthored by all members of the Senate.

The above-numbered measures were referred for enrollment.

**Returning engrossed measures, as amended**

Announcing the passage of and returning engrossed measures as amended: **HBs 1014** - Coauthored by Senator Rabon, **1288, 1295** - Remove Senator Crutchfield as principal Senate author and substitute with Senator Cain and Coauthored by Senator Crain, **1312** - Coauthored by Senators Gumm, Lawler, Riley, Nichols, **1334, 1347, 1379, 1384** - Remove Senator Eason McIntyre as principal Senate author and substitute with Senator Adelson and Coauthored by Senators Eason McIntyre, Lawler, Barrington, Pruitt, Crain, Williamson, Lerblance, Myers, Ford, Mazzei, Riley, Easley and Coauthored by Representatives Adkins, Rousselot, **1386, 1390** (emergency failed), **1405** - Coauthored by Senators Myers, Bass, **1435, 1444, 1453** - Coauthored by Senators Leftwich, Paddack, **1457, 1535, 1575** - Coauthored by Senator Gumm, **1720, 1751** (emergency failed), **1754, 1823, 1913** - Coauthored by Senator Branan and **1993**.

Senate amendments were read on the above numbered measures.

**RESOLUTION FOR CONSIDERATION**

**HCR 1020** was called up for consideration.

Upon unanimous consent request of Speaker Pro Tempore Winchester, all Members of the House were added as coauthors.

Upon motion of Speaker Pro Tempore Winchester, **HCR 1020** was considered and adopted.

**HCR 1020** was referred for engrossment.

**HCR 1020** was ordered printed in full as follows:

**HCR 1020** – By Winchester, 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, Hiatt, 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, Worthen, Wright and Young 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.

WHEREAS, on April 19, 1995, at 9:02 a.m. Central Time in Oklahoma City, Oklahoma, America was attacked in one of the worst terrorist attacks on American soil killing 168 Americans and injuring more than 850 Americans; and

WHEREAS, this horrific act of domestic terrorism affected thousands of families and millions of people across the State of Oklahoma and the United States of America; and

WHEREAS, the people of Oklahoma and the United States of America responded to this tragedy through the remarkable efforts of local, state and federal law enforcement, fire and emergency services, search and rescue teams, public and private medical personnel and volunteers from the community who saved lives endangered by this terrorist act; and

WHEREAS, the people of Oklahoma and the United States pledged themselves to create, build, and maintain a national memorial that remembers those who were killed, those who survived and those changed forever; and

WHEREAS, the Oklahoma City National Memorial draws hundreds of thousands of visitors from around the world every year to the site of this tragic event in American history; and

WHEREAS, this Memorial brings comfort, strength, peace, hope and serenity to the hundreds of thousands of visitors who come to the Memorial and Museum each year to remember and to learn.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 50TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT the Oklahoma Legislature joins with all Americans in sending our thoughts and prayers to the families, friends, and neighbors of those 168 people killed in the terrorist bombing of the Alfred P. Murrah Building.

THAT the Oklahoma Legislature thanks the thousands of first responders, rescue workers, medical personnel and volunteers from the community and around the nation who answered the call for help that April morning and in the days and weeks that followed.

THAT the Oklahoma Legislature resolves to stand with all Americans to promote the goals and mission represented by the Oklahoma City National Memorial on this tenth anniversary and for the future:

“We come here to remember those who were killed, those who survived and those changed forever. May all who leave here know the impact of violence. May this memorial offer comfort, strength, peace, hope, and serenity.”

THAT the Oklahoma Legislature recognizes the people of Oklahoma for making tremendous progress over the past decade and for demonstrating their steadfast commitment to teaching lessons of hope and understanding.

THAT the Oklahoma Legislature applauds the people of Oklahoma as they continue to persevere and to stand as a beacon to the rest of the nation and the world attesting to the strength of goodness in overcoming evil wherever it arises.

THAT the Oklahoma Legislature joins with millions of Americans in recognizing April 17-24, 2005, as the National Week of Hope, to commemorate the tenth anniversary of the Oklahoma City bombing.

This week includes:

A Day of Faith – Sunday, April 17;  
 A Day of Understanding – Monday, April 18;  
 A Day of Remembrance – Tuesday, April 19;  
 A Day of Sharing – Wednesday, April 20;  
 A Day of Tolerance – Thursday, April 21;  
 A Day of Caring – Friday, April 22;  
 A Day of Inspiration – Saturday, April 23; and  
 A Run to Remember – Sunday, April 24.

THAT the Oklahoma Legislature trusts that this week will allow all Americans to participate in an event each day of this week that will teach that hope can exist in the midst of political violence. It will show that good endures in the world even among those who commit bad acts. It will show that there is a way to resolve differences other than resorting to terrorism or violence.

THAT a copy of this resolution be spread upon the pages of the Journal of the House of Representatives and the Journal of the State Senate as a permanent record of the sentiments expressed herein.

THAT a copy of this resolution be distributed to the Director of the Oklahoma City National Memorial and Museum.

## **ENGROSSED AND ENROLLED MEASURES**

**HCR 1020** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## **GENERAL ORDER**

**SB 317** by Lawler of the Senate and DeWitt of the House was read and considered.

Coauthored by Representative(s) Nance

Representative Benge moved to amend **SB 317** by striking the enacting clause, which amendment was declared adopted.

Representative DeWitt moved that **SB 317** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative DeWitt, **SB 317** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 317** 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, 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), Morrisette, 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, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Mr. Speaker.--95.

Nay: Hamilton, Reynolds, Tibbs, Wright, Young.--5.

Excused: Morgan (Fred).--1.

The measure and emergency passed.

**SB 317** was referred for engrossment.

### GENERAL ORDER

**SB 390** by Monson et al of the Senate and Winchester et al of the House was read and considered.

Coauthored by Representative(s) Wesselhoft, Billy

Representative Winchester moved that **SB 390** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Winchester, **SB 390** was placed on Third Reading and Final Passage.

### THIRD READING

**SB 390** 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, 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), Morrisette, 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.--98.

Nay: Reynolds, Wright.--2.

Excused: Morgan (Fred).--1.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 390** and ordered same returned to the Honorable Senate.

## **GENERAL ORDER**

**SB 448** by Morgan of the Senate and Winchester et al of the House was read and considered.

Coauthored by Representative(s) Wesselhoft, Dank, Nance, Walker, Hyman

Representative Bengé moved to amend **SB 448** by striking the enacting clause, which amendment was declared adopted.

Representative Winchester moved that **SB 448** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Winchester, **SB 448** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**SB 448** 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), 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: Morgan (Fred).--1.

The measure passed.

**SB 448** was referred for engrossment.

## GENERAL ORDER

**SB 531** by Pruitt et al of the Senate and Wilt et al of the House was read and considered.

Coauthored by Representative(s) Banz, Blackwell, Cooksey, DePue, Dorman, Duncan, Hyman, Martin, Roan, Shoemake, Walker

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

Representative Wright pressed his motion, which motion failed of adoption upon roll call as follows:

Aye: Armes, Balkman, Banz, Billy, Bingman, Blackwell, Brannon, Case, Cooksey, Cox, DePue, DeWitt, Duncan, Hastings, Hickman, Ingmire, Jackson, Jett, Kern, Liebmann, Liotta, Martin, Miller (Ken), Newport, Peters, Peterson (Pam), Piatt, Reynolds, Richardson, Roggow, Steele, Terrill, Thompson, Tibbs, Walker, Wesselhoft, Worthen, Wright, Young, Mr. Speaker.--40.

Nay: Adkins, Askins, Auffet, Benge, Blackburn, Braddock, Brown, Calvey, Carey, Cargill, Coody, Covey, Dank, Denney, Deutschendorf, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Johnson, Jones, Kiesel, Lamons, Lindley, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ray), Morgan (Danny), Morrissette, Nance, Nations, Perry, Peterson (Ron), Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Sullivan, Sweeden, Toure, Trebilcock, Turner, Wilt, Winchester.--60.

Excused: Morgan (Fred).--1.

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

Representative Banz pressed his motion, which motion failed of adoption upon roll call as follows:

Aye: Banz, Brannon, DePue, Duncan, Kern, Liebmann, Piatt, Reynolds, Richardson, Terrill, Tibbs, Walker, Wesselhoft, Wright, Young.--15.

Nay: Adkins, Armes, Askins, Auffet, Balkman, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Jackson, Jett, Johnson, Jones, Kiesel, Lamons, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Plunk, Pruett, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Thompson, Toure, Trebilcock, Turner, Wilt, Winchester, Worthen, Mr. Speaker.--84.

Excused: Ingmire, Morgan (Fred).--2.

Representative Wilt moved that **SB 531** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Wilt, **SB 531** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 531** 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, 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), 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.--98.

Nay: Reynolds, Wright.--2.

Excused: Morgan (Fred).--1.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 531** and ordered same returned to the Honorable Senate.

### **RECONSIDERATION**

Representative Coody moved to reconsider the vote whereby **SB 966** passed.

Representative Peters moved to table the Coody motion, which tabling motion prevailed.

Representative Coody moved to reconsider the vote whereby the emergency on **SB 966** failed.

Representative Peters moved to table the Coody motion, which tabling motion prevailed.

**SB 966** was referred for engrossment.

### **GENERAL ORDER**

**SB 538** by Adelson of the Senate and Balkman of the House was read and considered.

Representative Balkman moved that **SB 538** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Balkman, **SB 538** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 538** 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, 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), 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.--99.

Excused: Bengé, Morgan (Fred).--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 538** and ordered same returned to the Honorable Senate.

## **GENERAL ORDER**

**SB 573** by Coffee et al of the Senate and Peters et al of the House was read and considered.

Coauthored by Representative(s) Nance, Sullivan, Martin

Representative Peters moved that **SB 573** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Peters, **SB 573** was considered engrossed and placed on Third Reading and Final Passage.

## **THIRD READING**

**SB 573** 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, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, 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), Morrissette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shumate, Smaligo, Smithson, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--92.

Nay: Covey, Hyman, Shoemake, Staggs, Toure, Turner, Walker.--7.

Excused: Eddins, Morgan (Fred).--2.

The measure passed.

**SB 573** was referred for engrossment.

## GENERAL ORDER

**SB 586** by Coffee et al of the Senate and Newport et al of the House was read and considered.

Coauthored by Representative(s) Balkman, Braddock, Harrison, Hilliard, Hyman, Kiesel, Mass, McPeak, Nations, Peters, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Terrill, Walker, Wilt

Representative Newport moved that **SB 586** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Newport, **SB 586** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 586** 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, Balkman, Benge, Billy, Bingman, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Covey, Cox, Dank, Denney, DePue, DeWitt, Dorman, Duncan, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morrissette, Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--88.

Nay: Auffet, Banz, Blackburn, Brown, Cooksey, Deutschendorf, Eddins, Kiesel, Lindley, Nations, Richardson, Toure.--12.

Excused: Morgan (Fred).--1.

The measure and emergency passed.

**SB 586** was referred for engrossment.

**GENERAL ORDER**

**SB 835** by Gumm of the Senate and Piatt of the House was read and considered.

Representative Piatt moved that **SB 835** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Piatt, **SB 835** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 835** 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, 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), 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.--100.

Excused: Morgan (Fred).--1.

The measure passed.

**SB 835** was referred for engrossment.

**GENERAL ORDER**

**SB 908** by Fisher of the Senate and Piatt of the House was read and considered.

Representative Piatt moved that **SB 908** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Piatt, **SB 908** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 908** 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, 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), 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.--98.

Nay: Covey, Gilbert.--2.

Excused: Morgan (Fred).--1.

The measure passed.

**SB 908** was referred for engrossment.

### GENERAL ORDER

**SB 1012** by Pruitt et al of the Senate and Balkman of the House was read and considered.

Coauthored by Representative(s) Wesselhoft

Representative Balkman moved to amend **SB 1012** by striking the enacting clause, which amendment was declared adopted.

Representative Balkman moved that **SB 1012** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Balkman, **SB 1012** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1012** 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), 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.--100.

Excused: Morgan (Fred).--1.

The measure passed.

**SB 1012** was referred for engrossment.

**GENERAL ORDER**

**SB 1001** by Coates of the Senate and Liebmann of the House was read and considered.

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

Representative Liebmann pressed his motion, which motion failed of adoption upon roll call as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Dorman, Duncan, Harrison, Hickman, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, McDaniel, Miller (Doug), Miller (Ken), Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pruett, Reynolds, Richardson, Roan, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--63.

Nay: Askins, Auffet, Braddock, Brannon, Brown, Carey, Deutschendorf, Eddins, Ellis, Glenn, Hamilton, Hilliard, Kiesel, Mass, McCarter, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrissette, Plunk, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner.--31.

Excused: Blackburn, Covey, Gilbert, Hastings, Lindley, Morgan (Fred), Walker.--7.

Representative Liebmann moved that **SB 1001** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Liebmann, **SB 1001** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1001** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Adkins, Armes, Askins, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Calvey, Carey, Cargill, Coody, Cooksey, Dank, Denney, DePue, Dorman, Duncan, Eddins, Ellis, Gilbert, Harrison, Hastings, Hickman, Hilliard, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McDaniel, McMullen, McPeak, Miller (Ken), Morgan (Danny), Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roggow, Rousselot, Shelton, Sherrer, Shumate, Smaligo, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--77.

Nay: Auffet, Brannon, Brown, Case, Covey, Cox, Deutschendorf, DeWitt, Glenn, Hamilton, Hyman, Ingmire, Mass, Miller (Doug), Miller (Ray), Morrisette, Roan, Shoemake, Smithson, Staggs, Turner, Walker, Wilt.--23.

Excused: Morgan (Fred).--1.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1001** and ordered same returned to the Honorable Senate.

### **RESOLUTION FOR CONSIDERATION**

**HR 1025** was called up for consideration.

Coauthored by Representative(s) Adkins, Armes, Balkman, Billy, Blackwell, Cooksey, Cox, Denney, DePue, DeWitt, Duncan, Hickman, Jackson, Johnson, Martin, Miller (Ken), Peterson (Pam), Peterson (Ron), Richardson, Roggow, Smaligo, Sullivan, Thompson, Tibbs, Trebilcock, Wesselhoft, Young

Representative Shoemake moved to suspend House Rule 7.13 for the purpose of withdrawing **HR 1015** from the Rules Committee, which motion was ruled out of order.

Representative Kiesel moved to amend **HR 1025** by inserting the language of **HR 1015**, which motion was ruled out of order.

Representative Sullivan moved previous question, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), 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, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrissette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--43.

Excused: Hastings, Mass, Morgan (Fred).--3.

Upon motion of Representative Bingman, **HR 1025** was considered and adopted upon roll call as follows:

Aye: Adkins, Armes, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Calvey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, DeWitt, Dorman, Duncan, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, McMullen, Miller (Doug), Miller (Ken), Morgan (Danny), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pruett, Reynolds, Richardson, Roggow, Rousselot, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--66.

Nay: Blackburn, Carey, Deutschendorf, Eddins, Gilbert, Glenn, Hamilton, Hyman, Kiesel, Lindley, Morrissette, Nations, Roan, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Toure.--20.

Excused: Askins, Brown, Ellis, Harrison, Hastings, Hilliard, Mass, McCarter, McDaniel, McPeak, Miller (Ray), Morgan (Fred), Plunk, Sweeden, Turner.--15.

**HR 1025** was referred for enrollment.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1001** were called up for consideration.

Coauthored by Representative(s) Miller (Doug), Lindley, Wesselhoft

Coauthored by Senator(s) Crutchfield, Fisher, Morgan

Upon motion of Representative Winchester, the House concurred in the **SAs to HB 1001**.

**HB 1001**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency 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, Glenn, Hamilton, Harrison, 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), Morrisette, Nance, Nations, Newport, 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, Winchester, Worthen, Wright, Young, Mr. Speaker.--95.

Excused: Gilbert, Hastings, Mass, Morgan (Fred), Perry, Wilt.--6.

The measure and emergency passed.

Senate amendments were properly signed, in open session, and the above-numbered measure was referred for enrollment.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 1606** were rejected upon motion of Representative Miller (Doug). Conferees to be named later.

**MOTION**

Representative Covey moved to suspend House Rule 7.13 for the purpose of withdrawing **HR 1019** from the Rules Committee, which motion failed of adoption upon roll call as follows:

Aye: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Carey, Covey, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lamons,

Lindley, McCarter, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrisette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweeden, Toure, Turner, Walker.--42.

Nay: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Nance, Newport, Peters, Peterson (Pam), Peterson (Ron), Piatt, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--53.

Excused: Deutschendorf, Hastings, Mass, Morgan (Fred), Perry, Wilt.--6.

## **MOTION**

Representative Billy asked that the Journal reflect that had she been present in the Chamber on Wednesday, April 13, 2005, she would have voted aye on **SBs 432, 646, 682, 685, 816 and 823**, which was the order.

## **MESSAGE FROM THE GOVERNOR**

Advising of his approval of **HB 1566** on April 14, 2005.

## **APPOINTMENTS**

The Speaker announced the appointment of the following House Members as conferees on the General Conference Committee on Appropriations and on GCCA Subcommittees.

Speaker Hiatt and Speaker Pro Tempore Winchester are ex officio voting Members of the General Conference Committee on Appropriations and the subcommittees.

## **GENERAL CONFERENCE COMMITTEE ON APPROPRIATIONS**

Benge, Chair  
Newport, Vice-Chair

Balkman	McCarter
Blackburn	Nations
Braddock	Peters
Carey	Roggow
Cargill	Smaligo
Eddins	Toure
Jones	Trebilcock
Liotta	Walker

**GENERAL CONFERENCE COMMITTEE SUBCOMMITTEES**

**Education Subcommittee**

Jones, Chair  
Kern, Vice-Chair

Brannon	McCarter
Dank	Nations
Denney	Peterson (Pam)
Deutschendorf	Shumate
Ingmire	

**General Government and Transportation Subcommittee**

Liotta, Chair  
Jett, Vice-Chair

Bingman	Plunk
Dorman	Rousselot
Liebmann	

**Health and Social Services Subcommittee**

Balkman, Chair  
Cooksey, Vice-Chair

Brown	Ellis
Cox	Tibbs
Eddins	

**Human Services Subcommittee**

Peters, Chair  
Billy, Vice-Chair

Carey	Jackson
Hamilton	Steele
Hilliard	

**Natural Resources and Regulatory Services Subcommittee**

Roggow, Chair  
Duncan, Vice-Chair

Adkins	Peterson (Ron)
Covey	Shoemake
DeWitt	Walker

Glenn                      Wilt  
Morgan (Danny)

**Public Safety and Judiciary Subcommittee**

Trebilcock, Chair  
Johnson, Vice-Chair

Askins	Nance
Blackwell	Roan
Calvey	Smithson
Lamons	Turner
Morgan (Fred)	

**Select Agencies Subcommittee**

Smaligo, Chair  
Martin, Vice-Chair

Auffet	Staggs
Kiesel	Young
Piatt	

**COMMITTEE REPORTS**

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

DO PASS:

**HJR 1030** – Rules, Authored by Senator Brogdon (principal Senate author)

**SB 348** – Rules

**SJR 13** – Rules

DO PASS, As Amended:

**CS for SB 461** – Rules, Remove Representative Turner as principal House author and substitute with Representative Case, and Coauthored by Representative(s) Turner

**CS for SB 553** – Rules

**CS for SB 556** – Rules

**CS for SB 659** – Rules

**CS for SB 738** – Rules

**MOTION EXPIRED**

Time expired for consideration of the motion to reconsider the vote whereby **SB 367** passed.

**SB 367** was referred for engrossment.

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, April 18, 2005, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 11:20 a.m., to reconvene Monday, April 18, 2005, at 1:30 p.m.