

HOUSE JOURNAL

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

Eleventh Legislative Day, Thursday, February 23, 2006

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

The roll was called with 98 Members present.

The following Members were excused: Hastings, McPeak, Morrissette.—3.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Tim Woods, Associate Pastor, First Assembly of God Church, Broken Bow.

The Journal for the last legislative day was approved.

REMARKS

Upon unanimous consent request of Representative Cargill, the remarks of Pastor Woods were ordered printed as follows:

“My father and I have had the privilege of serving this esteemed assembly this week and we would like to extend our gracious thanks...first of all to our Representative Jerry Ellis and most especially to Representative Lance Cargill. I attended High School in Broken Bow, Oklahoma. In fact, Representative Kris Steele was one of my classmates. Another one of my peers was a pretty red head, her name was Amber Smith. She was not just a friend, she was like a sister. We laughed and played together. We went to movies and church together. Amber’s freshman year of college she went off to Stillwater, and when she came home, she was talking about a boy. She married that boy. And Lance, you too, are more than a friend.

Louis XIV ruled France from 1643 to 1715, 72 years, the longest of any European Monarch. During this historic reign France was transformed from a savage mediaeval country into an elite cultural center. King Louis was unequaled, the most powerful man in all of Europe.

History has documented well the fact that power can be intoxicating. And Louis was inebriated with himself. He loved applause. He liked flattery. He was vain. In fact, he preferred the titled, 'Louis the Great.'

However, like all earthly kingdoms, his reign came to an end.

His funeral was held in a magnificent French cathedral. It was an event fitting a king of such stature. There was the glory. There was the splendor. The massive hall was packed to capacity. In the center aisle sat the ornate coffin of 'King Louis the Great,' and alongside it was a single lit candle.

Solemnly and reverently, the minister stood. His name was Jean-Baptiste Masillon. He walked toward the candle, and unexpectedly extinguished the flame.

Then, he broke the silence with these words, 'Only God is great!'

I do my very, very best to walk in light of this simple truth. In fact, when I read the newspaper, I have this peculiar habit. I read the obituaries. I'm not talking about my small, home-town paper. I'm talking about major newspapers... *The Oklahoman*, *The Tulsa World*, and when I'm south of the border, I'll pick up *The Dallas Morning News*. After I read the headlines, after I catch up on the sports, and take a brief look at popular culture, I inevitably turn over to the obits. That's right, I read the obituaries of complete strangers! Not all of them, but at least a couple. I try to find someone near my age or younger. And if one of them catches 'my fancy,' I'll cut it out.

'Why?' you ask. To remind myself that someday, everything I ever do, every accomplishment, every achievement, will be summed up in a two by eight column right next to the classifieds. You say, 'Tim, I'll make the front page.' And perhaps you will... because many of you are important individuals. The way I look at it, I'm not making the front page. But either way you look at it, front page or last page, it's all the same. You see, the very paper that our loved ones will cherish will be the same newspaper that someone else will wrap their dishes in.

Thus, I am not content to build my own kingdom. I am not satisfied to erect a throne to myself. I will not settle for the applause of men, or the petty honors they bestow. Instead, I will build the Kingdom that will outlast all others. I will build the Kingdom of God... in my heart, in my life, in my family, and in turn, the world around me.

Jesus said, 'I am the light of the world... I am the eternal one. I am everlasting. I was in the beginning. I will be in the end.'

Let us pray.

O God, we give you praise for you and you alone are great. You were, you are, and you will be. Today, shine in our hearts. Illuminate our shortcomings and purify our souls. May each man and woman under the sound of my voice find the Lord, 'the great light of life.' And in return, glorify thyself, radiate, shine. And borrowing from the words of the patriotic hymn, *America*, 'Long may our land be bright with freedom's holy light; Protect us by Thy might, Great God our King!' Amen."

ENGROSSED AND ENROLLED MEASURES

HBs 2086, 2104, 2123, 2124, 2127, 2132, 2149, 2150, 2361, 2367, 2373, 2591 and 2606 were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1071 and **1072** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

MEASURES REASSIGNED

The following measures were reassigned:

HB 2842 –Withdrawn from Appropriations and Budget and referred to Health and Human Services.

HB 2948 –Withdrawn from Wildlife and referred to Rules.

HB 2949 –Withdrawn from Rules and referred to Revenue and Taxation.

MESSAGES FROM THE SENATE

Announcing the passage of the following engrossed measure.

The measure was introduced and read for the first time.

SB 1701 – By Shurden of the Senate and Case of the House.

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 583, as amended by Section 3, Chapter 298, O.S.L. 2005 (47 O.S. Supp. 2005, Section 583), which relates to used motor vehicle and parts dealers; requiring certain bond; and providing an effective date.

Announcing the passage of the following engrossed measure.

The measure was introduced and read.

SCR 41 – By Jolley, Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (Constance), Johnson (Mike), Justice, Kerr, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Monson, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Wilcoxson, Williamson, Wilson and Wyrick of the Senate and Cooksey of the House.

A Concurrent Resolution congratulating Jennifer Warren, Miss Oklahoma 2005; commending her abilities; and directing distribution.

Transmitting enrolled measure

Advising the signing of and transmitting for signature Enrolled **SCR 36**.

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

Conference granted

Advising conference granted on **HB 1589** and the Senate naming conferees later.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1589 – Adkins, Bingman, Peterson (Ron), Dorman, Lamons

GENERAL ORDER

HB 2125 by Wright of the House and Easley of the Senate was read and considered.

Representative Wright moved to amend **HB 2125** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted. (Copies for Members)

Representative Wright moved that **HB 2125** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Wright, **HB 2125** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2125 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Askins, Auffet, Banz, Benge, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Carey, Cargill, Case, Coody, Covey, Cox, Dank, DePue, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Nance, Nations, Newport, Perry, Peters, Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Tibbs, Toure, Turner, Walker, Wesselhoft, Winchester, Wright, Mr. Speaker.--82.

Nay: Adkins, Balkman, Calvey, Cooksey, Denney, Duncan, Kern, Morgan (Fred), Peterson (Pam), Reynolds, Terrill, Thompson, Trebilcock, Wilt, Worthen, Young.--16.

Excused: Hastings, McPeak, Morrissette.--3.

The measure passed.

HB 2125 was referred for engrossment.

GENERAL ORDER

HB 2369 by Dank of the House and Coffee of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Armes, Balkman, Banz, Billy, Blackwell, Braddock, Calvey, Cooksey, Duncan, Johnson, Kern, Martin, Nance, Peterson (Pam), Piatt, Sullivan, Terrill, Thompson, Walker, Wesselhoft, Winchester, Worthen, Wright

Representative Dank moved that **HB 2369** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Dank, **HB 2369** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2369 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, Bengel, Billy, Bingman, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Cooksey, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Glenn, Hamilton, Harrison, Hickman, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, Mass, McCarter, Miller (Doug), Miller (Ken), Morgan (Danny), Morgan (Fred), Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--81.

Nay: Blackburn, Covey, Cox, Gilbert, Kiesel, Lindley, McDaniel, Miller (Ray), Nations, Shelton, Smithson, Toure.--12.

Excused: Brown, Eddins, Hastings, Hilliard, McMullen, McPeak, Morrisette, Nance.--8.

The measure and emergency passed.

HB 2369 was referred for engrossment.

GENERAL ORDER

HB 2411 by Adkins of the House and Gumm of the Senate was read and considered.

Coauthored by Representative(s) DePue

Representative Adkins moved to amend **HB 2411** by striking the title, which amendment was declared adopted.

Representative Adkins moved to amend **HB 2411**, Section 1, Page 4, Line 21 by striking the word “properties” and inserting in lieu thereof the word “projects” and Page 5, Line 2 by striking the word “property” and inserting in lieu thereof the word “projects”, which amendment was declared adopted.

Representative Adkins moved to amend **HB 2411** by inserting a new Section 1 to read as follows, and renumbering subsequent sections, which amendment was declared adopted:

“SECTION 1. AMENDATORY 68 O.S. 2001, Section 223, is amended to read as follows:

Section 223. A. No assessment of any tax levied under the provisions of any state tax law except as provided in this section, shall be made after the expiration of three (3) years from the date the return was required to be filed or the date the return was filed, whichever period expires the later, and no proceedings by tax warrant or in court without the previous assessment for the collection of such tax shall be begun after the expiration of such period. No assessment shall be required if a report or return, signed by the taxpayer, was filed and the liability evidenced by the report or return has not been paid. If the assessment has been made within the limitation period set forth in this subsection, the tax may be collected by tax warrant or court proceeding, but only if the tax warrant is issued or the proceeding begun within ten (10) years after the assessment of the tax has become final.

B. Where before the expiration of the time prescribed in subsection A of this section for the assessment of the tax, both the Tax Commission and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of the period agreed upon, and the period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon. In those instances where the time to file a claim for a refund has not expired at the date the extension agreement is entered into, the entering into such an agreement shall automatically extend the period in which a refund may be allowed or a claim for a refund may be filed to the final date of such agreement.

C. In the case of either a willfully false or a fraudulent report or return with the intent to evade tax, or failure to file a report or return, as required under any state tax law, the Tax Commission is authorized to compute, determine and assess the estimated amount of tax due from any information in its possession, or a proceeding in court may be begun for the collection of such tax without assessment at any time.”

Upon request of Representative Adkins, **HB 2411** was laid over.

GENERAL ORDER

HB 2496 by Trebilcock of the House and Myers of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Balkman, Benge, Blackwell, Braddock, Calvey, Dank, DePue, Duncan, Johnson, Liotta, Nance, Peterson (Pam), Terrill, Thompson, Walker, Wesselhoft, Winchester

Representative Trebilcock moved that **HB 2496** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Trebilcock, **HB 2496** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2496 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Adkins, Armes, Auffet, Balkman, Banz, Benge, Billy, Bingman, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McMullen, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pruett, Reynolds, Richardson, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Young, Mr. Speaker.--78.

Nay: Blackburn, Cox, Gilbert, Glenn, Kiesel, McDaniel, Miller (Ray), Nations, Roan, Shelton, Smithson, Staggs, Toure.--13.

Excused: Askins, Brown, Denney, Eddins, Hastings, Mass, McPeak, Morgan (Danny), Morrissette, Plunk.--10.

The measure and emergency passed.

HB 2496 was referred for engrossment.

MOTION

Representative Nance asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2369**, which was the order.

MOTION

Upon unanimous consent request of Representative Cargill, the House was declared at ease to the call of the Chair.

Speaker Pro Tempore Winchester Presiding**MOTION**

Representative Askins asked that the Journal reflect that had she been present in the Chamber, she would have voted aye on **HB 2496**, which was the order.

GENERAL ORDER

HB 2411 by Adkins of the House and Gumm of the Senate as read and amended on Page 310 was considered further.

Representative Adkins moved that **HB 2411** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Adkins, **HB 2411** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2411 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, Banz, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Liebmann, Lindley, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Nance, Nations, Perry, Peters, Peterson (Pam), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--80.

Excused: Balkman, Benge, Brown, Calvey, Denney, Hamilton, Hastings, Lamons, Liotta, Martin, Mass, McPeak, Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Newport, Peterson (Ron), Roggow, Shelton, Wilt.--21.

The measure and emergency passed.

HB 2411 was referred for engrossment.

GENERAL ORDER

HB 3016 by Armes et al of the House and Capps of the Senate was read and considered.

Coauthored by Representative(s) Braddock, Duncan, McMullen

Representative Armes moved that **HB 3016** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Armes, **HB 3016** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 3016 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, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Martin, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Morgan (Danny), Nance, Nations, Perry, Peters, Peterson (Pam), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--85.

Excused: Brown, Calvey, Denney, Hastings, Liotta, Mass, McPeak, Miller (Ray), Morgan (Fred), Morrisette, Newport, Peterson (Ron), Roggow, Shelton, Trebilcock, Wilt.-16.

The measure passed.

HB 3016 was referred for engrossment.

MOTION

Representative Morgan (Danny) asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2411**, which was the order.

MOTION

Representative Lamons asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2411**, which was the order.

MOTION

Representative McMullen asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2369**, which was the order.

GENERAL ORDER

HB 2880 by Young of the House and Leftwich of the Senate was read and considered.

Coauthored by Representative(s) Nance

Representative Young moved that **HB 2880** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Young, **HB 2880** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2880 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, Case, Coody, Cooksey, Covey, Cox, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Martin, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Morgan (Danny), Morgan (Fred), Nance, Nations, Perry, Peters, Peterson (Pam), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--86.

Excused: Brown, Denney, Harrison, Hastings, Liotta, Mass, McPeak, Miller (Ray), Morrisette, Newport, Peterson (Ron), Roggow, Shelton, Trebilcock, Wilt.--15.

The measure passed.

HB 2880 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 **HB 2411**, which was the order.

MEASURE REREFERRED

Upon motion of Representative Calvey, **HB 2614** was withdrawn from the Calendar and rereferred to the Health and Human Services Committee.

GENERAL ORDER

HB 2631 by Martin of the House and Ford of the Senate was read and considered.

Representative Martin moved that **HB 2631** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Martin, **HB 2631** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2631 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, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Eddins, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Martin, McCarter, McDaniel, McMullen, Miller (Doug), Miller (Ken), Morgan (Danny), Morgan (Fred), Nance, Nations, Perry, Peters, Peterson (Pam), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--86.

Excused: Brown, Denney, Hastings, Hickman, Liotta, Mass, McPeak, Miller (Ray), Morrissette, Newport, Peterson (Ron), Roggow, Shelton, Trebilcock, Wilt.--15.

The measure and emergency passed.

HB 2631 was referred for engrossment.

MOTION

Representative Calvey asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2411**, which was the order.

MOTION

Representative Martin asked that the Journal reflect that had he been present in the Chamber, he would have voted aye on **HB 2411**, which was the order.

Representative Liotta Presiding**GENERAL ORDER**

HB 2654 by Winchester et al of the House and Laughlin of the Senate was read and considered.

Coauthored by Representative(s) Adkins, Bengé, Braddock, DePue, Liotta, Nance, Reynolds, Terrill, Wesselhoft

Representative Cox moved to suspend House Rule 8.7 for the purpose of offering a floor amendment to **HB 2654**, which motion failed of adoption upon roll call as follows:

Aye: Askins, Auffet, Blackburn, Brannon, Carey, Case, Covey, Cox, Deutschendorf, Dorman, Eddins, Ellis, Gilbert, Glenn, Harrison, Hilliard, Hyman, Ingmire, Johnson, Kiesel, Liebmann, Lindley, McCarter, McDaniel, Morgan (Danny), Nance, Nations, Peters, Plunk, Pruett, Roan, Rousselot, Sherrer, Shoemake, Smithson, Staggs, Sweeden, Turner.--38.

Nay: Adkins, Armes, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Calvey, Cargill, Coody, Cooksey, Dank, DePue, DeWitt, Duncan, Hamilton, Hickman, Jackson, Jett, Jones, Kern, Lamons, Liotta, Martin, McMullen, Miller (Doug), Miller (Ken), Morgan (Fred), Newport, Perry, Peterson (Pam), Reynolds, Richardson, Roggow, Shumate, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--50.

Excused: Balkman, Brown, Denney, Hastings, Mass, McPeak, Miller (Ray), Morrissette, Peterson (Ron), Piatt, Shelton, Toure, Wilt.--13.

Representative Cox moved that **HB 2654** be returned to the Health and Human Services Committee.

Representative Worthen moved to table the Cox motion, which tabling motion prevailed upon a division of the question.

Representative Winchester moved that **HB 2654** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Winchester, **HB 2654** was considered engrossed and placed on Third Reading and Final Passage.

THIRD READING

HB 2654 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, Benge, Billy, Bingman, Blackwell, Braddock, Brannon, Calvey, Carey, Cargill, Case, Coody, Cooksey, Covey, Dank, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Hamilton, Harrison, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Lindley, Liotta, Martin, McCarter, McMullen, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Piatt, Plunk, Pruett, Reynolds, Richardson, Roggow, Shumate, Smaligo, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Winchester, Worthen, Wright, Young, Mr. Speaker.--73.

Nay: Auffet, Blackburn, Cox, Ellis, Gilbert, Glenn, Kiesel, McDaniel, Morgan (Danny), Nations, Roan, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Staggs.--17.

Excused: Brown, Denney, Eddins, Hastings, Mass, McPeak, Miller (Ray), Morrissette, Peterson (Ron), Toure, Wilt.--11.

The measure passed.

HB 2654 was referred for engrossment.

MEASURE REREFERRED

Upon motion of Representative Newport, **HB 2374** was withdrawn from the Calendar and rereferred to the Corrections and Criminal Justice Committee.

RESOLUTION

The following was introduced and read:

HR 1073 – By Peters.

A Resolution honoring Jennifer Berry of Oklahoma, Miss America 2006, commending her accomplishments; and directing distribution.

COMMITTEE REPORTS

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

DO PASS:

HB 2098 – Revenue and Taxation, Coauthored by Representative(s) Terrill, Liebmann, and Authored by Senator Coffee (principal Senate author)

HB 2379 – Commerce, Industry and Labor, Authored by Senator Myers (principal Senate author)

HB 2450 – Common Education, Authored by Senator Riley (principal Senate author)

HB 2488 – Revenue and Taxation, Authored by Senator Branan (principal Senate author)

HB 2540 – Common Education, Authored by Senator Reynolds (principal Senate author)

HB 2617 – Revenue and Taxation, Authored by Senator Jolley (principal Senate author)

HB 2618 – Revenue and Taxation, Authored by Senator Crutchfield (principal Senate author)

HB 2626 – Banking and Finance, Authored by Senator Rabon (principal Senate author)

HB 2753 – Revenue and Taxation, Coauthored by Representative(s) Terrill, and Authored by Senator Jolley (principal Senate author)

HB 2789 – Revenue and Taxation, Remove Representative Smaligo as principal House author and substitute with Representative Adkins, Coauthored by Representative(s) Smaligo, and Authored by Senator Corn (principal Senate author)

HB 2827 – Revenue and Taxation, Authored by Senator Bass (principal Senate author)

HB 3125 – Revenue and Taxation, Coauthored by Representative(s) Hickman, Pruett, Walker, DeWitt, Billy, Roggow, Ellis, Glenn, Denney, Terrill, Dank, Armes, Blackwell, and Authored by Senator Laughlin (principal Senate author)

DO PASS, As Amended:

CS for HB 1580 – Banking and Finance, Authored by Senator Crutchfield (principal Senate author)

CS for HB 2429 – Common Education, Coauthored by Representative(s) Wesselhoft, and Authored by Senator Laughlin (principal Senate author)

CS for HB 2483 – Banking and Finance, Coauthored by Representative(s) Piatt, and Authored by Senator Gumm (principal Senate author)

HB 2712 – Common Education, Authored by Senator Wilcoxson (principal Senate author)

CS for HB 2891 – Commerce, Industry and Labor, Authored by Senator Coates (principal Senate author)

CS for HB 2904 – Revenue and Taxation, Authored by Senator Lamb (principal Senate author)

CS for HB 3119 – Commerce, Industry and Labor, Coauthored by Representative(s) Dank, and Authored by Senator Rabon (principal Senate author)

Representative Cargill moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 27, 2006, which was the order.

Pursuant to the motion of Representative Cargill, the House was adjourned at 1:00 p.m., to reconvene Monday, February 27, 2006, at 1:30 p.m.