

# HOUSE JOURNAL

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

**Thirty-seventh Legislative Day, Monday, April 10, 2006**

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

The roll was called with 100 Members present.

The following Member was excused: Young.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Reverend Bobbie Jean Merck, Great Love Ministries, Toccoa, Georgia. Reverend Merck was sponsored by Representative Miller (Doug).

Upon motion of Representative Miller (Doug), Reverend Merck was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

### **PRAYER**

Upon unanimous consent request of Representative Miller (Doug), the prayer of Reverend Merck was ordered printed in full as follows:

“Almighty Father God, Creator of heaven and earth and all that is therein.

In your mercies and faithfulness that are forever with us, we pray that Your hand of goodness will govern in Oklahoma and America.

May righteousness, truth, and justice prevail, be victorious, in every decision of counsel and law that this honorable and wise assembly considers. May their will and vote be Your will and vote, O Lord. May they act wisely knowing that righteousness exalts and prospers a state and nation.

Father - God, if the foundations of law and order collapse, what can the righteous do? Therefore, may Oklahoma and these honorable and wise leaders have a strong and sure foundation principle in executing law and order.

As these honorable leaders whom You have chosen lead this state, may they commit everything they do to You, and trust You knowing You will help them, and with Your help Oklahoma will do mighty things.

O Lord, may Oklahoma be delivered from destruction and famine and poverty and plagues. Bring this state to great abundance.

May the government of Oklahoma rest upon Messiah's shoulders. Lord, be honored in and by Oklahoma. Thy Kingdom come and Thy will be done. For Yours, O Lord, is the greatness, the power, the glory, the victory, and the majesty.

In Jesus' Name we pray. Amen."

## **ENGROSSED AND ENROLLED MEASURES**

**HCRs 1058 and 1059** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HAs to SBs 1333, 1495 and 1529** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

**HB 2685** was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HCR 1056** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HR 1097** was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

## **MESSAGES FROM THE SENATE**

Announcing that Enrolled **HCR 1056** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Announcing that Enrolled **HB 2685** has been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measure was ordered transmitted to the Honorable Governor.

## **Returning engrossed measures, as amended**

Announcing the passage of and returning engrossed measures as amended: **HBs 2462**, Coauthored by Senator Riley and **2793**.

Senate amendments were read on the above numbered measures.

### **Transmitting enrolled measures**

Advising fourth reading of and transmitting for signature Enrolled **SBs 516, 1476, 1505, 1552 and 1678**.

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

### **Conference granted**

Advising conference granted on **HB 1539** and the Senate naming conferees later.

### **MEASURES REASSIGNED**

The following measures were reassigned:

**SB 324** – Withdrawn from Insurance and referred to Judiciary.

**SB 1644** – Withdrawn from Appropriations and Budget and refererd Direct to Calendar

### **RESOLUTION FOR CONSIDERATION**

**HR 1095** 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), **HR 1095** was considered and adopted.

**HR 1095** was referred for enrollment.

### **GENERAL ORDER**

**SB 1701** by Shurden of the Senate and Case of the House was read and considered.

Representative Case moved to suspend House Rule 8.7 for the purpose of offering a floor amendment to **SB 1701**, which motion was declared adopted upon roll call as follows:

Aye: Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, Cargill, Case, Coody, Cooksey, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Glenn, Hamilton, Harrison, Hilliard, Hyman, Ingmire, Jett, Johnson, Kern, Kiesel, Lamons, Liebmann, Martin, Mass, McCarter, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morrissette, Nance, Nations, Newport, Perry, Peterson (Pam), Peterson (Ron), Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake,

Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Winchester, Mr. Speaker.--77.

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

Excused: Adkins, Covey, Cox, Dank, Eddins, Hastings, Hickman, Jackson, Jones, Lindley, Liotta, Morgan (Fred), Peters, Piatt, Richardson, Roggow, Sweeden, Toure, Wilt, Worthen, Young.--21.

Representative Case moved to amend **SB 1701** by striking the title, which amendment was declared adopted.

Representative Case moved that **SB 1701** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Case, **SB 1701** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1701** 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, Bengel, 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, Mr. Speaker.--100.

Excused: Young.--1.

The measure passed.

**SB 1701** was referred for engrossment.

### **MEASURE REREFERRED**

Upon motion of Representative Bingman, **SB 334** was withdrawn from the Calendar and rereferred to the Revenue and Taxation Committee.

## PENDING CONSIDERATION OF CCR

The **CCR** on **SB 682** was called up for consideration.

Upon motion of Representative Blackwell, the **CCR** on **SB 682** was adopted.

**SB 682**, as amended in conference, 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, Bengé, Billy, Bingman, Blackburn, Blackwell, Braddock, Brannon, Brown, Calvey, Carey, 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), 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, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--96.

Nay: Hamilton, Shelton, Toure.--3.

Excused: Cargill, Young.--2.

The measure and emergency passed.

**SB 682**, together with the conference committee report, thereon, was ordered returned to the Honorable Senate.

## GENERAL ORDER

**SB 266** by Hobson of the Senate and Perry of the House was read and considered.

Representative Perry moved that **SB 266** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Perry, **SB 266** was considered engrossed and placed on Third Reading and Final Passage.

## THIRD READING

**SB 266** 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, Dorman, Duncan, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, 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, Mr. Speaker.--95.

Nay: Wright.--1.

Excused: DeWitt, Eddins, McCarter, Newport, Young.--5.

The measure and emergency passed.

**SB 266** was referred for engrossment.

## **GENERAL ORDER**

**SB 1364** by Hobson of the Senate and Perry of the House was read and considered.

Representative Perry moved that **SB 1364** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Perry, **SB 1364** was placed on Third Reading and Final Passage.

## **THIRD READING**

**SB 1364** 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, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, 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, Mr. Speaker.--96.

Nay: Cox.--1.

Excused: Eddins, McCarter, Morgan (Fred), Young.--4.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1364** and ordered same returned to the Honorable Senate.

### **Speaker Hiatt Presiding**

### **GENERAL ORDER**

**SB 1365** by Hobson of the Senate and Perry of the House was read and considered.

Representative Perry moved that **SB 1365** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Perry, **SB 1365** was placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1365** 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, 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, Mr. Speaker.--99.

Excused: McCarter, Young.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1365** and ordered same returned to the Honorable Senate.

**GENERAL ORDER**

**SB 1707** by Myers of the Senate and Duncan et al of the House was read and considered.

Coauthored by Representative(s) Askins, Coody, DePue, Morrissette, Peters, Piatt, Rousselot, Terrill, Tibbs, Wesselhoft

Representative Duncan moved that **SB 1707** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Duncan, **SB 1707** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1707** 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, 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, Mr. Speaker.--99.

Excused: McCarter, Young.--2.

The measure and emergency passed.

**SB 1707** was referred for engrossment.

**GENERAL ORDER**

**SB 1319** by Brogdon of the Senate and Smaligo et al of the House was read and considered.

Representative Calvey moved to amend **SB 1319** by striking the enacting clause, which amendment was declared adopted.

Representative Smaligo moved that **SB 1319** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Smaligo, **SB 1319** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1319** 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, 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, 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, Mr. Speaker.--98.

Excused: Billy, McCarter, Young.--3.

The measure passed.

**SB 1319** was referred for engrossment.

### **GENERAL ORDER**

**SB 1734** by Morgan of the Senate and Wilt of the House was read and considered.

Coauthored by Representative(s) Kiesel, Shelton

Representative Wilt moved to amend **SB 1734**, Page 4, Section 1, Line 4 1/2 by adding the following language, and relettering subsequent sections, which amendment was declared adopted:

“j. state organization representing urban-rural hospitals”

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

By unanimous consent, upon request of Representative Wilt, **SB 1734** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1734** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Askins, Auffet, Bengé, Billy, Bingman, Blackburn, Braddock, Brannon, Brown, Carey, Case, Coody, Cooksey, Covey, Cox, Denney, DePue, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Gilbert, Glenn, Hamilton, Hastings, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Kiesel, Lamons, Liebmann, Lindley, Martin, Mass, McDaniel, McMullen, McPeak, Miller (Ken), Miller (Ray), Morgan (Danny), Morrisette, Nance, Nations, Newport, Peters, Peterson (Ron), Piatt, Plunk, Pruett, Richardson, Roan, Roggow, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Toure, Turner, Walker, Wilt, Winchester, Mr. Speaker.--74.

Nay: Adkins, Balkman, Banz, Blackwell, Calvey, Cargill, Dank, Duncan, Harrison, Hickman, Jones, Kern, Liotta, Miller (Doug), Morgan (Fred), Perry, Peterson (Pam), Reynolds, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Worthen, Wright.--25.

Excused: McCarter, Young.--2.

The measure and emergency passed.

**SB 1734** was referred for engrossment.

**GENERAL ORDER**

**SB 1793** by Justice et al of the Senate and Richardson et al of the House was read and considered.

Coauthored by Representative(s) Auffet, Dank, DePue, Kern, McMullen, Terrill, Wesselhoft

Representative Covey moved to suspend House Rule 8.7 for the purpose of offering a floor amendment to **SB 1793**, which motion was declared adopted upon roll call as follows:

Aye: Adkins, Armes, Askins, Auffet, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Braddock, Brannon, Brown, Carey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, Deutschendorf, DeWitt, Dorman, Duncan, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McDaniel, McMullen, McPeak, Miller (Ken), 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, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Wright, Mr. Speaker.--92.

Nay: Calvey, Worthen.--2.

Excused: Blackburn, Eddins, McCarter, Miller (Doug), Miller (Ray), Steele, Young.--7.

Representative Covey moved to amend **SB 1793** by adding new Sections 1 and 2 and renumbering subsequent sections. (Copies for Members)

Representative Wright asked a ruling of the Presiding Officer whether the Covey amendment was germane to **SB 1793**.

The Presiding Officer ruled the point not well taken and the amendment germane.

Representative Covey pressed adoption of his amendment, which amendment was declared adopted.

Representative Richardson moved that **SB 1793** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Richardson, **SB 1793** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1793** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Askins, Auffet, Balkman, Banz, Benge, Billy, 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, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, Mass, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrissette, Nance, Nations, Newport, Perry, 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, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--95.

Nay: Adkins, Bingman, Johnson, Peterson (Ron).--4.

Excused: McCarter, Young.--2.

The measure and emergency passed.

**SB 1793** was referred for engrossment.

**GENERAL ORDER**

**SB 1867** by Corn of the Senate and Armes of the House was read and considered.

Representative Armes moved that **SB 1867** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Armes, **SB 1867** was considered engrossed and placed on Third Reading and Final Passage.

**THIRD READING**

**SB 1867** 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, 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, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Toure, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--97.

Nay: Shelton.--1.

Excused: McCarter, Richardson, Young.--3.

The measure passed.

**SB 1867** was referred for engrossment.

**GENERAL ORDER**

**SB 1910** by Corn of the Senate and Hickman of the House was read and considered.

Representative Hickman moved that **SB 1910** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Hickman, **SB 1910** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 1910** 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, 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, Mr. Speaker.--99.

Excused: McCarter, Young.--2.

The measure and emergency passed.

**SB 1910** was referred for engrossment.

### GENERAL ORDER

**SB 1942** by Jolley et al of the Senate and Newport et al of the House was read and considered.

Coauthored by Representative(s) DePue, Duncan, Wesselhoft, Smithson, Brannon

Representative Calvey moved to amend **SB 1942** by striking the enacting clause, which amendment was declared adopted.

Representative Newport moved that **SB 1942** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Newport, **SB 1942** was considered engrossed and placed on Third Reading and Final Passage.

### THIRD READING

**SB 1942** 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, Ellis, Glenn, Hamilton, Harrison, Hastings, Hickman, Hilliard, Hyman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Kiesel, Lamons, Liebmann, Lindley, Liotta, Martin, McDaniel, McMullen, McPeak, Miller (Doug), Miller (Ken), Miller (Ray), Morgan (Danny), Morgan (Fred), Morrisette, Nance, Nations, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Plunk, Pruett, Reynolds, Richardson, Roan, Roggow, Rousselot, Sherrer, Shoemake, Shumate, Smaligo, Smithson, Staggs, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Turner, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--94.

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

Excused: Eddins, McCarter, Young.--3.

The measure and emergency passed.

**SB 1942** was referred for engrossment.

### **Speaker Pro Tempore Winchester Presiding**

#### **MEASURE REREFERRED**

Upon motion of Representative Sullivan, **SB 1657** was withdrawn from the Calendar and rereferred to the Judiciary Committee.

#### **MEASURE REREFERRED**

Upon motion of Representative Blackwell, **SB 1964** was withdrawn from the Calendar and rereferred to the Corrections and Criminal Justice Committee.

#### **MEASURE REREFERRED**

Upon motion of Representative Nance, **SB 1713** was withdrawn from the Calendar and rereferred to the Corrections and Criminal Justice Committee.

#### **GENERAL ORDER**

**SB 1974** by Corn of the Senate and Blackwell et al of the House was read and considered.

Representative Blackwell moved that **SB 1974** be advanced from General Order, which motion was declared adopted.

By unanimous consent, upon request of Representative Blackwell, **SB 1974** was considered engrossed and placed on Third Reading and Final Passage.

### **THIRD READING**

**SB 1974** 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, 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, Mr. Speaker.--98.

Nay: Wright.--1.

Excused: McCarter, Young.--2.

The measure and emergency passed.

**SB 1974** was referred for engrossment.

### **MEASURE REREFERRED**

Upon motion of Representative DeWitt, **SB 1460** was withdrawn from the Calendar and rereferred to the Environment and Natural Resources Committee.

### **PENDING CONSIDERATION OF SAs**

**SAs to HBs 2159 and 2506** were rejected upon motion of Representative Adkins. Conferees to be named later.

### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2073** were rejected upon motion of Representative Smithson. Conferees to be named later.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2462** were rejected upon motion of Representative Coody. Conferees to be named later.

**GENERAL ORDER**

**SB 2022** by Pruitt et al of the Senate and Hiatt et al of the House was read and considered.

Coauthored by Representative(s) Banz, Billy, Calvey, Cargill, Coody, Cooksey, DePue, Duncan, Hickman, Kern, Liebmann, Miller (Ken), Morgan (Fred), Peterson (Ron), Richardson, Smaligo, Tibbs, Worthen

Speaker Hiatt moved to amend **SB 2022** by restoring the title, which amendment was declared adopted.

Representative Adkins moved that **SB 2022** be advanced from General Order.

Representative Askins moved to table the Adkins' motion to advance, which tabling motion failed of adoption upon roll call as follows:

Aye: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Carey, Covey, Deutschendorf, Dorman, Ellis, Gilbert, Glenn, Harrison, Hilliard, Hyman, Kiesel, Lamons, Lindley, Mass, McDaniel, McMullen, McPeak, Miller (Ray), Morgan (Danny), Morrisette, Nations, Plunk, Pruett, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Sweden, Toure, Turner, Walker.--41.

Nay: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--51.

Excused: Case, Eddins, Hamilton, Hastings, Ingmire, McCarter, Miller (Doug), Reynolds, Young.--9.

Representative Adkins pressed adoption of his motion to advance, which motion prevailed upon roll call as follows:

Aye: Adkins, Armes, Balkman, Banz, Bengé, Billy, Bingman, Blackwell, Calvey, Cargill, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, Jackson, Jett, Johnson, Jones, Kern, Liebmann, Liotta, Martin, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Newport, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Richardson, Roggow, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--52.

Nay: Askins, Auffet, Blackburn, Braddock, Brannon, Brown, Carey, Covey, Deutschendorf, Dorman, Ellis, Gilbert, Glenn, Hamilton, Harrison, Hastings, Hilliard, Hyman, Ingmire, Kiesel, Lamons, Lindley, Mass, 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: Case, Eddins, McCarter, Reynolds, Young.--5.

Speaker Hiett asked unanimous consent that **SB 2022** be considered engrossed and placed on Third Reading and Final Passage, to which objection was heard.

Speaker Hiett pressed his motion, which motion failed upon roll call as follows:

Aye: Adkins, Armes, Balkman, Banz, Benge, Billy, Bingman, Blackwell, Calvey, Cargill, Case, Coody, Cooksey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Hickman, 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, Shoemake, Smaligo, Steele, Sullivan, Terrill, Thompson, Tibbs, Trebilcock, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--55.

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

Excused: McCarter, Young.--2.

**SB 2022** was referred for engrossment.

## **MOTION**

Representative Sullivan moved that the House stand at ease until 4:45 p.m., which was the order.

## **Speaker Pro Tempore Winchester Presiding**

## **ENGROSSED AND ENROLLED MEASURES**

**HAs** to **SB 2022** were reported correctly engrossed.

**THIRD READING**

**SB 2022** 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, Braddock, Brannon, Calvey, Cargill, Case, Coody, Cooksey, Covey, Cox, Dank, Denney, DePue, DeWitt, Duncan, Ellis, Hastings, Hickman, Ingmire, Jackson, Jett, Johnson, Jones, Kern, Lamons, Liebmann, Liotta, Martin, McMullen, Miller (Doug), Miller (Ken), Morgan (Fred), Nance, Perry, Peters, Peterson (Pam), Peterson (Ron), Piatt, Pruett, Reynolds, Richardson, Roggow, Smaligo, Steele, Sullivan, Sweeden, Terrill, Thompson, Tibbs, Trebilcock, Walker, Wesselhoft, Wilt, Winchester, Worthen, Wright, Mr. Speaker.--64.

Nay: Askins, Auffet, Blackburn, Brown, Carey, Deutschendorf, Dorman, Eddins, Gilbert, Glenn, Hamilton, Harrison, Hilliard, Hyman, Kiesel, Lindley, Mass, McDaniel, McPeak, Miller (Ray), Morgan (Danny), Morrisette, Nations, Plunk, Roan, Rousselot, Shelton, Sherrer, Shoemake, Shumate, Smithson, Staggs, Toure, Turner.--34.

Excused: McCarter, Newport, Young.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 2022** and ordered same returned to the Honorable Senate.

Representative Morrisette served notice to reconsider the vote whereby **SB 2022** passed.

The Presiding Officer ruled the motion to reconsider out of order pursuant to House Rule 9.10(a) stating that the House had moved to other business.

**MESSAGES FROM THE SENATE**

Announcing the passage of **HBs 2099**, Coauthored by Representative Nations, **2122, 2123, 2124, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2149, 2150, 2151, 2152, 2153, 2154, 2473** and **2635**.

The above-numbered measures were referred for enrollment.

**Conference requested**

Advising rejection of **HAs** to **SBs 408, 1097** and **1646** and requesting conference thereon, the Senate naming conferees later.

## MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 2396** and **2880** on April 7, 2006 and **HB 2474** on April 10, 2006.

## RESOLUTIONS

The following were introduced and read:

**HCR 1062** – By Braddock of the House and Capps of the Senate.

A Concurrent Resolution relating to rules of the Oklahoma Department of Agriculture, Food, and Forestry; waiving the thirty-legislative-day review period for proposed permanent rule OAC 35:30-17-24.1 that relates to application of herbicides containing particular active ingredients to agricultural lands; and directing distribution.

**HR 1099** – By Balkman, Roan and Smithson.

A Resolution thanking Colonel Gary D. Adams for 38 years of service in the Oklahoma Highway Patrol; wishing him well upon the occasion of his retirement; and directing distribution.

**HR 1100** – By Rousselot.

A Resolution honoring the life, service, and sacrifice of James Randolph Graham III; 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:

**SB 1355** – Judiciary

**SB 1749** – Judiciary

**SB 1816** – Judiciary

**SB 1897** – Judiciary

DO PASS, As Amended:

CS for **SB 973** – Judiciary

**SB 1291** – Common Education

CS for **SB 1346** – Judiciary

CS for **SB 1444** – Agriculture and Rural Development, Remove Senator Wyrick as principal Senate author and substitute with Senator Lerblance

CS for **SB 1481** – Agriculture and Rural Development

CS for **SB 2039** – Judiciary

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:15 p.m., Tuesday, April 11, 2006, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 5:05 p.m., to reconvene Tuesday, April 11, 2006, at 1:15 p.m.