

HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Fifty-second Legislative Day, Wednesday, April 29, 2009

The House was called to order by Representative Peters.

The roll was called with 98 Members present.

The following Members were excused: Cooksey, Dank, Scott.—3.

Representative Peters declared a quorum present.

Prayer was offered by Reverend Pat Kilby, First Baptist Church, Ada.

The Journal for the last legislative day was approved.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1032 – Murphey, Derby, Martin (Scott), Pittman, Scott, Miller

HB 1294 – Murphey, Kern, Tibbs, Ortega, Pruett, Liebmann

HB 1389 – Osborn, McNiel, McDaniel (Randy), McCullough, Kouplen, Buck,
Johnson

HB 1460 – Peterson, Duncan, Jordan, Rousselot, Morrissette

HB 1474 – Murphey, Coody, Denney, Scott, Pruett

HB 1780 – Jones, Denney, DeWitt, Morrissette, Ownbey, Thomsen, Sherrer, Miller

CONFERENCE GRANTED

Upon motion of Representative Jones, the House granted the request of the Honorable Senate for conference on the following measures and the Speaker named conferees:

SB 300 – Thompson, Watson, Proctor, Morgan, Peters, Sanders, Shannon, Schwartz, Walker

SB 306 – Jordan, Schwartz, Martin (Scott), McNiel, Proctor, Scott

SB 313 – Thompson, Miller, Liebmann, Jackson, Sanders, Watson, Brannon, Sherrer, Pruett

SB 394 – Sullivan, Coody, Dank, Sears, Shumate, McDaniel (Jeannie), Kern

SB 411 – Nelson, Peterson, McCullough, Watson, Rousselot, Sherrer, Shelton

SB 490 – Sullivan, Duncan, Terrill, Kirby, Morrissette, Lamons

SB 521 – Peters, Pittman, Shumate, Liebmann, Duncan, Miller

SB 610 – Watson, Martin (Scott), Peters, Thompson, Sanders, Jordan, Morgan, Scott, Kouplen, Rousselot

SB 718 – Holland, Ortega, Enns, Buck, Dorman, Jackson

SB 757 – Steele, Cox, DeWitt, Rousselot, Glenn

SB 794 – Murphey, McCullough, Moore, Kern, Dorman, Carey, Nelson

SB 800 – Murphey, Key, Terrill, Kern, Pruett, Scott, Jackson, Pittman

SB 812 – Liebmann, Moore, Joyner, Duncan, Pruett, Shumate

SB 980 – Murphey, Derby, Martin (Scott), Shannon, Osborn, Dorman, Scott, Miller

SB 987 – Ownbey, Sears, Buck, Nelson, Carey, Miller

SB 989 – Enns, Duncan, Jordan, Sullivan, Lamons, Inman

SB 1073 – Sullivan, Duncan, McCullough, Jordan, Morrissette, Kiesel

SB 1123 – Thompson, Duncan, Christian, Sanders, Sullivan, Jackson, Dorman, Hilliard, Lamons

SB 1126 – Nelson, Duncan, Peterson, Sullivan, Lamons, Rousselot, Inman

SB 1175 – Watson, Miller, McDaniel (Randy), Sears, Martin (Scott), Jackson, Morgan, Hilliard, Carey, Pruett

MESSAGE FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended **HB 1332** and **HJR 1035**, Coauthored by Representative Reynolds and Senator Gumm.

Senate amendments were read on the above numbered measures.

RESOLUTIONS

The following were introduced and read:

HCR 1027 – By Enns and Dank.

A Concurrent Resolution opposing proposed federal legislation, S. 787, known as the Clean Water Restoration Act; and directing distribution.

HCR 1028 – By Key.

A Concurrent Resolution claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers; serving notice to the federal government to cease and desist certain mandates; providing that certain federal legislation be prohibited or repealed; and directing distribution.

HR 1047 – By Dorman.

A Resolution congratulating University of Kansas men's basketball head coach Bill Self on being named Coach of the Year; and directing distribution.

HR 1048 – By Dorman.

A Resolution relating to Blake Griffin; commending and congratulating Blake Griffin for his illustrious basketball career; extending best wishes for future success; and directing distribution.

PENDING CONSIDERATION OF SAs

SAs to **HB 2026** were called up for consideration.

Coauthored by Representative(s) Wright (John)

Representative Steele moved that the House concur in the SAs to **HB 2026**.

Representative Brown moved to reject the SAs to **HB 2026** and request conference with instructions.

The Presiding Officer stated that the motion to concur in the SAs was a prior motion and therefore the motion to reject was out of order at this time.

Representative Brown moved to suspend House Rule 10.1 for the purpose of allowing consideration of the motion to reject SAs prior to consideration of the motion that the House concur in the SAs to **HB 2026**.

Representative Wright (John) moved to table the Brown motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Christian, Coody, Cox, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Reynolds, Richardson, Ritze, Sanders, Sears, Shannon, Steele, Sullivan, Thompson, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--52.

Nay: Auffet, Bailey, Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Glenn, Hamilton, Harrison, Hoskin, Inman, Lamons, Luttrell, McDaniel (Jeannie), Morgan, Nations, Pittman, Proctor, Renegar, Roan, Rousselot, Shelton, Sherrer, Shoemake, Smithson, Williams.--29.

Excused: Blackwell, Cooksey, Dank, Hilliard, Jett, Kiesel, Kouplen, McAffrey, McMullen, McNiel, McPeak, Miller, Morrissette, Pruett, Schwartz, Scott, Shumate, Terrill, Trebilcock, Walker.--20.

Representative Steele pressed his motion that the House concur in the **SAs to HB 2026**, which motion was declared adopted.

HB 2026, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Excused: Cooksey, Dank, Hilliard, Morrissette, Scott, Trebilcock.--6.

The measure passed.

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

RESOLUTION FOR CONSIDERATION

HCR 1013 was called up for consideration.

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

Authored by Senator Bass (principal Senate author)

Upon motion of Representative Armes, **HCR 1013** was considered and adopted.

HCR 1013 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HCR 1025 was called up for consideration.

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

Upon motion of Representative Morgan, **HCR 1025** was considered and adopted.

HCR 1025 was referred for engrossment.

RESOLUTION FOR CONSIDERATION

HR 1043 was called up for consideration.

Coauthored by Representative(s) Key, Thompson, Duncan

Upon motion of Representative Peterson, **HR 1043** was considered and adopted.

HR 1043 was referred for enrollment.

PENDING CONSIDERATION OF SAs

SAs to HB 1030 were rejected upon motion of Representative Wright (John).
Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1775 were rejected upon motion of Representative Roan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1055 were rejected upon motion of Representative Cox. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1004 were rejected upon motion of Representative Morgan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2047** were rejected upon motion of Representative Morgan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1322** were rejected upon motion of Representative Reynolds. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2028** were rejected upon motion of Representative Steele. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 2029** were rejected upon motion of Representative Steele. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1919** were rejected upon motion of Representative Kouplen. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1035** were rejected upon motion of Representative Jordan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1081** were rejected upon motion of Representative Buck. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1802** were rejected upon motion of Representative Martin (Steve). Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HJR 1014** were rejected upon motion of Representative Osborn. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1021** were rejected upon motion of Representative Faught. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1897** were rejected upon motion of Representative Cox. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1483** were rejected upon motion of Representative DeWitt. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1487** were rejected upon motion of Representative DeWitt. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1295** were rejected upon motion of Representative Murphey. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1468** were rejected upon motion of Representative Jackson. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HJR 1016** were rejected upon motion of Representative Jackson. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HJR 1021** were rejected upon motion of Representative Sullivan. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to **HB 1834** were rejected upon motion of Representative Hamilton. Conferees to be named later.

MESSAGES FROM THE SENATE

Announcing the concurrence of Senate in **HAs** to **SBs 290, 292, 335, 572, 602** and **934** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** to **SBs 390** and **738** and requesting conference thereon, the Senate naming conferees later.

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby **HJR 1047** passed.

HJR 1047 was referred for engrossment.

MESSAGE FROM THE GOVERNOR

Advising of his approval of **HB 1368** on April 29, 2009.

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, April 30, 2009, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 2:50 p.m., to reconvene Thursday, April 30, 2009, at 9:00 a.m.