

# HOUSE JOURNAL

**Second Regular Session of the Fifty-second Legislature**

**of the State of Oklahoma**

**Fifth Legislative Day, Monday, February 8, 2010**

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

The roll was called with 101 Members present.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Leo Allard, Rock Springs Baptist Church, Stilwell. Pastor Allard was sponsored by Representative Auffet.

Upon motion of Representative Osborn, Pastor Allard was confirmed as House Chaplain for this legislative day.

The Journal for the last legislative day was approved.

## INVOCATION

Upon unanimous consent request of Representative Auffet, the invocation given by Pastor Allard was ordered printed in full as follows:

“Gracious Father, you give us the blessing of government. These men and women serve at your pleasure as they are appointed by you. Therefore, empower them to encourage and praise what is good, and discourage what is evil. As they carry out their ministry before you, and on behalf of the people of Oklahoma, please equip them with courage and integrity; a good measure of your spirit for insight and discernment; wisdom to surround themselves with good and faithful staff members and advisors and enjoyment of your protection over them and their families. Grant our Father, that they may follow the example of Jesus Christ in their conduct before the people of Oklahoma who look to them for leadership. In the name of Jesus Christ our Lord and Savior I pray, Amen.”

## ENGROSSED AND ENROLLED MEASURES

**HBs 2430, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527** and **2528** were reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

## RESOLUTIONS

The following were introduced and read:

**HCR 1044** – By Benge and DeWitt of the House and Coffee and Myers of the Senate. A Concurrent Resolution designating February 9, 2010, “Water Appreciation Day” at the State Capitol; encouraging recognition of the value and significance of water resources; and directing distribution.

**HCR 1045** – By Shoemake.

A Concurrent Resolution memorializing Congress to oppose certain federal legislation relating to domestic horses; and providing for distribution.

## GENERAL ORDER

**HB 2284** by Wright (John) of the House and Aldridge of the Senate was read and considered.

Representative Wright (John) moved that **HB 2284** be advanced from General Order, which motion was declared adopted.

## THIRD READING

**HB 2284** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Miller, Moore, Morgan, Morrissette, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen,

Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--93.

Nay: Key, Murphey, Reynolds, Ritze.--4.

Excused: Christian, Collins, Kirby, Nations.--4.

The measure passed.

**HB 2284** was referred for engrossment.

### **GENERAL ORDER**

**HB 2286** by Wright (John) of the House and Aldridge of the Senate was read and considered.

Representative Wright (John) moved that **HB 2286** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2286** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, 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), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Billy, Cannaday, Nations, Shannon.--4.

The measure passed.

**HB 2286** was referred for engrossment.

**GENERAL ORDER**

**HB 2299** by Banz of the House was read and considered.

Authored by Senator Ford (principal Senate author)

Representative Banz moved that **HB 2299** be advanced from General Order, which motion was declared adopted.

**THIRD READING**

**HB 2299** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, 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), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Billy, Nations, Shannon.--3.

The measure and emergency passed.

**HB 2299** was referred for engrossment.

**GENERAL ORDER**

**HB 2571** by Wesselhoft et al of the House was read and considered.

Coauthored by Representative(s) Banz, Brown

Authored by Senator Russell (principal Senate author)

Representative Wesselhoft moved that **HB 2571** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2571** was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Billy, Key, Nations, Shannon.--4.

The measure passed.

**HB 2571** was referred for engrossment.

### **GENERAL ORDER**

**HB 2371** by Miller et al of the House and Johnson (Mike) et al of the Senate was read and considered.

Representative Miller moved to amend **HB 2371** by striking the title, which amendment was declared adopted.

Representative Denney moved that **HB 2371** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2371** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Jackson, Jett, Jones, Jordan, Joyner, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Morrissette, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Renegar, Richardson, Roan, Russ, Sanders, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele,

Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Wright (John), Mr. Speaker.--76.

Nay: Christian, Derby, Duncan, Faight, Hoskin, Inman, Johnson, Kern, Key, Kiesel, Kouplen, McCullough, Moore, Murphey, Nelson, Proctor, Reynolds, Ritze, Rousselot, Schwartz, Shelton, Terrill, Wesselhoft.--23.

Excused: Nations, Williams.--2.

The measure and emergency passed.

**HB 2371** was referred for engrossment.

### **GENERAL ORDER**

**HB 2372** by Miller et al of the House and Johnson (Mike) et al of the Senate was read and considered.

Representative Miller moved to amend **HB 2372** by striking the title, which amendment was declared adopted.

Representative Denney moved that **HB 2372** be advanced from General Order, which motion was declared adopted.

### **THIRD READING**

**HB 2372** was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Enns, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Jackson, Jett, Jones, Jordan, Joyner, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Morgan, Morrisette, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Pruett, Renegar, Richardson, Roan, Russ, Sanders, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wright (Harold), Mr. Speaker.--76.

Nay: Christian, Derby, Duncan, Faight, Inman, Johnson, Kern, Key, Kiesel, Kouplen, McCullough, Moore, Murphey, Nelson, Proctor, Reynolds, Ritze, Rousselot, Schwartz, Shelton, Terrill, Wesselhoft, Williams, Wright (John).--24.

Excused: Nations.--1.

The measure and emergency passed.

**HB 2372** was referred for engrossment.

## **RESOLUTION FOR CONSIDERATION**

**SCR 37** was called up for consideration.

Coauthored by Senator(s) Jolley

Upon motion of Representative DeWitt, **SCR 37** was considered and adopted.

**SCR 37** was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

## **MEASURES REASSIGNED**

The following measures were reassigned:

**HB 2623** – Withdrawn from General Government and referred to Appropriations and Budget.

**HB 2721** – Withdrawn from Human Services and referred to Judiciary.

**HB 3190** – Withdrawn from Rules and referred to Appropriations and Budget.

**HB 3398** – Withdrawn from Rules and referred to Agriculture and Rural Development.

## **MESSAGE FROM THE SENATE**

Advising rejection of **CCR** to **HB 1281** and requesting further conference thereon, the Senate naming same conferees as follows: GCCA.

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 11:30 a.m., Tuesday, February 9, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 2:25 p.m., to reconvene Tuesday, February 9, 2010, at 11:30 a.m.