

HOUSE JOURNAL

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Fiftieth Legislative Day, Tuesday, April 27, 2010

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

The roll was called with 100 Members present.

The following Member was excused: Peters.—1.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Joel Downing, Higher Ground Church, Pauls Valley.

The Journal for the last legislative day was approved.

RESOLUTIONS

The following were introduced and read:

HCR 1063 – By Dorman of the House and Eason McIntyre of the Senate.

A Concurrent Resolution acknowledging the professional accomplishments of Mr. Leon Russell; requesting action be taken for induction of Mr. Leon Russell into the Rock and Roll Hall of Fame; and directing distribution.

HR 1089 – By Denney.

A Resolution observing May 6, 2010, as the National Day of Prayer.

CONFEREES NAMED

The Speaker named the following conferees:

- HB 2300** – Banz, Coody, Sears, Proctor, Inman
- HB 2345** – Richardson, DeWitt, Armes, Fields, Renegar, Kouplen, Wright (Harold)
- HB 2395** – Liebmann, Martin (Scott), Martin (Steve), Pruett, Hickman, Denney, Schwartz, Shannon, Miller, Carey, Luttrell
- HB 2628** – Jones, DeWitt, Armes, Thomsen, Scott, Dorman
- HB 2631** – Johnson, Collins, Hoskin, McCullough, Osborn, Ritze, Roan, Tibbs
- HB 2648** – Nelson, Peterson, Rousselot, Ortega, McDaniel (Jeannie)
- HB 2658** – Sullivan, McDaniel (Randy), Liebmann, Peters, Moore, Morgan, Carey
- HB 2778** – Steele, Morrissette, Billy, Armes, Rousselot
- HB 2836** – Sears, Coody, Denney, Nelson, Miller, Shumate, Lamons
- HB 2883** – Luttrell, Hoskin, Glenn, Christian, Armes, McNeil, Kirby
- HB 2929** – Coody, Billy, Dorman, Scott, Denney
- HB 2944** – Jordan, Duncan, Sullivan, McCullough, Inman, Proctor
- HB 2973** – Sanders, Thompson, Watson, Morgan, Rousselot, Martin (Steve)
- HB 2999** – Steele, McDaniel (Jeannie), Hickman, McCullough, Pruett, DeWitt
- HB 3160** – Osborn, Armes, DeWitt, Holland, Scott, Hilliard, Fields, Enns
- HB 3339** – Christian, Terrill, Kouplen, McCullough, Tibbs
- HB 3341** – Christian, Terrill, McCullough, Proctor, Tibbs
- HB 3342** – Christian, Terrill, McCullough, Morrissette, Tibbs

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 1132** – Sherrer, Trebilcock, Sullivan, Duncan, Jordan, McDaniel (Randy), Hilliard, Lamons, Carey
- SB 1267** – Hickman, Ownbey, Enns, Brannon, Miller, Carey
- SB 1280** – Peters, Liebmann, Denney, Peterson, Rousselot, McDaniel (Jeannie)
- SB 1303** – Liebmann, Martin (Scott), Pruett, Martin (Steve), Hickman, Denney, Schwartz, Proctor, Kouplen
- SB 1365** – Russ, Sears, Richardson, Pruett, Smithson
- SB 1592** – Wright (Harold), Thomsen, Fields, McDaniel (Randy), Denney, Sears, Dorman, Walker, Morgan
- SB 1617** – Denney, Kern, Coody, Cooksey, Nations, McDaniel (Jeannie), Hilliard
- SB 1881** – McNeil, Denney, Jordan, Trebilcock, Wright (Harold), Kouplen, Scott
- SB 1961** – Sullivan, Duncan, Jordan, McCullough, Morrissette, Lamons
- SB 1998** – Jordan, McCullough, Derby, Proctor, Lamons
- SB 2034** – Sullivan, Coody, Kern, Jones, McDaniel (Jeannie), Cannaday
- SB 2179** – Thompson, Shannon, Liebmann, Watson, Rousselot, Shoemake, Jackson

PENDING CONSIDERATION OF SAs

SAs to HB 2556 were called up for consideration.

Coauthored by Representative(s) Roan

Representative Reynolds raised a point of inquiry as to whether a motion to recommit **HB 2556** back to the committee of origin pursuant to House Rule 8.14 would be presently in order.

The Presiding Officer stated that the motion would be out of order at this time due to the passing of the General Order deadline the previous Thursday, April 22. The Presiding Officer further clarified that if the pending motion to accept the Senate Amendments failed, a motion to reject the **SAs to HB 2556** would then be in order.

Upon motion of Representative Martin (Steve), the House concurred in the **SAs to HB 2556**.

HB 2556, 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, Collins, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Kiesel, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morgan, Nations, Ortega, Osborn, Ownbey, Peterson, Pittman, Pruett, Richardson, Roan, Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--79.

Nay: Christian, Holland, Kern, Key, Miller, Moore, Morrissette, Murphey, Nelson, Proctor, Renegar, Reynolds, Ritze, Terrill, Thompson, Wesselhoft.--16.

Excused: Cooksey, Harrison, Hickman, Hilliard, Joyner, Peters.--6.

The measure passed.

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

Representative Hickman Presiding

PENDING CONSIDERATION OF SAs

SAs to HBs 3285, 3289, 3291 and 3397 were rejected upon motion of Representative McNiel. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 3258 and 3261 were rejected upon motion of Representative Blackwell. Conferees to be named later.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Blackwell, the **CCR on HB 1747** was rejected and further conference requested. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2811 were rejected upon motion of Representative Key. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 1043 were rejected upon motion of Representative Sears. Conferees to be named later.

MOTION

Representative Enns asked that the Journal reflect that had he been present in the Chamber yesterday, April 26, he would have voted aye on the veto consideration of **HBs 2656 and 2780**, which was the order.

MOTION

Representative Walker moved to suspend House Rule 4.4(d) for Wednesday, April 28, in celebration of Bob Wills Day, which motion was declared adopted upon roll call as follows:

Aye: Armes, Auffet, Bailey, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Denney, DeWitt, Dorman, Fields, Glenn, Hamilton, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Key, Kiesel, Kirby, Kouplun, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McDaniel (Jeannie), McNiel, Miller, Moore, Morrissette, Murphey, Ownbey, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Rousselot, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Thomsen, Trebilcock, Walker, Watson, Williams, Wright (Harold), Mr. Speaker.--69.

Nay: Banz, Cooksey, Dank, Duncan, Faught, Hickman, Kern, McCullough, McDaniel (Randy), Nelson, Osborn, Ritze, Russ, Sullivan, Terrill, Tibbs, Wesselhoft, Wright (John).--18.

Excused: Derby, Enns, Harrison, Hilliard, Joyner, McPeak, Morgan, Nations, Ortega, Peters, Reynolds, Sanders, Shelton, Thompson.--14.

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature Enrolled **SBs 747, 1289, 1713, 1864, 1910 and 1917.**

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

Transmitting engrossed measure

Announcing the passage of engrossed **SCR 57.** The measure was introduced and read.

SCR 57 – By Eason McIntyre, Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Ellis, Ford, Garrison, Gumm, Halligan, Ivester, Johnson (Constance), Johnson (Mike), Jolley, Justice, Lamb, Laster, Leftwich, Lerblance, Marlatt, Mazzei, Myers, Newberry, Nichols, Paddack, Reynolds, Rice, Russell, Schulz, Sparks, Stanislawski, Sweeden, Sykes, Wilson and Wyrick of the Senate and Lamons of the House.

A Concurrent Resolution recognizing the importance of breast cancer awareness; designating April 26, 2010, “Breast Cancer Awareness Day”; and directing distribution.

Conferees named

Advising the Senate naming conferees as follows:

SB 421 – Stanislawski, Ford, Jolley, Branan, Johnson (Mike), Paddack

SB 959 – Jolley, Lamb, Coffee, Johnson (Mike), Burrage

SB 1284 – GCCA

SB 1784 – GCCA

SB 1889 – Stanislawski, Aldridge, Brown, Mazzei, Russell, Sparks

SB 1964 – Ford, Coates, Lamb, Crain, Leftwich

SB 2109 – GCCA

SB 2129 – Stanislawski, Ford, Jolley, Halligan, Eason McIntyre

SB 2163 – Paddack, Coffee, Lamb, Johnson (Mike)

SB 2218 – GCCA

SB 2319 – GCCA

Veto consideration

Returning herewith Enrolled **HB 2656**, together with the Governor's Veto Message thereon, and advising that under the provisions of Article V, Section 58, of the Constitution of the State of Oklahoma, the Senate has reconsidered and passed said bill over the Governor's veto by a three-fourths vote of all members elected to and constituting the Senate, said vote being as follows: Ayes: 36; Nays: 12.

HB 2656 was ordered transmitted to the Secretary of State.

Veto consideration

Returning herewith Enrolled **HB 2780**, together with the Governor's Veto Message thereon, and advising that under the provisions of Article V, Section 58, of the Constitution of the State of Oklahoma, the Senate has reconsidered and passed said bill over the Governor's veto by a three-fourths vote of all members elected to and constituting the Senate, said vote being as follows: Ayes: 36; Nays: 12.

HB 2780 was transmitted to the Secretary of State.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs to SB 1329** and the passage of said measure, as amended thereby.

Conference requested

Advising rejection of **HAs to SBs 1070, 1373, 1599, 1600, 1793, 1816, 1818, 1836, 1858, 1901, 1903, 2070, 2127 and 2291** and requesting conference thereon, the Senate naming conferees later.

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1889, 2319, 2332, 2717, 2852 and 3314** on April 26, 2010.

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, April 28, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 10:15 a.m., to reconvene Wednesday, April 28, 2010, at 1:30 p.m.