

HOUSE JOURNAL

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Fifty-second Legislative Day, Thursday, April 29, 2010

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

The roll was called with 98 Members present.

The following Members were excused: Cox, McNiel, Thompson.—3.

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.

ENGROSSED AND ENROLLED MEASURE

HB 2541 was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

RESOLUTION

The following was introduced and read:

HR 1090 – By Wesselhoft.

A Resolution encouraging the United States Congress to craft legislation which supports the democratic aspirations of the Iranian people by enhancing their ability to access the Internet and communications services; and directing distribution.

PENDING CONSIDERATION OF SAs

SAs to HB 1554 were called up for consideration.

Upon motion of Representative Duncan, the House concurred in the **SAs to HB 1554**.

HB 1554, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure and emergency as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, 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), McPeak, Moore, Morgan, Murphey, Nations, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--87.

Excused: Christian, Cox, Hamilton, Harrison, Hickman, McNiel, Miller, Morrissette, Nelson, Scott, Shannon, Sullivan, Thompson, Williams.--14.

The measure and emergency passed.

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

RESOLUTION FOR CONSIDERATION

HR 1089 was called up for consideration.

Coauthored by Representative(s) Coody, Carey, Brown, Holland, Wesselhoft, Derby, Hilliard, Proctor, Martin (Scott), Dorman, Sears, Cooksey, Faught, Ownbey, Kern, Buck, Kirby, Trebilcock, Lamons, Blackwell, Banz, Ortega, McDaniel (Randy), Thomsen, Johnson, Moore, Dank, Ritze, Williams, Peterson, Billy, Wright (John), Morgan, Christian, Fields, Kouplen, McAffrey, Osborn, Duncan, Benge, Luttrell, Joyner, Jones, DeWitt, Watson, Rousselot, Cannaday, Sherrer, Hoskin, Harrison, Pittman, Renegar, Shumate, Smithson, Glenn, Bailey, Pruett, Inman, Brannon, Steele, Wright (Harold)

Upon motion of Representative Denney, **HR 1089** was considered and adopted.

HR 1089 was referred for enrollment.

RECONSIDERATION

Representative Derby moved to reconsider the vote whereby **HJR 1054** passed.

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

Representative Ritze moved to reconsider the vote whereby the emergency passed on **HJR 1054**.

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

HJR 1054, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

MOTION

Representative Reynolds moved to rescind the vote whereby **HR 1089** was adopted.

Representative Dorman moved to table the Reynolds motion, which tabling motion failed of adoption upon roll call as follows:

Aye: Bailey, Brannon, Brown, Buck, Cannaday, Dorman, Harrison, McAffrey, McPeak, Nations, Pruett, Renegar, Roan, Shoemake, Smithson, Williams.--16.

Nay: Armes, Auffet, Banz, Billy, Carey, Christian, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Duncan, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jordan, Joyner, Kern, Key, Kiesel, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Reynolds, Richardson, Ritze, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shumate, Steele, Thomsen, Tibbs, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--66.

Excused: Blackwell, Collins, Cox, Enns, Hamilton, Jones, Kirby, McNiel, Miller, Morrisette, Pittman, Scott, Shelton, Sherrer, Sullivan, Terrill, Thompson, Trebilcock, Walker.--19.

Representative Reynolds pressed his motion to rescind the vote whereby **HR 1089** was adopted, which motion failed of adoption upon roll call as follows:

Aye: Billy, Dank, Denney, Duncan, Faught, Hickman, Kern, Martin (Scott), McDaniel (Randy), Murphey, Reynolds, Ritze, Russ, Steele, Watson.--15.

Nay: Armes, Auffet, Bailey, Banz, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Derby, DeWitt, Dorman, Enns, Fields, Glenn,

Harrison, Hilliard, Holland, Hoskin, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McPeak, Miller, Moore, Morgan, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Smithson, Thomsen, Tibbs, Trebilcock, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--76.

Excused: Cox, Hamilton, McNiel, Morrisette, Roan, Shoemake, Sullivan, Terrill, Thompson, Walker.--10.

Representative Hickman Presiding

PENDING CONSIDERATION OF SAs

SAs to HB 3028 were rejected upon motion of Speaker Bengé. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 2290 and 2545 were rejected upon motion of Representative Wright (John). Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 3284 were rejected upon motion of Representative Peterson. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 3000 were rejected upon motion of Representative Steele. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2918 were rejected upon motion of Representative Shannon. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HBs 2753 and 3286 were rejected upon motion of Representative Denney. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 3260 were rejected upon motion of Representative Blackwell. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 2572 were rejected upon motion of Representative Wesselhoft. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 3343 were rejected upon motion of Representative Christian. Conferees to be named later.

PENDING CONSIDERATION OF SAs

SAs to HB 3383 were rejected upon motion of Representative Terrill. Conferees to be named later.

CONFEREES NAMED

The Speaker named the following conferees:

HB 1043 – Sears, Cox, Miller, Buck, Hickman, Pruett, Carey

HB 2928 – Coody, Sears, Denney, Shumate, McDaniel (Jeannie)

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 1756 – Benge, Hickman, Nelson, Liebmann, Carey, Dorman, Proctor

SB 1761 – Benge, DeWitt, Armes, Thomsen, Ortega, Liebmann, Duncan, Schwartz, Morgan, Inman, Kouplen, Dorman

SB 1862 – Benge, Denney, Sears, Coody, Shumate, Brannon

SB 1956 – Armes, DeWitt, Enns, Rousselot, Richardson, Kouplen
SB 1964 – Jones, Fields, Jackson, Liebmann, Morgan, Pruett
SB 2033 – Benge, Coody, Denney, Sears, Buck, Morrissette
SB 2052 – Benge, Murphey, Moore, Jones, Miller, Jackson, Scott, Pittman, Nations
SB 2083 – Benge, Coody, Denney, Sears, Morrissette, Buck
SB 2088 – Benge, Shannon, Trebilcock, Morgan, Carey
SB 2163 – Sullivan, Duncan, Jordan, McDaniel (Jeannie)
SJR 61 – Benge, Hickman, Miller, Brannon, Jones, Trebilcock, Pruett, McPeak

MESSAGES FROM THE SENATE

Announcing that Enrolled **HB 2541** 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.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 441, 1631, 1817, 1819, 1927, 1941, 1985, 2073, 2154, 2211, 2212** and **2270**.

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 55**. The measure was introduced and read.

SCR 55 – By Marlatt of the Senate and Sanders of the House.

A Concurrent Resolution encouraging the State Department of Health to administer a statewide central stroke registry; encouraging hospitals to report information on cases of stroke that occur in the state to the statewide central stroke registry; encouraging the State Board of Health to promulgate certain rules; encouraging the State Department of Health to work with certain hospitals; and directing distribution.

Concurrence in HAs

Announcing the concurrence of Senate in **HAs** to **SBs 573, 1012, 1640, 1712** and **1883** and the passage of said measures, as amended thereby.

Conference requested

Advising rejection of **HAs** to **SBs 1601, 1876** and **1887** and requesting conference thereon, the Senate naming conferees later.

Conference granted

Advising conference granted and the Senate naming conferees as follows:

HB 2886 – Brown, Anderson, Coffee, Coates, Sykes, Paddack

Conferees named

Advising the Senate naming conferees as follows:

SB 1337 – GCCA

SB 1379 – GCCA

SB 1756 – GCCA

SB 1761 – Coffee, Bingman, Lamb, Johnson (Mike), Paddack

SB 1762 – Leftwich, Barrington, Sykes, Russell, Halligan

SB 1793 – Paddack, Anderson, Crain, Sykes, Newberry

SB 1838 – GCCA

SB 1840 – Sykes, Bingman, Branan, Johnson (Mike), Gumm

SB 1903 – Aldridge, Brown, Mazzei, Stanislawski, Ballenger

SB 1908 – Sykes, Reynolds, Lamb, Branan, Schulz

SB 1916 – GCCA

SB 1973 – Coffee, Coates, Lamb, Laster, Burrage

SB 1989 – Brown, Aldridge, Stanislawski, Lamb, Leftwich

SB 2018 – GCCA

SB 2041 – Sykes, Anderson, Crain, Jolley, Laster

SB 2046 – Brown, Aldridge, Mazzei, Lamb, Coffee

SB 2052 – Coffee, Aldridge, Jolley, Crain

SB 2070 – Coates, Newberry, Myers, Brogdon, Leftwich

SB 2083 – GCCA

SB 2180 – Newberry, Coates, Brogdon, Johnson (Mike), Burrage

SB 2199 – Coffee, Ford, Jolley, Lamb, Easley

SB 2203 – Crain, Anderson, Sykes, Newberry, Laster

SB 2213 – Jolley, Ford, Stanislawski, Mazzei, Paddack

SB 2259 – Lamb, Barrington, Johnson (Mike), Coffee, Laster

SB 2291 – Paddack, Barrington, Sykes, Reynolds, Russell

SB 2303 – GCCA

SB 2318 – Jolley, Ford, Stanislawski, Halligan, Eason McIntyre

SJR 61 – GCCA

SJR 66 – Coffee, Coates, Lamb, Laster, Burrage

MESSAGES FROM THE GOVERNOR

Advising of his approval of **HBs 1006, 2328, 2363, 2621, 2800, 3241 and 3259** on April 28, 2010.

Advising of his veto of **HB 2569** on April 28, 2010. The veto message reads as follows:

To the Honorable Speaker of the House
and Members of the House of Representatives
First Regular Session, Fifty-second Oklahoma Legislature

Enrolled House Bill No. **2569**

By: Wesselhoft, et al of the House and Newberry, et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 and 12 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2569**. In a time of constantly evolving and improving technology, it is not in the best interest of the state or its citizens to prospectively ban the use of a specific technology that could provide benefits in the future.

By the Governor of the State of Oklahoma

/s/ Brad Henry

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, May 3, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 10:15 a.m., to reconvene Monday, May 3, 2010, at 1:30 p.m.