

HOUSE JOURNAL

Second Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Fifty-ninth Legislative Day, Wednesday, May 12, 2010

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

The roll was called with 99 Members present.

The following Members were excused: Hoskin, Sullivan.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Scott Morie, Indian Springs Baptist Church, Broken Arrow. Pastor Morie was sponsored by Representative Ritze.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HB 2994 was reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

FIRST READING

The following was introduced and read for the first time:

HJR 1089 – By Enns.

A Joint Resolution disapproving permanent rules of the Oklahoma Department of Public Safety; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HCR 1068 – By Faught.

A Concurrent Resolution proclaiming August 7, 2010, Oklahoma Purple Heart Day.

HR 1095 – By Reynolds.

A Resolution commending the State of Arizona for enacting Arizona Senate Bill No. 1070; and directing distribution.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2171** was called up for consideration.

Upon motion of Representative McCullough, the **CCR** on **HB 2171** was adopted.

HB 2171, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Auffet, Bailey, Banz, Brannon, Brown, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Hilliard, Holland, Inman, Jackson, Johnson, Jones, Joyner, Kern, Kouplen, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morgan, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Russ, Sanders, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wright (Harold), Wright (John), Mr. Speaker.--76.

Nay: Buck, Morrissette.--2.

Excused: Billy, Blackwell, Dorman, Hamilton, Harrison, Hickman, Hoskin, Jett, Jordan, Key, Kiesel, Kirby, Lamons, McNiel, Miller, Rousselot, Schwartz, Scott, Shannon, Sullivan, Trebilcock, Wesselhoft, Williams.--23.

The measure passed.

HB 2171, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

RESOLUTION FOR CONSIDERATION

SCR 63 was called up for consideration.

Coauthored by Representative(s) Denney, Banz, Sherrer, Shoemake, McDaniel (Jeannie), Jones, Walker, Cox, Jordan, Coody, Cooksey, Osborn, Renegar, Bailey, Tibbs, Watson, Miller, Richardson, Johnson, McAffrey, Luttrell, Buck, Carey

Upon motion of Representative Denney, **SCR 63** was considered and adopted.

SCR 63 was properly signed, in open session, by the Presiding Officer and ordered returned to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2886** was called up for consideration.

Upon motion of Representative Moore, the **CCR** on **HB 2886** was adopted.

HB 2886, as amended in conference, 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, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hilliard, Holland, Inman, Jackson, 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, Morrissette, Murphey, Nations, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Scott.--1.

Excused: Dank, Hamilton, Harrison, Hickman, Hoskin, Jett, Morgan, Sullivan, Trebilcock, Williams.--10.

The measure passed.

HB 2886, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 3021** was called up for consideration.

Coauthored by Representative(s) Sherrer, Kern

Upon motion of Representative Sherrer, the **CCR** on **HB 3021** was adopted.

HB 3021, as amended in conference, 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, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hilliard, Holland, Inman, Jackson, 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, Morrisette, 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, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--92.

Nay: Russ.--1.

Excused: Hamilton, Harrison, Hickman, Hoskin, Jett, Scott, Sullivan, Trebilcock.--8.

The measure passed.

HB 3021, together with the conference committee report, thereon, was ordered transmitted to the Honorable Senate.

PENDING CONSIDERATION OF CCR

Upon motion of Representative Christian, the **CCR** on **HB 2266** was rejected and further conference requested. The Speaker named the same conferees:

HB 2266 – Christian, Proctor, Terrill, Kirby, Dorman

PENDING CONSIDERATION OF CCR

Upon motion of Representative Richardson, the **CCR** on **HB 1888** was rejected and further conference requested. The Speaker named the same conferees:

HB 1888 – Richardson, Cox, Hickman, Faught, Morgan, Roan, Carey, Sherrer, Trebilcock

PENDING CONSIDERATION OF CCR

The **CCR** on **HB 3290** was called up for consideration.

Remove as coauthor Representative(s) Pittman

Coauthored by Representative(s) Derby, Wright (John), Ritze

Upon motion of Representative McNiell, the **CCR** on **HB 3290** was adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brannon, Carey, Christian, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Lamons, Liebmann, Luttrell, Martin (Scott), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--71.

Nay: Auffet, Bailey, Cannaday, Collins, Cox, Glenn, Harrison, Kiesel, Martin (Steve), McAffrey, McDaniel (Jeannie), McPeak, Morgan, Nations, Richardson, Rousselot, Shelton, Shoemake, Shumate, Williams.--20.

Excused: Brown, Buck, Hoskin, Kirby, Kouplen, Morrissette, Roan, Scott, Sullivan, Trebilcock.--10.

HB 3290, as amended in conference, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Billy, Blackwell, Brannon, Cannaday, Carey, Christian, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Hickman, Hilliard, Holland, Inman, Jackson, Jett, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Lamons, Liebmann, Martin (Scott), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Reynolds, Ritze, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Steele, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--70.

Nay: Auffet, Bailey, Collins, Cox, Glenn, Harrison, Kiesel, Luttrell, Martin (Steve), McAffrey, McDaniel (Jeannie), McPeak, Nations, Pittman, Richardson, Rousselot, Shelton, Shoemake, Shumate, Smithson, Williams.--21.

Excused: Brown, Buck, Hoskin, Kouplen, Morgan, Renegar, Roan, Scott, Sullivan, Trebilcock.--10.

The measure passed.

Representative McNiel served notice to reconsider the vote whereby **HB 3290** passed.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HB 2994** 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 300, 1955, 2183 and 2229**.

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 60**.

The above measure was introduced and read.

SCR 60 – By Halligan, Adelson, Aldridge, Anderson, Ballenger, Barrington, Bass, Bingman, Branan, Brogdon, Brown, Burrage, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ellis, Ford, Garrison, Gumm, 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 Denney and Williams of the House.

A Concurrent Resolution congratulating Miss Ali Aufleger upon her selection as 2010 Oklahoma's Junior Miss; wishing her well in national competition; and directing distribution.

MOTION

Representative Jones moved that the House stand in recess until 1:15 p.m., which was the order.

Speaker Pro Tempore Steele Presiding

MESSAGE FROM THE SENATE

Advising the signing of and transmitting for signature Enrolled **SCR 63**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

MOTION

Representative Jones moved that the Honorable Senate be notified by message that the House of Representatives is assembled and ready to convene in Joint Session, which was the order.

Speaker Bengé Presiding

JOINT SESSION

The Fourth Joint Session of the Second Regular Session of the Fifty-second Legislature assembled in the House Chamber and was called to order by President of the Senate, Lieutenant Governor Jari Askins.

Senator Lamb moved that the attendance roll call of the Senate be considered the roll call of the Senate in Joint Session, which was the order.

Representative Jones moved that the attendance roll call of the House be considered the roll call of the House in Joint Session, which was the order.

President Askins declared quorums of the Senate and House present and the Joint Session duly convened.

The invocation was given by Pastor Scott Morie, Indian Springs Baptist Church, Broken Arrow.

President Askins recognized President Pro Tempore Coffee who addressed the Joint Session and introduced Mr. T. Boone Pickens.

Mr. Pickens addressed the Joint Session.

Upon motion of Representative Jones, the Joint Session was ordered dissolved at 2:00 p.m.

Representative Hickman Presiding**CONFERENCE GRANTED**

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

SB 2070 – Shelton, Sullivan, McDaniel (Randy), Steele, Pittman, Tibbs

MESSAGES FROM THE SENATE

Announcing the passage of **HCR 1064**, Coauthored by all Senators.

The above-numbered measure was referred for enrollment.

Conferees named

Advising the Senate naming conferees as follows:

SB 1936 – GCCA

Conferees changed

Advising the Senate changing conferees as follows:

HB 2753 – Remove Coffee, Ford, Jolley, Lamb, Laster and Name GCCA

Conference requested

Advising rejection of **HAs** to **SB 1118** and requesting conference thereon, the Senate naming conferees later.

Further conference requested

Advising rejection of the **3rd CCR** to **SB 828** and requesting further conference thereon, the Senate naming same conferees as follows:

SB 828 – Marlatt, Bingman, Schulz, Branan, Ivester, Burrage

Further conference granted

Advising further conference granted on **HB 3028** and the Senate naming same conferees as follows:

HB 3028 – Myers, Bingman, Branan, Ivester, Rice

CCRs SUBMITTED

The conference committee reports were read on the following measures:

HB 1043, Coauthored by Representative(s) Cox, Wright (Harold)

HB 1613

HB 1658

HB 1964 (3rd)

HB 2573

HB 2625

HB 2629

HB 2648

HB 2658

HB 2730

HB 2772

HB 2811, Coauthored by Representative(s) Kern

HB 2836

HB 2844

HB 2888

HB 2928

HB 2935

HB 2958, Coauthored by Representative(s) Cannaday

HB 3028 (2nd), Coauthored by Representative(s) Brown

HB 3260

HB 3285

HB 3286

HB 3289

HB 3311, Coauthored by Representative(s) Tibbs

HB 3393

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Thursday, May 13, 2010, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 2:05 p.m., to reconvene Thursday, May 13, 2010, at 9:00 a.m.