

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Thirty-second Legislative Day, Monday, April 4, 2011

The House was called to order by Speaker Steele.

The roll was called with 101 Members present.

The Speaker declared a quorum present.

Prayer was offered by Pastor George Gilland, First United Methodist Church, Vinita. Pastor Gilland was sponsored by Representative Hoskin.

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

The Journal for the last legislative day was approved.

MILEAGE CHANGE

The following mileage change was submitted:

Name	Mileage Round Trip	Amount Due
Jeff Hickman, Fairview and return	214	\$109.14

ENGROSSED AND ENROLLED MEASURES

HBs 1638 and **2139** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HRs 1019 and **1021** were reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Secretary of State.

HAs to SBs 407 and **774** were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

FIRST READING

The following were introduced and read for the first time:

HJR 1044 – By Faught.

A Joint Resolution disapproving permanent rules of the Oklahoma Health Care Authority; and directing distribution.

HJR 1045 – By Renegar.

A Joint Resolution disapproving permanent rules of the Board of Commercial Pet Breeders; and directing distribution.

RESOLUTIONS

The following were introduced and read:

HCR 1010 – By Schwartz of the House and Justice of the Senate.

A Concurrent Resolution commending Lester Claravall; congratulating him upon his selection to receive the 2011 National Public Service Award; and directing distribution.

HCR 1011 – By Blackwell.

A Concurrent Resolution supporting Lesser Prairie Chicken conservation.

HR 1024 – By Reynolds.

A Resolution petitioning the Trial Division of the Court on the Judiciary to assume jurisdiction and institute proceedings for the removal of a certain judge from office; and directing distribution.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 1638** and **2139** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Returning engrossed measure, as amended

Announcing the passage of and returning engrossed measure as amended **HB 1374**.

Senate amendments were read on the above-numbered measure.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 59, 287, 648** and **856**.

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

RESOLUTION FOR CONSIDERATION

HR 1018 was called up for consideration.

Upon unanimous consent request of Representative Martin (Scott), all Members of the House were added as coauthors.

Upon motion of Representative Martin (Scott), **HR 1018** was considered and adopted.

HR 1018 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1023 was called up for consideration.

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

Upon motion of Representative Shelton, **HR 1023** was considered and adopted.

HR 1023 was referred for enrollment.

GENERAL ORDER

SB 445 by Ford of the Senate and Denney of the House was read and considered.

Coauthored by Representative(s) Cooksey

Representative Denney moved that **SB 445** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 445 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Hall, Hamilton, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McNiell, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Pittman, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Sean), Rousselot, Sanders, Schwartz, Sears, Shannon, Shelton, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--72.

Nay: Bennett, Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hilliard, Hoskin, Inman, Kouplén, Lockhart, McPeak, Morgan, Morrissette, Proctor, Pruett, Renegar, Roberts (Dustin), Russ, Scott, Sherrer, Shoemake, Virgin, Walker.--25.

Excused: Grau, McDaniel (Randy), Moore, Ortega.--4.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Farley, Faught, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McNiell, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Sullivan, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--56.

Nay: Bennett, Brown, Cannaday, Casey, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplén, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roberts (Dustin), Rousselot, Scott, Shelton, Sherrer, Shoemake, Stiles, Terrill, Virgin, Walker, Williams.--38.

Excused: Grau, McDaniel (Randy), Moore, Ortega, Roan, Shumate, Thomsen.--7.

The emergency failed.

SB 445 was referred for engrossment.

GENERAL ORDER

SB 666 by Marlatt et al of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 666** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 666 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--93.

Nay: Brown, Key, Reynolds, Ritze, Sherrer.--5.

Excused: Hoskin, Shelton, Shumate.--3.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Banz, Billy, Blackwell, Brumbaugh, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Farley, Faught, Grau, Hall, Hardin, Hickman, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Richardson, Roberts (Dustin), Roberts (Sean), Sanders, Schwartz, Sears, Shannon, Sullivan, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--59.

Nay: Bennett, Brown, Cannaday, Casey, Christian, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Key, Kouplen, McAffrey, McDaniel (Jeannie), McPeak, Pittman, Proctor, Quinn, Renegar, Reynolds, Ritze, Roan, Rousselot, Russ, Scott, Sherrer, Shoemake, Stiles, Terrill, Virgin, Walker, Williams.--35.

Excused: Armes, Dank, Lockhart, Morrissette, Shelton, Shumate, Thomsen.--7.

The emergency failed.

The Presiding Officer signed Engrossed **SB 666** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 100 by Coates of the Senate and Liebmann of the House was read and considered.

Representative Liebmann moved that **SB 100** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 100 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--98.

Nay: Key.--1.

Excused: Shelton, Shumate.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 100** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 145 by Schulz of the Senate and Wright of the House was read and considered.

Representative Wright moved that **SB 145** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 145 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplun, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--100.

Excused: Shelton.--1.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 145** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 10 by Aldridge of the Senate and Banz of the House was read and considered.

Representative Banz moved that **SB 10** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 10 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--99.

Excused: Armes, Shelton.--2.

The measure passed.

SB 10 was referred for engrossment.

GENERAL ORDER

SB 214 by Burrage of the Senate and Banz of the House was read and considered.

Representative Banz moved that **SB 214** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 214 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--98.

Excused: Cox, McNeil, Shelton.--3.

The measure passed.

SB 214 was referred for engrossment.

GENERAL ORDER

SB 253 by Brown et al of the Senate and Faught et al of the House was read and considered.

Coauthored by Representative(s) Bennett, Reynolds, Peterson, Walker, Kern, Ritze

Representative Faught moved that **SB 253** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 253 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--98.

Nay: Sherrer.--1.

Excused: Pittman, Shelton.--2.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 253** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 498 by Johnson (Rob) of the Senate and Trebilcock of the House was read and considered.

Representative Trebilcock moved that **SB 498** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 498 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplun, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--99.

Excused: Ownbey, Shelton.--2.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 498** and ordered same returned to the Honorable Senate.

MEASURE REREFERRED

Upon motion of Representative Trebilcock, **SB 574** was withdrawn from the Calendar and rereferred to the Public Health Committee.

MESSAGE FROM THE SENATE

Announcing the passage of **HBs 1377** and **2017**.

The above-numbered measures were referred for enrollment.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

SB 446 – Judiciary

SB 530 – Judiciary

SB 875 – Judiciary

DO PASS, As Amended:

SB 272 – Judiciary

CS for **SB 959** – Insurance

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1008, 1197, 1441** and **1666** on April 4, 2011.

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, April 5, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 2:50 p.m., to reconvene Tuesday, April 5, 2011, at 9:00 a.m.