

HOUSE JOURNAL

First Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Seventh Legislative Day, Thursday, February 17, 2011

The House was called to order by Speaker Steele.

The roll was called with 100 Members present.

The following Member was excused: Bennett.—1.

The Speaker declared a quorum present.

Prayer was offered by Pastor Doug Melton, Southern Hills Baptist Church, Oklahoma City.

The Journal for the last legislative day was approved.

REQUEST FOR REMOVAL FROM CONSENT CALENDAR

Pursuant to House Rule 8.19, paragraph (c), Representative Stiles having received the required twenty-five (25) seconds, requested that **HB 1605** be removed from the Consent Calendar and placed on General Order, which was the order.

REQUEST FOR REMOVAL FROM CONSENT CALENDAR

Pursuant to House Rule 8.19, paragraph (c), Representative Hoskin having received the required twenty-five (25) seconds, requested that **HB 1271** be removed from the Consent Calendar and placed on General Order, which was the order.

REQUEST FOR REMOVAL FROM CONSENT CALENDAR

Pursuant to House Rule 8.19, paragraph (c), Representative Hoskin having received the required twenty-five (25) seconds, requested that **HB 1798** be removed from the Consent Calendar and placed on General Order, which was the order.

GENERAL ORDER

HB 1027 by Glenn et al of the House and Wyrick of the Senate was read and considered.

Representative Glenn moved that **HB 1027** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1027 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, 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, 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.--99.

Nay: Shelton.--1.

Excused: Bennett.--1.

The measure passed.

HB 1027 was referred for engrossment.

GENERAL ORDER

HB 1607 by Stiles of the House was read and considered.

Authored by Senator Anderson (principal Senate author)

Representative Stiles moved that **HB 1607** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1607 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Farley, Faught, Fourkiller, Glenn, Grau, Hall, 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, 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, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--98.

Nay: Hamilton, Williams.--2.

Excused: Bennett.--1.

The measure passed.

HB 1607 was referred for engrossment.

MOTION

Representative Stiles moved to suspend House Rule 8.19(c) for the purpose of allowing removal of **HB 1605** from the Consent Calendar category of the House Calendar to be placed on General Order as the time permitted for such action had expired, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Farley, Faught, Fourkiller, Grau, Hall, Hamilton, Hardin, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel,

McPeak, Moore, Morgan, 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, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--90.

Excused: Bennett, Brown, Enns, Glenn, Hilliard, Joyner, Morrissette, Reynolds, Ritze, Shelton, Wesselhoft.--11.

MOTION

Representative Hoskin moved to suspend House Rule 8.19(c) for the purpose of allowing removal of **HB 1798** from the Consent Calendar category of the House Calendar to be placed on General Order as the time permitted for such action had expired, which motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Farley, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--87.

Excused: Bennett, DeWitt, Dorman, Enns, Hickman, Jackson, Kirby, McPeak, Morrissette, Pruett, Reynolds, Ritze, Sears, Vaughan.--14.

GENERAL ORDER

HB 1199 by McDaniel (Jeannie) of the House was read and considered.

Authored by Senator Brown (principal Senate author)

Representative McDaniel (Jeannie) moved that **HB 1199** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1199 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Blackwell, Brown, Cannaday, Casey, Condit, Coody, Cox, Denney, DeWitt, Dorman, Enns, Farley, Fourkiller, Glenn, Grau, Hamilton, Hickman, Hilliard, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, McAffrey, McCullough, McDaniel (Jeannie), McNiel, McPeak, Morgan, Morrisette, Mulready, Nollan, Ortega, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Rousselot, Russ, Scott, Sears, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Tibbs, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--73.

Nay: Banz, Brumbaugh, Christian, Cockroft, Cooksey, Dank, Derby, Faught, Hall, Hardin, Holland, Martin (Scott), Martin (Steve), McDaniel (Randy), Moore, Murphey, Nelson, Newell, Ownbey, Roberts (Sean), Sanders, Schwartz, Shannon, Terrill, Thomsen, Trebilcock.--26.

Excused: Bennett, Kirby.--2.

The measure passed.

HB 1199 was referred for engrossment.

GENERAL ORDER

HB 1549 by Kern et al of the House was read and considered.

Coauthored by Representative(s) Ritze, Faught, Brumbaugh

Authored by Senator Eason McIntyre (principal Senate author)

Representative Kern moved that **HB 1549** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1549 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, 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, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McAffrey, McCullough, 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, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--98.

Excused: Bennett, Kirby, McDaniel (Jeannie).--3.

The measure passed.

HB 1549 was referred for engrossment.

GENERAL ORDER

HB 1586 by Thomsen of the House was read and considered.

Authored by Senator Bingman (principal Senate author)

Representative Thomsen moved that **HB 1586** be advanced from General Order, which motion was declared adopted.

THIRD READING

HB 1586 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Billy, Blackwell, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Farley, Hall, Hardin, Holland, Jackson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Pittman, Pruett, Quinn, Richardson, Roan, Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Stiles, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--64.

Nay: Brown, Brumbaugh, Cannaday, Dank, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Johnson, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Peterson, Proctor, Renegar, Reynolds, Ritze, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Sullivan, Williams.--33.

Excused: Bennett, Grau, Hickman, Roberts (Dustin).--4.

The measure passed.

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

Aye: Armes, Banz, Billy, Blackwell, Casey, Cockroft, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Enns, Farley, Hall, Hardin, Holland, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Moore, Mulready, Nelson, Newell, Ortega, Osborn, Ownbey, Peters, Quinn, Richardson, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Terrill, Thomsen, Tibbs, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--54.

Nay: Brown, Brumbaugh, Cannaday, Condit, Dank, Dorman, Faught, Fourkiller, Glenn, Hamilton, Hilliard, Hoskin, Inman, Johnson, Kouplen, Lockhart, McAffrey, McDaniel (Jeannie), McPeak, Morgan, Morrissette, Murphey, Nollan, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Sullivan, Williams.--40.

Excused: Bennett, Christian, Grau, Hickman, Jackson, Virgin, Walker.--7.

The emergency failed.

HB 1586 was referred for engrossment.

MEASURES REASSIGNED

The following measures were reassigned:

- HB 1411** – Withdrawn from Appropriations and Budget and referred to Transportation
- HB 2021** – Withdrawn from Rules and referred to Judiciary.
- HB 2023** – Withdrawn from Rules and referred to Judiciary.
- HB 2024** – Withdrawn from Rules and referred to Judiciary.
- HB 2025** – Withdrawn from Rules and referred to Judiciary.
- HB 2038** – Withdrawn from Rules and referred to Judiciary.
- HB 2039** – Withdrawn from Rules and referred to Judiciary.
- HB 2041** – Withdrawn from Rules and referred to Judiciary.
- HB 2091** – Withdrawn from Higher Education and Career Tech and referred to Judiciary.
- HB 2110** – Withdrawn from Appropriations and Budget and referred to Judiciary.
- HB 2139** – Withdrawn from Rules and referred to Common Education.
- HB 2141** – Withdrawn from Rules and referred to Judiciary.
- HB 2156** – Withdrawn from Rules and referred to Government Modernization.
- HB 2158** – Withdrawn from Rules and referred to Judiciary.

COMMITTEE REPORTS

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

DO PASS:

HB 1051 – General Government, Authored by Senator Ballenger (principal Senate author), Placed on Consent Calendar

HB 1210 – General Government

HB 1221 – Economic Development, Tourism and Financial Services

HB 1225 – Rules, Authored by Senator Simpson (principal Senate author)

HB 1230 – Public Safety, Authored by Senator Mazzei (principal Senate author), Placed on Consent Calendar

HB 1274 – Common Education, Coauthored by Representative(s) Cannaday, and Authored by Senator Stanislawski (principal Senate author), Placed on Consent Calendar

HB 1283 – General Government

HB 1288 – Rules

HB 1296 – General Government, Placed on Consent Calendar

HB 1322 – Judiciary, Authored by Senator Schulz (principal Senate author)

HB 1350 – Public Safety

HB 1359 – Rules, Coauthored by Representative(s) Kirby, Denney, Dorman, and Authored by Senator Brinkley (principal Senate author)

HB 1374 – Common Education, Authored by Senator Fields (principal Senate author), Placed on Consent Calendar

HB 1382 – Public Safety, Authored by Senator Shortey (principal Senate author), Placed on Consent Calendar

HB 1389 – Public Safety

HB 1398 – Economic Development, Tourism and Financial Services, Placed on Consent Calendar

HB 1511 – General Government, Coauthored by Representative(s) Ritze, Placed on Consent Calendar

HB 1533 – General Government

HB 1576 – General Government, Authored by Senator Holt (principal Senate author)

HB 1577 – General Government, Authored by Senator Holt (principal Senate author)

HB 1648 – Economic Development, Tourism and Financial Services

HB 1656 – Economic Development, Tourism and Financial Services, Authored by Senator Brown (principal Senate author)

HB 1662 – Economic Development, Tourism and Financial Services, Authored by Senator Anderson (principal Senate author)

HB 1918 – Common Education, Authored by Senator Ford (principal Senate author), Placed on Consent Calendar

HB 1987 – Common Education, Placed on Consent Calendar

HB 2132 – Economic Development, Tourism and Financial Services, Authored by Senator Bingman (principal Senate author)

HJR 1016 – Rules, Authored by Senator Marlatt (principal Senate author)

DO PASS, As Amended:

CS for HB 1002 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1003 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1004 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1006 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1007 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1010 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1011 – Economic Development, Tourism and Financial Services, Authored by Senator Mazzei (principal Senate author)

CS for HB 1033 – Rules, Authored by Senator Aldridge (principal Senate author)

CS for HB 1058 – Rules, Coauthored by Representative(s) Murphey, Dorman, and Authored by Senator Reynolds (principal Senate author)

CS for HB 1197 – Rules, Coauthored by Representative(s) Dorman, and Authored by Senator Anderson (principal Senate author), Placed on Consent Calendar

CS for HB 1456 – Common Education, Coauthored by Representative(s) Nelson, Kern and Authored by Senator Jolley (principal Senate author)

CS for HB 1664 – Rules, Authored by Senator Sykes (principal Senate author)

CS for HB 1800 – Public Safety, Authored by Senator Barrington (principal Senate author)

DO NOT PASS:

HJR 1019 – Rules, Authored by Senator Sparks (principal Senate author)

Representative Sullivan moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Monday, February 21, 2011, which was the order.

Pursuant to the motion of Representative Sullivan, the House was adjourned at 11:00 a.m., to reconvene Monday, February 21, 2011, at 1:30 p.m.