

HOUSE JOURNAL

Second Regular Session of the Fifty-third Legislature

of the State of Oklahoma

Fortieth Legislative Day, Monday, April 16, 2012

The House was called to order by Speaker Steele.

The roll was called with 96 Members present.

The following Members were excused: Blackwell, Ortega.—2.

Vacancy: District 23, District 71, District 88.—3.

The Speaker declared a quorum present.

Prayer was offered by Pastor Rich Redinger, Fairview United Methodist, Fairview. Pastor Redinger was sponsored by Speaker Pro Tempore Hickman.

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

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HJR 1107 was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HAs to SBs 134, 1108, 1533, 1795 and 1943 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 2225, 2289 and 2564 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE GOVERNOR

Advising of her approval of **HBs 1314, 2353, 2655, 2656, and 2786** on April 13, 2012.

Advising of her veto of **HB 2241** on April 13, 2012. The veto message reads as follows:

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

Enrolled House Bill No. **2241**

By: Faught et al of the House and Sykes et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2241**.

This bill would expand the current statutory requirement that rules promulgated by any agency, board, or commission which gets its authority from Title 59, or any rules which establish or increase fees requires approval by the Legislature by joint resolution. This bill adds new language to require rules promulgated by agencies, boards, or commissions which fall under Title 63 related to Public Health and Safety to be approved by the Legislature by joint resolution. This would create unnecessary burdens on public health and safety which may negatively impact the public and adds to bureaucratic red tape and reduces government efficiency. Moreover, the Legislature currently has the ability to disapprove any rules by joint resolution. This bill reduces Legislative accountability and creates a “default system” whereby Legislative inaction may cause important or necessary rules to be automatically disapproved.

This bill is not consistent with the Governor’s commitment to create a more productive and efficient State Government. The bill does not constitute good public policy and does not further the well-being of the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HB 2296** on April 13, 2012. The veto message reads as follows:

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

Enrolled House Bill No. **2296**

By: Proctor et al of the House and Crain et al of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2296**.

House Bill **2296** removes all liability for mobile home park owners in instances where owners are providing their office as shelter during severe weather. By only lifting liability for mobile home park owners, this bill treats one group of business owners differently from all other business owners. Relieving these owners from negligent liability does not encourage businesses to provide a safe environment.

House Bill **2296** does not constitute good public policy and does not further the well-being of the citizens of Oklahoma.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

Advising of her veto of **HB 2308** on April 13, 2012. The veto message reads as follows:

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

Enrolled House Bill No. **2308**

By: Faught of the House and Coates of the Senate

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED House Bill **2308**.

This bill is not consistent with the Governor's commitment to reducing the size and cost of State Government and may impermissibly constitute a special law.

By the Governor of the State of Oklahoma

/s/ Mary Fallin

MESSAGE FROM THE SENATE

Announcing the passage of and returning engrossed measures as amended: **HBs 2230** and **3108**, Coauthored by Representative Martin (Scott).

Senate amendments were read on the above-numbered measures.

SECOND READING

The following was read for the second time and referred to committee:

HJR 1120 – Administrative Rules and Government Oversight

GENERAL ORDER

SB 1889 by Marlatt of the Senate and Jackson et al of the House was read and considered.

Coauthored by Representative(s) Cox

Representative Jackson moved that **SB 1889** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1889 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Jackson, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morrisette, Mulready, Murphey, Nelson, Newell, Nollan, 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, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Excused: Blackwell, Christian, Faught, Hickman, Inman, Morgan, Ortega.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1889 was referred for engrossment.

Representative Denney Presiding

MESSAGES FROM THE SENATE

Advising fourth reading of and transmitting for signature enrolled **SBs 221** and **223**.

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

Transmitting enrolled measures

Advising the signing of and transmitting for signature enrolled **SCRs 35** and **37**.

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

GENERAL ORDER

SB 1580 by David et al of the Senate and Cox of the House was read and considered.

Representative Cox moved that **SB 1580** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1580 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Brown, Brumbaugh, Cannaday, Casey, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Moore, Morrissette, Mulready, Murphey, Newell, Nollan, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ,

Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--83.

Nay: Bennett.--1.

Excused: Banz, Blackwell, Christian, Cockroft, Hickman, Key, McDaniel (Randy), McNiell, Morgan, Nelson, Ortega, Osborn, Sanders, Shumate.--14.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1580** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1095 by Laster of the Senate and Watson of the House was read and considered.

Representative Watson moved that **SB 1095** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1095 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McNiell, Moore, Morrissette, Mulready, Murphey, Newell, Nollan, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Mr. Speaker.--83.

Excused: Blackwell, Christian, DeWitt, Hickman, Joyner, McDaniel (Curtis), McDaniel (Randy), McPeak, Morgan, Nelson, Ortega, Osborn, Richardson, Shumate, Wright.--15.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1095 was referred for engrossment.

GENERAL ORDER

SB 1828 by Jolley of the Senate and Martin (Scott) of the House was read and considered.

Representative Martin (Scott) moved that **SB 1828** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1828 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Jackson, Jordan, Joyner, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiell, Mulready, Nollan, Osborn, Ownbey, Peters, Quinn, Richardson, Sanders, Schwartz, Sears, Shannon, Thomsen, Trebilcock, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--40.

Nay: Banz, Bennett, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Cooksey, Faught, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Johnson, Kern, Key, Kouplen, Lockhart, McDaniel (Curtis), McPeak, Moore, Morrisette, Murphey, Newell, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Scott, Shelton, Sherrer, Shumate, Stiles, Terrill, Wesselhoft.--49.

Excused: Blackwell, Christian, Fourkiller, Hickman, Morgan, Nelson, Ortega, Shoemake, Vaughan.--9.

Vacancy: District 23, District 71, District 88.--3.

The measure failed.

Representative Martin (Scott) served notice to reconsider the vote whereby **SB 1828** failed.

GENERAL ORDER

SB 1544 by Shortey of the Senate and Cockroft of the House was read and considered.

Coauthored by Representative(s) Bennett

Representative Cockroft moved that **SB 1544** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1544 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brumbaugh, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Glenn, Hall, Hardin, Holland, Jackson, Jordan, Joyner, Kern, Key, Kirby, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Randy), McNiel, Moore, Mulready, Murphey, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Pruett, Quinn, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Shannon, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--65.

Nay: Brown, Cannaday, Dorman, Fourkiller, Hamilton, Hilliard, Hoskin, Inman, Kouplen, Lockhart, McDaniel (Jeannie), McPeak, Pittman, Proctor, Renegar, Reynolds, Ritze, Scott, Shelton, Sherrer, Shumate, Williams.--22.

Excused: Blackwell, Christian, Grau, Hickman, Johnson, Morgan, Morrisette, Nelson, Ortega, Sears, Shoemake.--11.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1544** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 747 by Brinkley et al of the Senate and McNiel of the House was read and considered.

Representative McNiel moved that **SB 747** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 747 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Billy, Brown, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Holland, Jackson, Jordan, Liebmann, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, Mulready, Nelson, Nollan, Osborn, Ownbey, Peters, Proctor, Pruett, Richardson, Sanders, Schwartz, Sears, Shannon, Vaughan, Walker, Watson, Wright, Mr. Speaker.--39.

Nay: Banz, Bennett, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Hoskin, Inman, Johnson, Joyner, Kern, Kirby, Kouplen, Lockhart, McDaniel (Curtis), Moore, Morrissette, Murphey, Newell, Peterson, Pittman, Renegar, Reynolds, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Trebilcock, Virgin, Wesselhoft, Williams.--49.

Excused: Blackwell, Christian, Coody, Hickman, Key, McPeak, Morgan, Ortega, Quinn, Thomsen.--10.

Vacancy: District 23, District 71, District 88.--3.

The measure failed.

Representative McNiel served notice to reconsider the vote whereby **SB 747** failed.

GENERAL ORDER

SB 1082 by Ballenger et al of the Senate and Dorman of the House was read and considered.

Representative Dorman moved that **SB 1082** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1082 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Bennett, Billy, Brown, Cannaday, Casey, Condit, Coody, Cooksey, Cox, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Glenn, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Joyner, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morgan, Morrissette, Mulready, Nelson, Nollan, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Williams, Wright, Mr. Speaker.--75.

Nay: Banz, Brumbaugh, Cockroft, Dank, Faught, Grau, Hall, Johnson, Kern, McCullough, Moore, Murphey, Newell, Reynolds, Ritze, Terrill, Wesselhoft.--17.

Excused: Blackwell, Christian, Hickman, Key, Kirby, Ortega.--6.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1082** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1539 by Brecheen et al of the Senate and Armes of the House was read and considered.

Coauthored by Representative(s) Condit, Roberts (Dustin), Walker

Representative Morrisette moved to amend **SB 1539** by inserting a new Section 1 to read as follows, and by renumbering subsequent sections:

“SECTION 1. AMENDATORY 57 O.S. 2011, Section 222, is amended to read as follows:

Section 222. A. It shall be unlawful to use prisoners assigned to said public works project on any property other than public property, except that inmate labor may be used on private property for a public purpose.

B. As used in this section ‘public purpose’ means a purpose affecting the inhabitants of the state or political subdivision utilizing the inmate labor, as a group, and not merely as individuals. The work performed shall be essentially public and for the general good of the inhabitants of the state or political subdivision, and may include eradication of graffiti on private buildings or harvesting Eastern Red Cedar trees. For purposes of this section:

1. ‘Graffiti’ shall include but not be limited to any inscription, slogan or drawing, crudely scratched, drawn, printed, painted or scribbled on a wall or other surface visible to the public and which is likely to endanger the health or safety of the public. Provided, however, that this definition shall never be construed to include any sign or advertising device lawfully erected or installed by the owner of property ~~or his~~, lessee or authorized agent; and

2. ‘Owner’ means the owner of record as shown by the most current tax rolls of the county treasurer.

C. The purpose of the work performed shall be to aid the federal government, a state agency or a political subdivision, utilizing the inmate labor in the exercise of a governmental function. Any person convicted of willfully violating the provisions of this section shall be guilty of a felony.”,

which amendment was declared adopted.

Representative Armes moved that **SB 1539** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1539 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Quinn, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--89.

Nay: Renegar.--1.

Excused: Blackwell, Christian, Hickman, Joyner, Key, Kirby, McNiel, Ortega.--8.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1539 was referred for engrossment.

GENERAL ORDER

SB 1451 by Brinkley of the Senate and Ownbey of the House was read and considered.

Representative Ownbey moved that **SB 1451** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1451 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Kirby, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, 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, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--92.

Excused: Blackwell, Christian, Hickman, Joyner, Key, Ortega.--6.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1451 was referred for engrossment.

GENERAL ORDER

SB 1016 by Anderson et al of the Senate and Nelson of the House was read and considered.

Coauthored by Representative(s) Peterson, Kern, Pittman

Representative Nelson moved that **SB 1016** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1016 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, 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, Terrill, Thomsen, Trebilcock, Vaughan, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--89.

Nay: McPeak, Virgin, Williams.--3.

Excused: Blackwell, Christian, Hickman, Joyner, Key, Ortega.--6.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 1016** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1667 by Johnson (Rob) of the Senate and Jackson of the House was read and considered.

Representative Jackson moved that **SB 1667** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1667 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Banz, Billy, Brown, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Jordan, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--82.

Nay: Bennett, Brumbaugh, Faight, Johnson, Moore, Quinn, Reynolds, Ritze, Russ.--9.

Excused: Blackwell, Christian, Hickman, Joyner, Key, McDaniel (Curtis), Ortega.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1667** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 1412 by Paddack et al of the Senate and Thomsen of the House was read and considered.

Coauthored by Representative(s) Sherrer

Representative Thomsen moved that **SB 1412** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1412 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Banz, Bennett, Billy, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, 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, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Excused: Blackwell, Christian, Hickman, Joyner, Key, McNiel, Ortega, Ownbey.--8.

Vacancy: District 23, District 71, District 88.--3.

The measure passed.

SB 1412 was referred for engrossment.

GENERAL ORDER

SB 1056 by Simpson of the Senate and Ownbey of the House was read and considered.

Coauthored by Representative(s) Cannaday

Representative Ownbey moved that **SB 1056** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1056 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, Brown, Brumbaugh, Cannaday, Casey, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jordan, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McNiel, McPeak, Moore, Morgan, Morrissette, Mulready, Murphey, Nelson, Newell, Nollan, 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, Terrill, Thomsen, Trebilcock, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Excused: Blackwell, Christian, Hickman, Joyner, Key, McDaniel (Randy), Ortega.--7.

Vacancy: District 23, District 71, District 88.--3.

The measure and emergency passed.

The Presiding Officer signed, in open session, Engrossed **SB 1056** and ordered same returned to the Honorable Senate.

MESSAGE FROM THE SENATE

Announcing the passage of **HBs 1968, 2200, 2322, 2365**, Remove Senator Crain as principal Senate author and substitute with Senator Simpson and coauthored by Senator Crain, **2414, 2715**, Coauthored by Senator Wyrick and **2927**.

The above-numbered measures were referred for enrollment.

VETO CONSIDERATION

Representative Proctor moved pursuant to Article VI, Section 11 of the Oklahoma Constitution that **HB 2296** become law notwithstanding the veto of the Governor.

Speaker Steele moved to table the Proctor motion.

Representative Dorman raised a point of inquiry as to whether it is in order for any member to make the motion to lay the Proctor motion on the table.

The Presiding Officer stated that any member may offer the motion to table and that the motion that the measure become law notwithstanding the veto of the Governor may be offered again at a later time.

Representative Dorman raised a point of inquiry as to whether additional motions presented by Representative Proctor that **HB 2296** become law notwithstanding the veto of the Governor would be considered dilatory motions.

The Presiding Officer stated the motion would not be dilatory if the parliamentary situation had changed.

Speaker Steele pressed his motion to table the Proctor motion, which tabling motion was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Brumbaugh, Casey, Cockroft, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Grau, Hall, Holland, Jackson, Johnson, Jordan, Kern, Liebmann, Martin (Scott), McNeil, Mulready, Murphey, Nelson, Newell, Osborn, Peters, Peterson, Quinn, Reynolds, Richardson, Ritze, Roberts (Sean), Schwartz, Shannon, Thomsen, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--43.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hardin, Hilliard, Hoskin, Inman, Kirby, Kouplen, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrissette, Ownbey, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Virgin, Walker, Williams.--36.

Excused: Bennett, Blackwell, Christian, Derby, Enns, Faught, Hickman, Joyner, Key, Martin (Steve), McCullough, McDaniel (Randy), Moore, Nollan, Ortega, Roberts (Dustin), Russ, Sanders, Sears.--19.

Vacancy: District 23, District 71, District 88.--3.

Representative Reynolds raised a point of inquiry regarding the ability to recall a measure from the Governor's desk for further work or whether it was too late at this point because the Governor had vetoed the measure.

The Presiding Officer stated that it would be taken under advisement.

Representative Dorman raised a point of inquiry as to whether a motion to recess would be presently in order.

The Presiding Officer stated that the motion to recess must be scheduled through the Majority Floor Leader.

MESSAGES FROM THE SENATE

Announcing that Enrolled **HBs 2225, 2289** and **2564** 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.

Conference requested

Advising rejection of **HAs to SB 201** and requesting conference thereon, the Senate naming conferees later.

Returning engrossed measures

Announcing the passage of **HBs 2197, 2251**, Coauthored by Representative Sherrer, **2264** and **2502**, Coauthored by Senator Fields.

The above-numbered measures were referred for enrollment.

GENERAL ORDER

SB 1641 by Marlatt of the Senate and Shannon of the House was read and considered.

Representative Shannon moved that **SB 1641** be advanced from General Order, which motion was declared adopted.

Upon request of Representative Shannon, **SB 1641** was laid over.

GENERAL ORDER

SB 1640 by Marlatt of the Senate and Liebmann of the House was read and considered.

Representative Renegar raised a point of order regarding the accuracy of the fiscal summary for **SB 1640**.

The Presiding Officer stated pursuant to House Rule 7.11(d) that the accuracy of a fiscal analysis contained within a bill summary would not properly be a basis for a point of order.

Representative Morrissette raised a point of order regarding the accuracy of the fiscal analysis.

The Presiding Officer cited House Rule 7.11(a) and (d) and ruled the point not well taken.

Representative Morrissette appealed the ruling of the Presiding Officer receiving the required 15 seconds.

"The question is, shall the decision of the Presiding Officer be the decision of the House? All those in favor signify by voting 'Aye'; those opposed 'Nay'. The vote is now in progress."

The decision of the Presiding Officer was upheld upon roll call as follows:

Aye: Armes, Bennett, Billy, Brumbaugh, Casey, Christian, Cockroft, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Enns, Faught, Grau, Hall, Hardin, Holland, Jackson, Johnson, Jordan, Joyner, Kern, Liebmann, Martin (Scott), Martin (Steve), McNiell, Moore, Mulready, Murphey, Nelson, Newell, Nollan, Osborn, Ownbey, Peters, Peterson, Quinn, Richardson, Ritze, Roberts (Dustin), Roberts (Sean), Russ, Sanders, Schwartz, Sears, Shannon, Trebilcock, Vaughan, Watson, Wesselhoft, Wright, Mr. Speaker.--55.

Nay: Brown, Cannaday, Condit, Dorman, Fourkiller, Glenn, Hamilton, Hoskin, Inman, Kouplun, Lockhart, McDaniel (Curtis), McDaniel (Jeannie), McPeak, Morgan, Morrissette, Pittman, Proctor, Pruett, Renegar, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Shumate, Virgin, Williams.--29.

Excused: Banz, Blackwell, Hickman, Hilliard, Key, Kirby, McCullough, McDaniel (Randy), Ortega, Reynolds, Stiles, Terrill, Thomsen, Walker.--14.

Vacancy: District 23, District 71, District 88.--3.

Upon request of Representative Liebmann, **SB 1640** was laid over.

FIRST READING

The following were introduced and read for the first time:

HJR 1121 – By Jordan.

A Joint Resolution approving permanent rules of the Oklahoma Uniform Building Code Commission; and directing distribution.

HJR 1122 – By Faught.

A Joint Resolution approving permanent rules of the State Board of Medical Licensure and Supervision; and directing distribution.

MESSAGE FROM THE GOVERNOR

Advising of her approval of **HBs 2260, 2453, 2458, 2623** and **2713** on April 16, 2012.

COMMITTEE REPORTS

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

DO PASS:

SB 1012 – Insurance

SB 1152 – Insurance

SB 1367 – Insurance

SB 1476 – Insurance

SB 1621 – Insurance

DO PASS, As Amended:

CS for **SB 1616** – Insurance

SB 1617 – Insurance

CS for **SB 1618** – Insurance

CS for **SB 1905** – Insurance

MOTION EXPIRED

Time expired for consideration of the motion to reconsider the vote whereby the emergency failed on **SB 1218**.

SB 1218 was referred for engrossment.

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, April 17, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 4:35 p.m., to reconvene Tuesday, April 17, 2012, at 9:00 a.m.