

# HOUSE JOURNAL

## Second Regular Session of the Fifty-third Legislature

### of the State of Oklahoma

Forty-ninth Legislative Day, Tuesday, May 1, 2012

The House was called to order by Speaker Steele.

The roll was called with 95 Members present.

The following Members were excused: Jackson, Morrissette, Scott.—3.

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

The Speaker declared a quorum present.

Prayer was offered by Pastor James Bond, Emmanuel Baptist Church, McLoud. Pastor Bond was sponsored by Representative Cockroft.

The Journal for the last legislative day was approved.

#### ENGROSSED AND ENROLLED MEASURES

**HJR 1111** was reported correctly engrossed, properly signed, in open session, and ordered transmitted to the Honorable Senate.

**HBs 1910, 2643, 2902, 2925, 3000 and 3110** were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

#### MESSAGE FROM THE SENATE

Advising fourth reading of and transmitting for signature enrolled **SBs 1042 and 1785**.

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

**GENERAL ORDER**

**HJR 1121** by Jordan of the House and Newberry of the Senate was read and considered.

Representative Reynolds raised a point of order as to whether, based on the previous day's ruling, the Presiding Officer would inform the House of the order of business to be followed for the present day.

The Presiding Officer stated that this question had previously been ruled upon and that the House would proceed as usual.

Representative Jordan moved that **HJR 1121** be advanced from General Order, which motion was declared adopted upon a division of the question.

**THIRD READING**

**HJR 1121** 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, Faight, Fourkiller, Glenn, Grau, Hall, Hardin, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Ownbey, Peters, Peterson, Pittman, Proctor, Quinn, Richardson, Ritze, Roan, Roberts (Dustin), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--81.

Nay: Bennett.--1.

Excused: Hamilton, Hickman, Jackson, Kirby, Moore, Morgan, Morrisette, Osborn, Pruett, Renegar, Reynolds, Roberts (Sean), Scott, Sherrer, Trebilcock, Williams.--16.

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

The measure passed.

**HJR 1121** was referred for engrossment.

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2654** were called up for consideration.

Coauthored by Representative(s) Cooksey

Upon motion of Representative Jordan, the House concurred in the **SAs to HB 2654**.

**HB 2654**, 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, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Quinn, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--89.

Excused: Hamilton, Jackson, Morrisette, Pruett, Reynolds, Scott, Shelton, Trebilcock, Williams.--9.

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

The measure and emergency passed.

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

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2566** were called up for consideration.

Coauthored by Representative(s) Roan

Upon motion of Representative Wright, the House concurred in the **SAs to HB 2566**.

**HB 2566**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Billy, Blackwell, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Glenn, Hardin, Hickman, Hilliard, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplén, Liebmann, Lockhart, Martin (Steve), McDaniel (Curtis),

McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Sears, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--77.

Nay: Bennett, Brown, Grau, Hall, Holland, Martin (Scott), McCullough, Mulready, Quinn, Schwartz, Shannon.--11.

Excused: Fourkiller, Hamilton, Jackson, Morrissette, Pruett, Reynolds, Scott, Shelton, Trebilcock, Williams.--10.

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

The measure passed.

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

### **Speaker Pro Tempore Hickman Presiding**

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2419** were called up for consideration.

Coauthored by Representative(s) Proctor, Dorman, Kern, Hickman, Roberts (Sean), Nollan

Upon motion of Representative Enns, the House concurred in the **SAs to HB 2419**.

**HB 2419**, 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, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kouplén, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNeil, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Wright, Mr. Speaker.--89.

Nay: Sherrer, Williams.--2.

Excused: Jackson, Kirby, Morrissette, Pittman, Pruett, Scott, Trebilcock.--7.

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

The measure and emergency passed.

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

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2573** were called up for consideration.

Upon motion of Representative Ownbey, the House concurred in the **SAs to HB 2573**.

**HB 2573**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Nay: Key.--1.

Excused: Jackson, Morrissette, Pittman, Pruett, Scott, Trebilcock.--6.

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

The measure passed.

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

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2928** were called up for consideration.

Coauthored by Representative(s) Cooksey

Upon motion of Representative Armes, the House concurred in the **SAs to HB 2928**.

**HB 2928**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann, Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Quinn, Renegar, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--90.

Nay: Reynolds.--1.

Excused: Jackson, Morrissette, Pittman, Pruett, Sanders, Scott, Trebilcock.--7.

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

The measure passed.

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

**PENDING CONSIDERATION OF SAs**

**SAs to HB 2841** were called up for consideration.

Upon motion of Representative Martin (Scott), the House concurred in the **SAs to HB 2841**.

**HB 2841**, as amended by the Honorable Senate, was read at length for the fourth time and the roll was called on the measure as follows:

Aye: Armes, Banz, Bennett, Billy, Blackwell, Brown, Brumbaugh, Cannaday, Casey, Christian, Cockroft, Condit, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fourkiller, Glenn, Grau, Hall, Hamilton, Hardin, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Liebmann,

Lockhart, Martin (Scott), Martin (Steve), McCullough, McDaniel (Curtis), McDaniel (Jeannie), McDaniel (Randy), McNiell, McPeak, Moore, Morgan, Mulready, Murphey, Nelson, Newell, Nollan, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Quinn, Renegar, Reynolds, Richardson, Ritze, Roan, Roberts (Dustin), Roberts (Sean), Rousselot, Russ, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Stiles, Terrill, Thomsen, Vaughan, Virgin, Walker, Watson, Wesselhoft, Williams, Wright, Mr. Speaker.--91.

Excused: Jackson, Morrissette, Pittman, Pruett, Sanders, Scott, Trebilcock.--7.

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

The measure passed.

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

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2978** were rejected upon motion of Representative Dank. The Speaker named GCCA.

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2390** were rejected upon motion of Representative Liebmann. The Speaker named GCCA.

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2563** were rejected upon motion of Representative Wesselhoft. The Speaker named the Conference Committee on General Government and Transportation.

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2689** were rejected upon motion of Representative Joyner. The Speaker named the Conference Committee on Education.

#### **PENDING CONSIDERATION OF SAs**

**SAs to HB 2790** were rejected upon motion of Representative Ortega. The Speaker named the Conference Committee on Education.

**MESSAGES FROM THE SENATE**

Announcing that enrolled **HBs 1910, 2643, 2902, 2925, 3000 and 3110** 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 SBs 134, 259, 1001, 1159, 1192, 1355, 1398, 1406, 1480, 1616, 1795 and 1816** and requesting conference thereon, the Senate naming conferees later.

**Concurrence in HAs**

Announcing the concurrence of Senate in **HAs to SBs 448, 1075, 1170, 1218, 1506, 1665**, Coauthored by Senator Johnson (Constance), **1796, 1797, 1798, 1863**, Coauthored by Senators Allen, Paddock and **1875** and the passage of said measures, as amended thereby.

**Conferees named**

Advising naming of Senate Conferees as follows:

**SB 259** - Brecheen, Branan, Simpson, Brown, Burrage, Ballenger  
**SB 447** - Barrington, Sykes, Russell, Anderson, Ballenger, Ivester  
**SB 1059** - Brown, Stanislawski, Treat, Brecheen, Bass, Sparks  
**SB 1617** - Brown, Stanislawski, Treat, Brecheen, Bass, Sparks  
**SB 1664** - GCCA

**Conference granted**

Advising conference granted on **HBs 2242, 2254, 2273, 2392, 2576, 2577, 2621, 2645, 2647, 2741, 2991, 3053, 3079 and 3093** and the Senate naming GCCA.

**Conference granted**

Advising conference granted on **HBs** and naming Senate conferees as follows:

**HB 2230** - Aldridge, Schulz, Newberry, Justice, Ballenger, Bass  
**HB 2258** - Burrage, Newberry, Coates, Ballenger, Brinkley, Ford

### **Returning engrossed measure**

Announcing the passage of **HCR 1031**, Coauthored by Senators Fields, Allen, Treat, Simpson, Schulz, Ford, Russell, Griffin, Childers, David, Stanislawski, Holt, Brown, Aldridge, Johnson (Rob), Jolley, Brecheen, Brinkley, Halligan, Bingman, Barrington, Marlatt, Branam, Newberry, Coates, Mazzei and Sykes.

The above-numbered measure was referred for enrollment.

### **CONFERENCE GRANTED**

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

- SB 201** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 447** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1059** – Conference Committee on Insurance and Economic Development
- SB 1067** – Conference Committee on Public Safety, Judiciary and Military Affairs
- SB 1588** – Conference Committee on Insurance and Economic Development
- SB 1617** – Conference Committee on Insurance and Economic Development
- SB 1664** – GCCA
- SB 1820** – GCCA

### **APPOINTMENT**

The Speaker announced the following appointment:

May 1, 2012 – Representative Williams appointed as a Member of the Conference Committee on Government Modernization and Rules, replacing Representative Hamilton. (House Rule 1.9)

### **RESOLUTION**

The following was introduced and read:

**HR 1055** – By Terrill and Dorman.

A Resolution relating to public health and safety; recognizing May 2012 as Oklahoma Lupus Awareness Month; and directing distribution.

**MESSAGE FROM THE GOVERNOR**

Advising of her approval of **HBs 2266, 2381, 2516, 2742, 2967, 2994** and **HJR 1093** on May 1, 2012.

Representative DeWitt moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 1:30 p.m., Wednesday, May 2, 2012, which was the order.

Pursuant to the motion of Representative DeWitt, the House was adjourned at 11:15 a.m., to reconvene Wednesday, May 2, 2012, at 1:30 p.m.